

# Statement of Consistency

*In respect of*

## **Proposed Build to Rent Strategic Housing Development**

*on lands at*

**St. Michael's Hospital Car Park,  
Crofton Road, Dun Laoghaire**

*Prepared for*

**Fitzwilliam DL Ltd.**

*Prepared by*

**John Spain Associates**

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39 Fitzwilliam Place, Dublin 2  
Telephone: (01) 662 5803  
E-mail [info@johnspainassociates.com](mailto:info@johnspainassociates.com)

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## 1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Fitzwilliam DL Ltd., 2<sup>nd</sup> Floor, Elm House, Leopardstown Office Park, Sandyford, Dublin 18, we hereby submit this statement of consistency with planning policy to accompany a planning application submitted under the provisions of Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 in relation to a proposed Build to Rent Strategic Housing Development on lands at St. Michael's Hospital car park, Crofton Road, Dun Laoghaire, County Dublin.
- 1.2 The subject lands are comprised of brownfield, developed lands which currently exist as a surface car park occupying lands to the north of St Michael's hospital located in Dun Laoghaire Town Centre, accessed from Crofton Road, Dun Laoghaire. The site also includes an unoccupied 2 no. storey dwelling located within the north eastern corner, as well as a small number of trees and grassed areas within the surface car parking. The site is bound by a wall to the east, beyond which lies Harbour View residential apartments, with Charlemont Terrace and Charlemont Avenue to the west, and St. Michael's Hospital to the south. The site extends to approximately 0.42 ha.
- 1.3 The proposed development will consist of 102 no. build-to-rent residential apartments across 2 no. blocks. Building 01 to the north extends to c. 5,047 sqm, within a part 5, part 6 and part 13 no. storey building which comprises of 42 no. 1-bed apartments and 15 no. 2-bed apartments. Building 01 includes external roof terraces at 6<sup>th</sup> and 8<sup>th</sup> floor levels, with an additional enclosed roof amenity space at 13<sup>th</sup> storey level, with external terrace. It is intended that the roof amenity space will be offered for public use through Dun Laoghaire-Rathdown County Council and other events at certain times of year to allow viewings from this attractive and elevated position.
- 1.4 Roof terraces are provided at Building 02 to the rear extends to c. 3,718 sqm, within a part 8, part 9 no. storey building with setback 9<sup>th</sup> storey comprising 38 no. 1-bed units and 7 no. 2-bed, including 10 no. social housing units. An external roof terrace is included at 9<sup>th</sup> storey level.
- 1.5 Residential amenity in the form of a reception and postal delivery facility, shared office space, games area, kitchen/lounge area, gym, as well as a publicly accessible commercial café unit are located at ground floor level. This is complemented by an enclosed amenity space (c. 77.4 sqm) at 13<sup>th</sup> storey level, with external terrace. A total of 507 sqm of internal residential support facilities and amenities are provided throughout the development.
- 1.6 A total of 50 units benefit from private balconies in Building 01. An additional external terrace is provided at 9<sup>th</sup> storey level of Building 02, with private balconies/terraces at each unit and communal amenity at ground floor level comprising a bicycle repair area. Communal landscaped open space is provided between the two blocks, with landscaped public open space located to the north of Building 01, adjacent to Crofton Road. A total of 765 sqm of external communal amenity space is provided throughout the development.
- 1.7 The development includes a proposed vehicle right of way providing access to St. Michael's Hospital along the western perimeter of the site accessed from Crofton Road. A secondary right of way is provided via a landscaped pedestrian route along the eastern perimeter of the site in agreement with the adjoining landowner St Michael's Hospital. No works outside the red line boundary is proposed relative to either proposed right of way.
- 1.8 Notwithstanding the site's proximity to excellent public transport links, a total of 3 no. car share parking spaces, including 1 no. disabled space, are proposed conveniently

located between the buildings, with 176 no. secured bicycle parking spaces provided at ground floor level of Building 02.

- 1.9 The subject site benefits from a strategic location and excellent accessibility, being located within 120 metres of Dun Laoghaire DART station, bus terminus and town centre. The Blackrock cycle route along the seafront is also found in close proximity to the site across the railway line to the north. The cycle lane between Blackrock and Sandycove recently implemented by Dun Laoghaire-Rathdown County Council is routed also located on the N31 at this location. The site benefits from high quality pedestrian links and provides a pedestrian link to St Michael's hospital to the south, in agreement with the adjoining landowner.
- 1.10 It is considered that the proposals will introduce a high quality landmark building at a strategic location which will signify the entrance to the Seafront Quarter, as designated by the Dun Laoghaire Urban Framework Plan. The proposed building height and design will provide a bookend to the skyline, defining the extent of the Seafront Quarter at its western end. This will ensure the sustainable redevelopment and regeneration of one of the last key gap sites on the waterfront and optimise the land resource at this location, contributing positively to the nature and appearance of the streetscape and urban realm.
- 1.11 The site is identified for infill development in the Dun Laoghaire Urban Framework Plan which forms part of the Dun Laoghaire Rathdown County Development Plan 2016-2022.
- 1.12 The development will enhance the animation of the seafront quarter and contribute positively to the setting and character of Dun Laoghaire town centre, providing continuity to the established building lines and providing an enhance public realm by the implementation of landscaped public open space at the site's northern perimeter at Crofton Road.
- 1.13 The development seeks to ensure compact growth and densification on a brownfield, infill site at a highly accessible location, in accordance with National and Regional Planning Policy in order to help achieve the delivery of at least 50% of all new homes within the existing built up area.
- 1.14 The proposals submitted have been subject to extensive Pre-Application Consultation with Dun Laoghaire-Rathdown County Council and An Bord Pleanála. This engagement and resulting feedback in the Opinion issued by the Planning Authority and An Bord Pleanála Opinions has informed and contributed to the final design of the proposals, which are considered to comprise a high quality residential development which enhances the visual appearance of the area, improving the public realm and increasing permeability whilst increasing densities in highly accessible location.
- 1.15 The development proposal described within this Statement of Consistency with Planning Policy has been developed by an expert multi-disciplinary team and this report should be read in conjunction with the accompanying reports and drawings, listed as follows:
- Cover Letter;
  - Copy of site notice;
  - Copy of newspaper notice;
  - Letter of Consent from DLRCC;
  - Part V Letter with draft costings & DLRCC Validation Letter;
  - Draft Build to Rent Covenant;
  - EIA Screening Report prepared by John Spain Associates;

- Statement of Material Contravention prepared by John Spain Associates;
- Statement of Response to An Bord Pleanála Opinion prepared by John Spain Associates;
- Architectural Drawings and Issue Sheet prepared by Reddy Architecture & Urbanism;
- Architectural Design Statement including Schedule of Accommodation & Verified Views prepared by Reddy Architecture & Urbanism;
- Housing Quality Assessment prepared by Reddy Architecture & Urbanism;
- Building Lifecycle Report prepared by Reddy Architecture & Urbanism;
- BTR Operational Management Plan prepared by Liv Consult;
- Daylight & Sunlight Report prepared by Hollis;
- Internal Daylight & Sunlight Report prepared by Hollis;
- Landscape & Visual Impact Assessment prepared by prepared by ARC Consultants;
- Landscape Rationale Report and Drawings and Issue Sheet prepared by Dermot Foley Landscape Architects;
- Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Building Consultant;
- Archaeological Assessment prepared by IAC Archaeology;
- Engineering Planning Report & Drawings prepared by Muir Associates including:
  - Site Specific Flood Risk Assessment prepared by Muir Associates;
  - Outline Construction Management Plan prepared by Muir Associates;
  - Outline Construction and Demolition Waste Management Plan prepared by Muir Associates;
  - Outline Operational Waste Management Plan prepared by Muir Associates;
  - Outline Travel Plan prepared by Muir Associates;
  - Quality Audit prepared by Bruton Consulting Engineers
  - Stage 1 Surface Water Audit prepared by Punch Consulting Engineers
  - Site Investigation Report prepared by Glover Site Investigation
  - Construction & Environmental Management Plan prepared by Enviroguide;
  - Appropriate Assessment Screening Report prepared by Enviroguide (including Hydrological & Hydrogeological Qualitative Risk Assessment prepared by AWN Consulting);
  - Ecological Statement prepared by Enviroguide;
  - Building Services M&E Report prepared by Parkbourne Consulting Engineers;
  - Sustainability Report prepared by Parkbourne Consulting Engineers;
  - Wind Microclimate Modelling Report prepared by B-Fluid;
  - Telecommunications Report prepared by ISM Ireland;
  - Arboricultural Report & Drawings prepared by The Tree File.

1.16 This document demonstrates that the proposed development is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act (2000), as amended (hereinafter referred to as the '2000 Act), and with local planning policy (in particular the Dun Laoghaire Rathdown County Development Plan 2016-2022). The application is accompanied by a draft BTR covenant in accordance with SPPR 7 of the 2020 Apartment Guidelines, committing the property to the proposed use for a period of 15 years.

1.17 For greater detail in respect of compliance and consistency with quantitative standards for residential apartment units as outlined within the 2020 Apartment Guidelines, please refer to the Housing Quality Assessment (HQA) and Design Appraisal prepared by Reddy Architecture & Urbanism.

- 1.18 The proposed development as submitted to An Bord Pleanála (ABP), is the product of an analysis of the subject site, its settings and characteristics, surrounding planning history, national, regional and local planning policy, and an iterative design process guided by 2 no. formal pre-application consultations with Dun Laoghaire Rathdown County Council (the planning authority), details of which are provided at Appendix 1. Additional ongoing correspondence with the planning authority has also contributed to the content of the information now submitted in support of this pre-application consultation request.
- 1.19 This has been consolidated and developed further by Pre-Application Consultation with An Bord Pleanála, consisting of a tripartite meeting held via Microsoft Teams on 13<sup>th</sup> May 2020 and the content of the subsequent ABP Opinion dated 3<sup>rd</sup> June 2020. This is further addressed in the accompanying Statement of Response to the An Bord Pleanála Opinion, which accompanies this submission. The Planning Authority Opinion dated 18<sup>th</sup> March 2020 has also been taking into considered in the preparation of the final design now submitted.

## 2.0 SITE CONTEXT AND DESCRIPTION

- 2.1 The subject site is located on Crofton Road, Dun Laoghaire and forms lands to the north of St. Michael's hospital. The site exists at present as a surface car park. The site is bound to the east by Harbour View apartments and to the west by the residential area of Charlemont Avenue and Charlemont Terrace.
- 2.2 Site boundaries are formed by existing walls, with the boundary to the south open at present. The site rises slightly moving south, away from Crofton Road. The site extends to approximately 0.42 hectares and includes lands under ownership of Dun Laoghaire-Rathdown County Council at the northern perimeter, included to encompass road and footpath works associated with the proposals. Please find the letter of consent accompanying. The site's location in the context of its urban surroundings is shown by Figure 1, below.

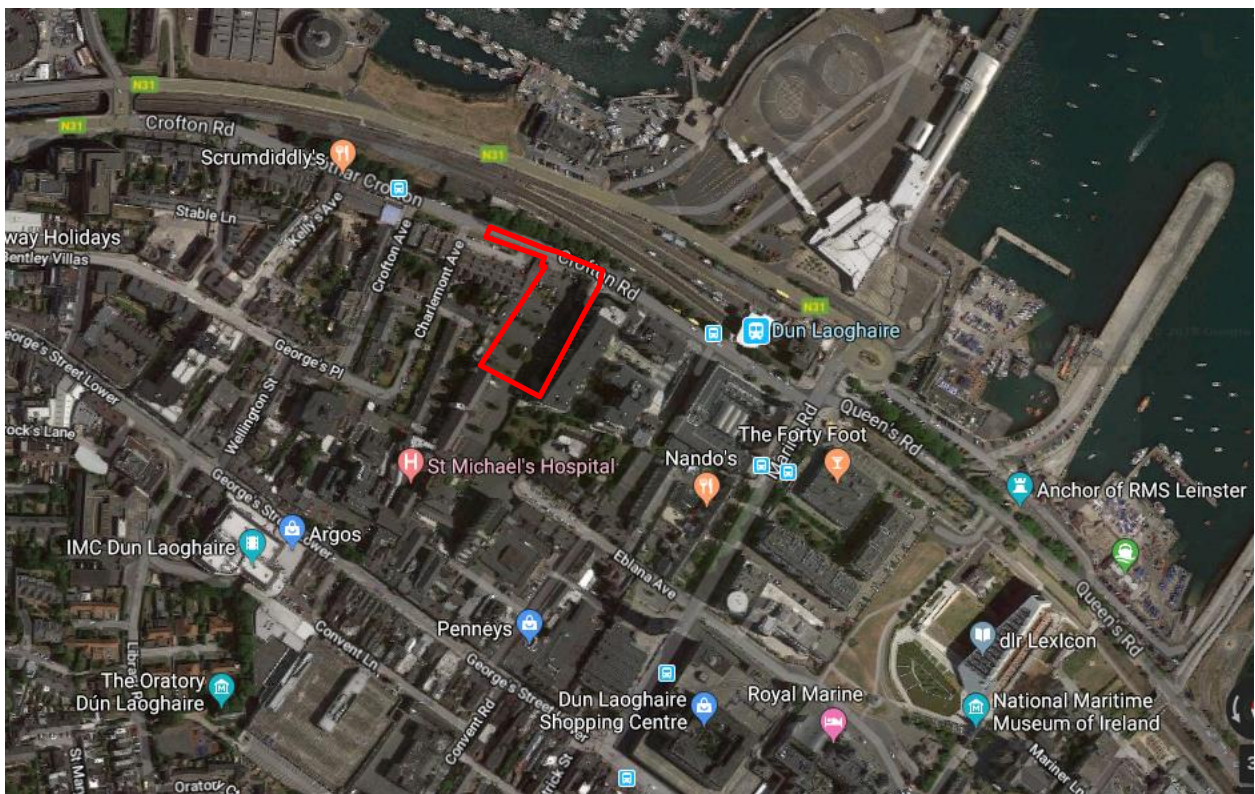


Figure 1: Aerial view of the subject site approximately outlined in red (Google Maps)

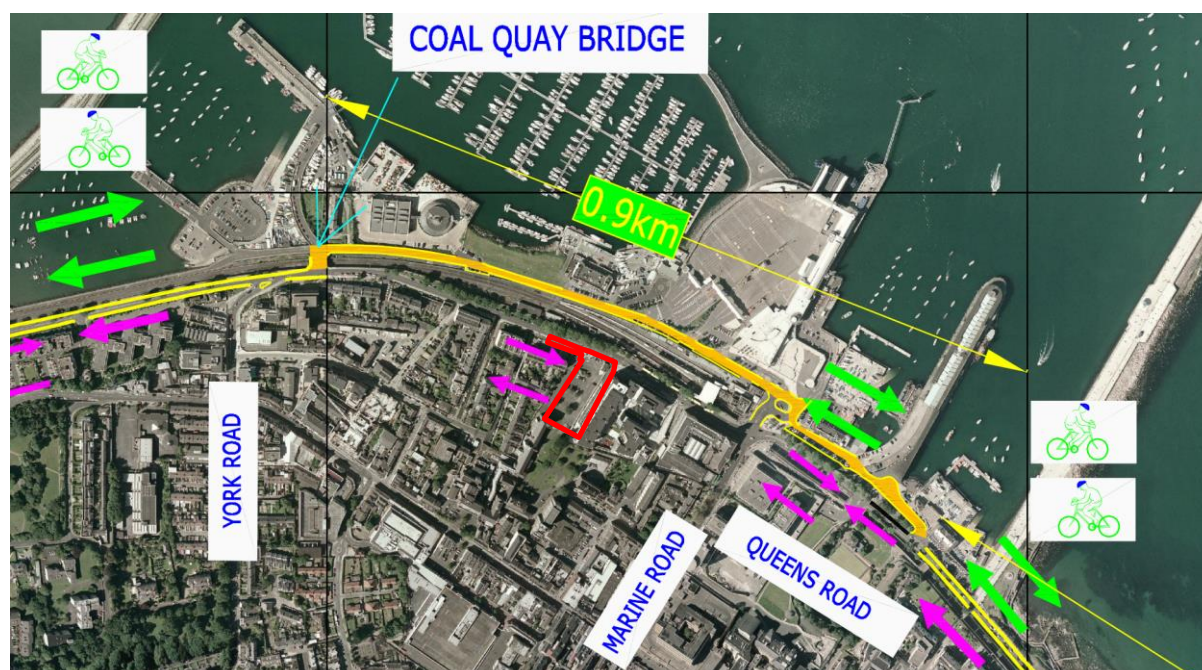
- 2.3 The site is located centrally within the context of Dun Laoghaire town centre and falls within the Seafront Quarter as noted by the Dun Laoghaire Urban Framework Plan, prepared by the local authority. Dun Laoghaire DART station is located opposite the subject site on Crofton Road, providing regular, frequent services between Bray and Greystones in the south to Howth and Malahide to the north. The station is also served by commuter and inter-city trains and is the terminus for a number of bus routes. The N31 is located a short distance west, providing links to the N11, Dublin city centre and beyond.



**Figure 2: View of the subject site from the existing site entrance on Crofton Road**

- 2.4 The cycle route along the seafront is also found in close proximity to the site on the N31 a short distance west. The local authority has recently implemented a two-way cycle lane at this location between Blackrock and Sandycove to encourage sustainable methods of travel and facilitate the increase in cyclists during and arising from the Covid-19 lockdown. The site's location in respect of these measures is shown outlined in red in Figure 3 below.





**Figure 3: Site Location in respect of Cycle Lane between Blackrock & Sandycove**

- 2.5 The town's main bus terminus is along located adjacent to the rail station on Crofton Road opposite the site. This benefits from a number of Dublin Bus services which provide links to Dublin city centre and Phoenix Park to the north west (no. 46A) as well as Dalkey (no. 111), Brides Glen (no. 7) and Loughlinstown Park (no. 7A). Additional bus stops can be located nearby on Marine Road, approximately 175 metres from the site, providing links to Dublin Airport (no. 703), Kilmacanogue (no. 45A), Kiltarnan (no. 63) and Killiney (no. 59). In this respect the site benefits from excellent connectivity to the wider metropolitan area of Dublin. The 46A, 7 and 7A routes provide for high-frequency services.
- 2.6 The site also benefits from nearby recreational facilities including seafront parks, walkways and piers at Dun Laoghaire, as well as a number of yacht clubs and the marina, all located within a 500 metre radius of the location.
- 2.7 A wide variety of town centre facilities are also located within an approximate 10 minute walking distance of the site. These include a large number of cafés, bars and restaurants, as well as convenience and comparison retail concentrated around George's Street, located within 200 metres to the south and Marine Road to the east. Additional recreation in the form of a cinema, Lexicon library, People's Park, Vesey Park and de Vesci Gardens are located nearby, with Monkstown Park Junior School and Secondary School, and Dominican Primary School is found within 1km to the south west. Churches, public services, gyms, pharmacies and medical facilities are also accessible to the site.

### **3.0 PROPOSED DEVELOPMENT**

#### **Summary of Proposed Residential Development**

- 3.1 The proposed build to rent strategic housing development will consist of 102 no. build-to-rent residential apartments across 2 no. blocks on lands extending to approximately 0.42 ha. Building 01 to the north extends to c. 5,047 sqm, within a part 5, part 6, part 8 and part 13 no. storey building which comprises of 42 no. 1-bed apartments and 15 no. 2-bed apartments. Residential amenity in the form of a gym, lounge, work, study



- and recreational spaces, as well as a publicly accessible commercial café unit are located at ground floor level. External roof terraces are included at 6<sup>th</sup> and 9<sup>th</sup> storey levels. A feature flagpole extends from 8<sup>th</sup> storey level at Building 01.
- 3.2 Building 02 to the rear extends to c. 3,718 sqm, within a part 9, part 8 no. storey building comprising 38 no. 1-bed units and 7 no. 2-bed, including 10 no. social housing units. An external roof terrace is included at 9<sup>th</sup> storey level.
- 3.3 The development includes 1 no. vehicular access from Crofton Road, providing shared access to St Michael's Hospital to the south along the western side of the site adjacent to the perimeter. A secondary right of way is provided at the eastern perimeter of the site where a landscaped pedestrian route is included, providing access to the central courtyard and the hospital to the south. These are illustrated on the accompanying proposed site layout plan by Reddy Architecture & Urbanism, with landscaped routes detailed within the accompanying drawings and documentation prepared by Dermot Foley Landscape Architects.
- 3.4 Building 02 provides 150 no. secure bicycle parking spaces and bicycle repair and storage area at ground floor level, accessed from the central courtyard, alongside a bin store and plant, with ESB substation and plant at ground floor level of Building 01. An additional 26 no. visitor bicycle parking spaces are providing in the central courtyard, with 8 no. spaces at the northern perimeter adjacent to the café.
- 3.5 In addition to the site's excellent access to high capacity public transport links at Dun Laoghaire DART, suburban railway station and bus terminus public transport connections, 3 no. car parking spaces, including 1 no. disabled access space, are provided within the space between the two proposed blocks.
- 3.6 An area of communal landscaped open space is located between the 2 no. blocks and is accessed by publicly accessible walkway at the eastern perimeter of the site. This provides a link through the site to the hospital, enhancing permeability and connectivity as far as possible. Additional soft and hard landscaping provide a combination of public open space adjacent to the northern elevation of Building 01.
- 3.7 The total gross floor area of the development equates to circa 8,765 sqm, with 507 sqm provided as internal residential facilities and amenities and 765 sqm provided as landscaped external amenity space. All ancillary access, drainage and associated infrastructure are included within the red line boundary of the site with the exception of an area of lands in charge of DL RCC at the site's northern perimeter. The inclusion of this area, encompassing an area of Crofton Road, will allow modifications to existing road markings to facilitate the relocation of the vehicular entrance, the relocation of an existing public lighting standard together with modifications to the existing footpath to provide a dropped kerb at the proposed relocated vehicular entrance and the raising of the existing road kerb at the existing vehicular entrance. A letter of consent from the Planning Authority accompanies this submission.
- 3.8 The part 13 no. storey height of Building 01 will introduce a landmark feature at the western edge of the Seafront Quarter to identify the 'Gateway' to this town centre area along the seafront and respond and balance the existing building heights within Dun Laoghaire town centre at the Maritime Museum of Ireland (former Mariners Church), the Lexicon, and the clock tower on the County Hall building. This component will appropriately define the corner of Crofton Road at this location, replicating the role of the Lexicon Building at the eastern end of the Seafront Quarter on Queen's Road, providing a justified urban design solution in this regard.

- 3.9 The proposed 13 no. storey element of Building 01 includes a setback, enclosed amenity area at top floor level extending to c. 77.4 sqm. This amenity area will provide opportunities for residents to enjoy attractive panoramic views of the surroundings, with an external terrace also provided. It is the intention of the applicant to permit public access to this rooftop facility at certain times during the year, for example through the Dun Laoghaire-Rathdown County Council 'Culture Night', 'Summer of Heritage' or similar. This will add a valuable aspect of public amenity to the proposals and ensure the building is accessible to all on a number of occasions each year. The applicant has contacted DLRCC to indicate their intentions in this regard during the preparation of this submission.
- 3.10 The proposed development has been carefully designed and finished to respect the amenity of the surrounding urban environment, whilst implementing a high-quality element of architecture which contributes positively to the streetscape. The resulting architectural and urban design response is considered to be an exemplar of context sensitive infill development on a highly accessible site.
- 3.11 The development is considered to respect the historic nature of the surrounding properties on Charlemont Terrace adjacent to the west through a light grey brick and expressed lintels at northern elevation which avoids projecting balconies to negate any potential adverse impact upon the protected structures at this location. High quality treatments including extensive glazing, white reconstituted stone, with lightly coloured brick (light grey to the northern elevation), brown metal windows and expressed lintels respond appropriately to the adjacent properties whilst providing a modern development which is suitable in the context of the existing apartment block at Harbour View to the east.
- 3.12 The lower elements of Building 01 step down to 6 and 5 no. storeys moving west, in order to integrate with the scale and setting of the protected structures at Charlemont Terrace. Building 02 to the rear also steps down in height from 9 no. storeys to 8 no. storeys moving west in order to respect and protect residential amenity, whilst relating to the 8 no. storey Harbour View apartments to the east. The western part of Building 02 proposed at PAC stage, extending over the vehicular access at the western perimeter, has been removed to further mitigate potential impacts upon neighbouring properties to the west to the greatest extent possible whilst also ensuring optimal use of the brownfield land resource.
- 3.13 Hard and soft landscaping is provided at an area of public open space (c. 681 sqm) adjacent to the northern elevation of Building 01, providing continuity with the series of open spaces along Crofton Road. This area of landscaping will seek to complement the ground floor café use at the northern eastern corner of Building 01 and provide integration with the streetscape whilst enhancing the quality and nature of the public realm.
- 3.14 It is proposed that 10 no. 1-bed apartment units located within Building 02 at first and second floor levels will be provided by way of social housing as required under Part V and section 96 of the Planning & Development Act 2000, as amended. This provision has been validated by the DLRCC Housing Department, as confirmed by the enclosed letter.
- 3.15 This SHD Application to An Bord Pleanála is accompanied by detailed drawings and a design appraisal, prepared by Reddy Architectural & Urbanism, which provides a rationale for the design of the proposed scheme and the dwelling types proposed. The proposed build to rent apartment units are considered to be of a high quality, functional design, finished with an appropriate palette of materials, which will relate positively to the site's seafront location and ensure that the scheme makes a positive contribution

to the area. The presence of protected structures to the west, as well as modern apartment development to the east has provided a distinctive architectural context and one to which the proposal responds appropriately.

- 3.16 The summary description of the proposed development, as provided within the accompanying application form is as follows:

*The development will consist of the demolition of an existing 2 no. storey house (c. 78 sqm) on the site and the construction of 102 no. Build-to-Rent residential apartments (as defined under SPPR 7 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities') across 2 no. buildings (Building 01 and Building 02), along with ancillary residential amenities and a publicly accessible café (overall total gross floor space c. 8,765 sqm) on a c. 0.42ha site.*

*Building 01 (fronting onto Crofton Road) comprises part 5 no. storeys, part 6 no. storeys, part 8 no. storeys and extending to part 13 no. storeys in height (with setback at 13<sup>th</sup> storey level) and will accommodate 42 no. 1-bed apartments and 15 no. 2-bed apartments (c. 5,047 sqm). A flagpole extends from 8<sup>th</sup> storey level at Building 01. Building 02 to the south extends to 9 no. storeys in height (with setback at 9<sup>th</sup> storey level including a terrace), and will accommodate 38 no. 1-bed apartments and 7 no. 2-bed apartments (c. 3,718 sqm).*

*Internal residential support facilities and amenities in the form of a co-working/study space, gym, games area, lounge/kitchen area, and multi-purpose recreational space, alongside a reception, postal and waste storage areas (c. 363 sqm) is provided at ground floor level of Building 01, with an enclosed amenity space at 13<sup>th</sup> storey level which will be publicly accessible on occasions, (extending to c. 77.4 sqm). A publicly accessible café unit is provided at ground floor level of Building 01 extending to c. 93 sqm. Additional internal residential support facilities are found at ground floor level of Building 02 in the form of a bicycle repair station, waste and storage units (c. 45.8 sqm).*

*A total of c. 765 sqm of communal landscaped open space is provided, included at the courtyard between the two buildings, roof terraces at 6<sup>th</sup> storey level [western elevation], 9<sup>th</sup> storey level [southern elevation] and 13<sup>th</sup> storey level [enclosed - north, east and west] at Building 01 and at the 9<sup>th</sup> storey level [west elevation] roof terrace of Building 02. A total of c. 681 sqm of landscaped public open space is located to the north of Building 01, adjacent to Crofton Road including a pedestrian route along the eastern perimeter of the site. Balconies are included at both buildings.*

*The development includes a shared right of way providing access to St. Michael's Hospital along the western perimeter of the site, accessed from Crofton Road. This provides access to 3 no. car parking spaces (including 1 no. disabled space) and 2 no. motorcycle parking spaces located between the two buildings. A secondary landscaped pedestrian route is included along the eastern perimeter of the site providing access to St. Michael's Hospital. A total of 150 no. secured bicycle parking spaces are provided at the ground floor level of Building 02, with additional external bicycle parking within the external courtyard (26 visitor spaces) and public open space at the northern perimeter for café use (8 public bicycle parking spaces).*

*The development also includes an ESB substation at ground floor level of Building 01, bin stores, services and drainage infrastructure, green roofs, boundary treatments and all ancillary development works necessary to facilitate the development. Modifications to the configuration of the roadway and footpath, including new road markings are included at Crofton Road to facilitate the implementation of a new vehicular entrance at the western perimeter.*

- 3.17 For further detail on the design rationale, please refer to the architectural drawings, design appraisal and the landscape drawings and rationale which accompany this consultation request, prepared by Reddy Architecture and Urbanism.

### **Demolition and Site Clearance**

- 3.18 The development includes the demolition of an existing two storey, pitch roofed house on the subject site (located in the north-eastern corner of the site) which is currently unoccupied. This existing structure is not considered to be of any particular architectural merit. The existing structure currently faces directly into the surface car park which occupies the large majority of the subject site.



**Figure 4: View of the existing structure on the subject site to be demolished**

- 3.19 The development also includes the clearance of the subject site, and the removal of existing areas of parking / hard standing and landscaping.

### **Build to Rent Development & Management**

- 3.20 In accordance with the Guidelines on the Design Standards for New Apartments 2020, proposals comprising Build to Rent are required to comply with the content of Specific Planning Policy Requirement 7 of the Guidelines.
- 3.21 In relation to part (a) of SPPR7, the proposed development has been specifically described as a 'Build to Rent' housing development in public notices. This categorises the development as a long-term rental housing scheme, validated by the enclosed draft covenant between the applicant and An Bord Pleanála. This ensures that the development will remain owned and operated by an institutional entity for a minimum period of 15 years and that no individual residential units are sold or rented separately in that period. Tenancies of 12 months are anticipated as standard, with shorter and longer tenancies available.
- 3.22 In relation to part (b) of SPPR7, the application is accompanied by proposals for supporting communal and recreational amenities provided as part of the BTR development. This is provided as follows:

- (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.*

- 3.23 In response to this point, the proposals include the following internal *Resident Support Facilities* comprising c. 132.1 sqm:
- Reception/concierge at the main entrance to the development at ground floor level at Building 01 (51.8 sqm).
  - Postal storage area for deliveries at Building 01 (6.3 sqm).
  - Storage at Building 01 (6.5 sqm).
  - Refuse storage areas at ground floor level at Buildings 01 and 02 (48.5 sqm).
  - Bicycle repair area and storage units located at ground floor level of Building 02 (18 sqm).
  - On site management staff.
  - 150 no. secure bicycle parking spaces at ground floor level of Building 02.
  - 26 no. visitor bicycle parking spaces at the internal courtyard.
  - 3 no. car parking spaces, including 1 no. disabled space intended for shared use.
- 3.24 Due to the generous floor areas provided within the scheme for the proposed build to rent apartment units, laundry / utility rooms etc. which might, in other BTR schemes, be centralised, are instead provided within the individual units.
- 3.25 It is anticipated that the reception will be manned by a Resident Services Manager on a full-time basis during normal business hours between Monday and Saturday. This will ensure that residents can benefit from an on-hand response service. The postal storage area located in the reception area will be accessed by postal staff to deliver post and packages to the secure storage area. Access will be controlled via an individual code issued (or similar mechanism) to gain entry to the building.
- 3.26 A total of 3 no. car parking spaces, including 1 no. disabled access space will be provided between the two building at surface level. It is intended that 2 of these spaces will be use as share-car spaces, with vehicles provided by Yukon Car Club, who have provided a letter in support of the development (appended to accompanying Outline Travel Plan). The proposed club car strategy will facilitate sustainable travel by residents who wish to make certain trips and journeys that are not readily convenient by the range of high capacity public transport links located nearby, as well as providing a disabled space. The car parking area will be accessed via the main entrance from Crofton Road and the vehicular right of way at the western perimeter of the site with a sliding entrance gate providing secure access at the western edge of the courtyard parking area.
- 3.27 A total of 150 no. secure bicycle parking spaces are provided at ground floor level of Building 02, with a bicycle repair area also included at this location. Additional bicycle parking in the form of Sheffield stands comprising 26 visitor spaces will also be provided externally within the central courtyard in close proximity to the main entrance to Building 02. An additional 8 no. spaces will be located at the public open space at the northern part of the site to serve the café. This generous provision of bike parking accompanied by additional amenity will help to promote and encourage sustainable modes of travel by residents. This is detailed further within the accompanying Travel Plan prepared by Muir Associates.
- 3.28 Refuse storage areas are included at ground floor level of Building 01 and Building 02. Bins will be assembled on Crofton Road by the management company on days of collection, via the main vehicular access route at the western perimeter.



- (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.*

- 3.29 In relation to part (b) (ii) of SPPR7, the proposals include the following internal *Resident Services and Amenities*, comprising c. 374.9 sqm:
- Work/study area (62.2 sqm), storage (2.7 sqm) and multi-purpose room (17.7 sqm) at Building 01.
  - Gym (41.7 sqm), games and social area (72.8 sqm), kitchen, dining and lounge (85.7 sqm) and WCs (14.6 sqm) at Building 01.
  - Enclosed amenity space/lounge and social space at 12<sup>th</sup> floor level (77.4 sqm) at Building 01.
- 3.30 Taken together, the proposed total provision of internal Resident Support Facilities and Resident Services and Amenities totals 507 sqm, demonstrating a high standard of internal residential facilities and amenities for communal and other activities. This is detailed further on page 45 of the accompanying RAU Design Appraisal.
- 3.31 In addition to this, landscaped communal amenity space in the form of terraces at Building 01 and Building 02, comprising:
- 5<sup>th</sup> floor terrace at Building 01 (80 sqm).
  - 8<sup>th</sup> floor terrace at Building 01 (127 sqm).
  - 12<sup>th</sup> floor terrace at Building 01 (58 sqm).
  - 8<sup>th</sup> floor terrace at Building 02 (122 sqm).
  - Central courtyard (378 sqm).
- 3.32 This provides 765 sqm of external communal amenity space. This is 211 sqm in excess of the combined 554 sqm requirement for 1-bed and 2-bed apartments as set out in the guidelines (as further detailed by the RAU Design Appraisal) and more than sufficient to compensate for the 85 sqm shortfall in private amenity at units which have Juliet balconies in place of external balconies.
- 3.33 Relative to residential services and amenity, at ground floor level, a resident working/study area is proposed at the northern frontage of the scheme. It is anticipated that this coworking space will be also available for booking by the public during normal working hours Monday to Saturday. The area includes doors opening to the public open space to the north and will benefit from aspects toward the seafront. This area extends to c. 62.2 sqm and is included to facilitate the anticipated demand for home working space arising from the current Covid-19 restrictions. This is complemented by a c. 18 sqm multi-purpose room.
- 3.34 To the south of the c. 52 sqm reception and café, a gym extending to c. 41.7 sqm, a c. 72.8 sqm games area and a c. 86 sqm kitchen/lounge area are included. The lounge area will benefit from access to a landscaped seating area within the central courtyard. This provides flexibility and adaptability for residents to benefit from, in addition to the c. 93 sqm café and outdoor seating area and landscaped open space.
- 3.35 The northern residential block Building 01 is accessed directly from Crofton Road. Residents can gain direct access to an area of residential community space at ground floor level through a controlled access entering from the public open space adjacent to the northern elevation.

- 3.36 Additional residential amenity is provided internally at ground floor level in the south eastern corner of Building 01. The eastern part of the block rises to 13 no. storeys and steps down to 6 no. storeys and 5 no. storeys moving westward towards Charlemont Terrace, thereby respecting the scale and form of the nearby protected structures.
- 3.37 A publicly accessible café unit is also provided at ground floor level of Building 01. The c. 93 sqm café unit has been located within the north east corner of Building 01 in order to contribute positively to the adjoining public realm and providing animation to the streetscape. The café includes external seating and an arcade style extension promoting the use of the pedestrian walkway which is informed by the eastern perimeter of the site and facilitates a pedestrian link through the lands to St. Michael's Hospital to the south.
- 3.38 This landscaped pedestrian pathway also provides residence with a link to the central courtyard located between the two residential blocks. This central area is accessed by a gated entrance with resident-only access. The central courtyard provides communal open space for residents within a high quality landscaped amenity area, in addition to 3 no. share car parking spaces including 1 no. disabled space. This is detailed further within the accompanying Design Rationale prepared by Dermot Foley Landscape Architects.
- 3.39 This area of landscaping is complemented by roof terraces at storeys 6, 9 and 13 at Building 01 and 9<sup>th</sup> storey at Building 02, with balconies included in the majority of units. The proposed landscaping scheme is discussed in greater detail below and with the accompanying Design Rationale & Drawings provided by Dermot Foley Landscape Architects. A total of c. 765 sqm of external communal amenity space is provided in addition to internal amenities and facilities, providing a c. 1,272 sqm of residential facilities and amenities at the proposed development. This equates to c. 12.5 sqm of communal amenity to each apartment, in addition to private balconies.
- 3.40 Those apartments without balconies benefit from double height glazing and Juliet style balconies, with sufficient communal open space and roof terracing provided as a compensatory measure. Balconies have been excluded at 15 units located at the northern elevation at the western part of Building 01 in order to avoid any adverse impact upon the protected structures located to the west at Charlemont Terrace and to continue a uniform building line at this location. Alternatively, full height floor to ceiling glazing and Juliet balconies have been implemented at these units. This urban design solution is described to a greater extent within the accompanying Design Appraisal prepared by Reddy Architecture & Urbanism.
- 3.41 Building 02 located to the south of the site is accessed via the internal private courtyard located between the two residential blocks. It comprises 38 no. 1-bed units and 7 no. 2-bed units. It is proposed to include 10 no. 1-bed apartments within Building 02 for the purposes of social housing, as noted within the accompanying architectural drawings. The building steps down in height moving west, falling to 7 no. storeys, setback from neighbouring buildings at Charlemont Avenue to the west.
- 3.42 Building 02 includes 176 no. secure bicycle parking spaces at ground floor level, as well as an ancillary bicycle repair area. This is complemented by an external roof terrace at 9<sup>th</sup> storey level, providing a high level of amenity for residents.
- 3.43 In this regard, the proposals are considered to comprise Build to Rent development in accordance with SPPR7 of the Apartment Guidelines and has been described as such in public notices. Please refer to the accompanying BTR Management Plan prepared by Liv Consult for further details in relation to the upkeep and maintenance of the resident support facilities and amenities.

- 3.44 In accordance with paragraph 5.11 of the Apartment Guidelines the applicant now provides a letter from Cushman & Wakefield which notes the suitability of the proposed facilities and amenities relative to the intended rental market. This letter is appended to this document.
- 3.45 In addition to this and in accordance with the Apartment Guidelines, a Building Lifecycle Report prepared by RAU also accompanies this submission. This provides an assessment of long term running and maintenance costs on a per unit basis and measures to effectively manage and reduce costs for residents. The report considers strategies adopted by the development in terms of energy performance, materials, landscape, waste management, health and well-being, management and transport to ensure benefits to residents and the long term operation of the property.

### **Café**

- 3.46 A c. 93 sqm publicly accessible café is included at ground floor level in the north east corner of Building 01. This includes an arcade-style covered seating area and will benefit from attractive views towards Dublin Bay. The café will contribute positively to the mix of uses at the location and benefit from footfall on Crofton Road, whilst encouraging people to utilise the pedestrian link along the eastern perimeter of the site. The café use at this location is considered suitable for the site's Major Town Centre zoning objective.
- 3.47 The presence of the café will enhance use of the public open space adjacent to the northern elevation of Building 01 and promote vitality at the location, adding to a renewed sense of place at the western end of the Dun Laoghaire Seafront Quarter. It is anticipated to be used by residents who may also be using the workspace in the north west corner of Building 01 or those who seek variety in their working environment.
- 3.48 It is anticipated that this café will be operated under separate management to the BTR scheme and will be leased to a commercial tenant. Deliveries to the café will be made via the existing loading bays at Crofton Road during off-peak hours to avoid any potential conflict with pedestrian or cyclist movement at the site. Refuse will be collected from an identified point on Crofton Road and arranged privately by the commercial operator. The maintenance and cleanliness of the café and its external seating area to the north will be the responsibility of the operator.
- 3.49 The proposed 93 sqm café unit falls significantly below the thresholds for other uses set out at Section 3 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended, and in this regard the proposal is considered to constitute Strategic Housing Development.

### **Unit Types**

- 3.50 The proposed development provides for a good mix of unit sizes and types, including 1 and 2 no. bedroom apartments across the two residential blocks.
- 3.51 The 102 no. residential units are proposed to be provided as follows:
- 80 no. 1-bed apartments (79% of total);
  - 22 no. 2-bed apartments (21% of total).
- 3.52 The above mix of unit types within the proposed development accords with SPPR 8 of the 2020 Apartment Guidelines, which states that there will be no restriction on dwelling mix in the case of Build to Rent (BTR) developments.

- 3.53 The proposed scheme will provide an appropriate variety of unit types when considered in the context of the declining household sizes on a national level, with a greater emphasis placed on 1 and 2-bed apartments. This will provide opportunities for potential occupiers as first-time buyers, as well as older people who may have a need to down-size from a larger property.
- 3.54 The apartment units are designed in order to achieve and in the majority of instances exceed minimum standards relative to size, storage, private and communal amenity space by way of balcony, courtyard and terraces as set out in the Apartment Guidelines. Please refer to the accompanying Schedule of Accommodation prepared by Reddy Architecture and Urbanism for full details of the apartment floor areas proposed.
- 3.55 SPPR 7 of the 2020 Apartment Guidelines requires that proposed BTR developments be accompanied by proposals for supporting communal and recreational amenities to be provided as part of the development. In accordance with this requirement, the communal facilities and amenities proposed have been described above. Further detail pertaining to these proposed facilities may be found within the design statement prepared by Reddy Architecture and Urbanism and within the detailed drawings submitted as part of this planning application.

### **Density, Plot Ratio & Site Coverage**

- 3.56 The net residential density of the proposed development will be c. 309 no. units per hectare, based on a net developable site area of approximately 0.42 hectares, and a total of 102 no. residential units to be provided in the scheme.
- 3.57 The proposed gross floor area of the development totals c. 8,765 sqm. This equates to a plot ratio of 2.1. The ground floor building footprint translates to a site coverage of 24.4%. These figures are set out in the accompanying RAU Design Appraisal.
- 3.58 Owing to the location of the development in Dun Laoghaire Town Centre and in respect of high quality public transport links in the form of the Dun Laoghaire DART station and bus terminus, the site is considered to constitute a 'Central / Accessible' urban location in the context of the criteria set out in the 2020 Apartment Guidelines as follows:
- *'walking distance (i.e. up to 15 minutes or 1,000 - 1,500m), of principal city centres or significant employment locations, that may include hospitals and third-level institutions;*
  - *Reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas); and*
  - *Within easy walking distance (i.e. between 5 minutes or 400m – 500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services.'*
- 3.59 In this regard, the site is considered to be generally suitable for higher density development which may wholly comprise apartments. Therefore, the nature and scale of the proposed development is considered to be wholly appropriate at the subject site and will contribute positively to increased residential densities within Dun Laoghaire, as sought by the Planning Authority as well as by national and regional policy and guidelines.

### **Part V**

- 3.60 As noted above, 9 no. 1-bed apartment and 1 no. 2-bed apartment located in Building 02 will be given over to the local authority for social housing purposes in compliance with Section 96 of the Planning & Development Act 2000, as amended. This equates to 10% of the proposed development.

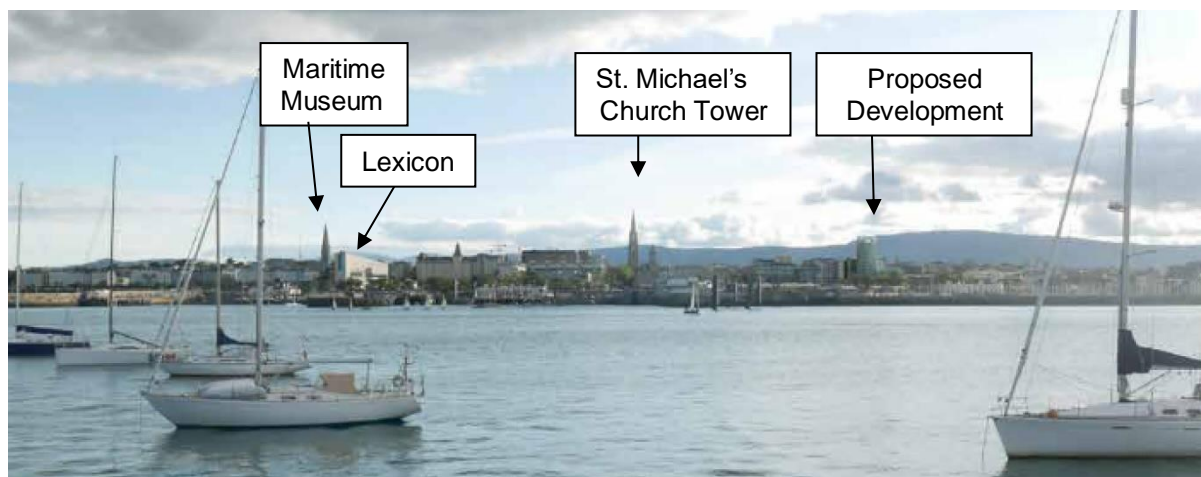
- 3.61 Part V letter, draft costings, Reddy Architecture and Urbanism (RAU) drawing specifying units are enclosed with this submission, alongside a Validation Letter from Dun Laoghaire Rathdown County Council.

### **Building Height & Visual Impact**

- 3.62 The proposed development is comprised of two residential blocks sited on an east-west orientation in order to maximise aspects looking north across Dublin Bay from the Seafront Quarter at Dun Laoghaire. Building 01 which fronts onto Crofton Road is the taller of the two blocks and includes a 13 no. storey element (with setback enclosed amenity space at roof level) in the eastern part of the block adjacent to the existing 8 no. storey Harbour View apartment development to the east. The higher element of the building steps down to 6 no. storeys and 5 no. storeys moving west towards Charlemont Terrace.
- 3.63 The rear Building 02 falls in height moving west from a setback 9<sup>th</sup> storey to 8 no. in order to respect and integrate appropriately with the scale of residential development located adjacent to the site's western perimeter. The scale of Building 02 has been derived and informed by Harbour View apartments to the east as well as St. Michael's hospital to the south.
- 3.64 It is noted that Building 02 has been reduced in massing for the planning application, with the developed design omitting the most westerly part of the building which previously extended above the vehicular right of way along the western perimeter, as submitted at PAC Request stage. The current proposal increases separation distances to adjoining properties to the west and ensures potential impacts on amenity at this location are minimised to the greatest possible extent.
- 3.65 The accompanying contextual sections and elevations prepared by RAU note the similarities in building heights of the proposed development when observed alongside the prevailing heights in the immediate urban surroundings, as well as other buildings within Dun Laoghaire town centre. The height of the proposed development is considered to be appropriate and visually well related to the existing urban environment.
- 3.66 It is considered that the higher element of Building 01 is justifiable due to the site's location at the Seafront Quarter and its excellent accessibility relative to local public transport in the form of the DART and bus terminus, located within 120 metres of the site. The proposed development marks the bend in Crofton Road at the western end of the Seafront Quarter, replicating the role which the Lexicon Building fulfils at the eastern end of the area and serves as an introduction to the main seafront of Dun Laoghaire.
- 3.67 The proposed building height and visual impact is discussed at greater detail within the accompanying Design Appraisal prepared by RAU, the Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Building Consultant and the Visual Impact Assessment prepared by Arc Consulting.
- 3.68 The site also benefits from a wide range of amenities and facilities which are found within Dun Laoghaire town centre, a number of which are noted within Figure 14 of the Design Appraisal prepared by RAU.



- 3.69 The location of the on the edge of the Seafront Quarter provides a basis for greater height which can provide a visual bookend to the town centre of Dun Laoghaire. It is considered that the 13 no. storey element will reflect and provide continuity with the existing higher buildings in the urban area and implement a balance with these. This is illustrated by Figure 6, below, with St Michael's Church and Maritime Museum (Mariner's Church) noted as the other taller buildings in the centre and left side of the image respectively. The dlr Lexicon library is also a higher building in close proximity with the Maritime Museum.



**Figure 5: Seafront Quarter Height Context**

- 3.70 Owing to the site's accessible location in the context of public transport connections and accessibility to a major town centre, an increased building height is considered to be appropriate in the context of Urban Development and Building Height Guidelines published by the Department in December 2018. This is discussed in greater detail below and within the accompanying Statement of Material Contravention where the proposal has been assessed against the criteria set out at Section 3.2 of the Guidelines.
- 3.71 The proposed building height will make optimum use of the lands which are suitable for residential and commercial development and is considered to be compatible with the established surrounding land use in the area. There is a clear existing context for a building of the proposed height at the Seafront Quarter in urban design terms. The height of Building 02 and lower elements of Building 01 clearly relate to prevailing height in the immediate surrounding urban area.
- 3.72 The layout and siting of both residential blocks seek to optimise the brownfield site through sensitive design and will introduce high quality form of architecture to the urban setting, enhancing the appearance of the existing streetscape and delivering sustainable development at the location.
- 3.73 The visual impact of the development is considered to be limited to the greatest possible extent through the graduation of height moving east through the site. The lower elements of Building 01 adjacent to the western perimeter and the adjoining residential area at Charlemont Avenue and Charlemont Terrace ensure that the building is visually integrated with the scale of neighbouring buildings. Building 02 has been reduced in massing compared to the proposals submitted at PAC stage by the omission of the western wing which previously extended over the vehicular route. This increases separation distances between the building and its neighbours, mitigating any potential amenity impacts to the greater possible extent.

- 3.74 This is also seen to be the case at the eastern side of the site, with building heights informed by the existing 8 no. storey building at Harbour View apartments and also that of St Michael's hospital which rises in height with the topography of the land moving south towards George's Street.
- 3.75 The most prominent views of the proposed development will be observed from the approaches from the east and west on Crofton Road. Owing to the built up nature of the immediate surrounding urban context, the site will be significantly screened, with the development appearing to be absorbed as an element of the wider urban environment. Longer views of the proposals will be observed from locations at the west and east piers at Dun Laoghaire, as well as from Sandycove in the east and Seapoint in the north west. In these instances, the proposals appear to relate well with the scale of the existing urban area and visually integrated with surroundings, appearing as a minor element in the skyline.
- 3.76 A number of these photomontages are included in the accompanying Design Appraisal by RAU, which provides a rationale for the scale of the proposed development in urban design.
- 3.77 The visual impact of the proposal is assessed by the Landscape & Visual Impact Assessment by ARC Consulting. This provides a comprehensive assessment of the proposal from 30 no. viewpoints in the surrounding area, noting a range of impacts from 'negligible' to 'moderate', with the proposed development completely concealed from a number of locations owing to the existing urban fabric and appearing as a minor feature in views from greater distances having regard to the nature of the Dun Laoghaire skyline.
- 3.78 The ARC document notes that *'given the very diverse visual character of surrounding development, including development recently constructed, and given the potential for further large scaled development in the immediate area, the likely visual effects in the immediate area on Queen's Road, Crofton Road and Charlemont Avenue, is assessed as consistent with existing and emerging trends and 'moderate' in extent'*.
- 3.79 The potential impact of the proposals upon the adjacent protected structures are assessed within the Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Building Consultant which is also enclosed. The Report document concludes that the proposed *'would provide the necessary transitions between the heights, building lines, styles and factors and... would not have an adverse impact on the historic environment, including the protected structures in the vicinity'*.

### **Daylight / Sunlight Access & Shadow Analysis**

- 3.80 A Sunlight / Daylight Analysis and Shadow Analysis have been carried out by Hollis in the preparation of this request. This is provided within 2 no. reports now submitted, relating to impacts on light at surrounding buildings, with the second addressing light within the proposed development. The sunlight / daylight analysis assessed the level of light access at windows of adjacent buildings at 5 Charlemont Terrace, St. Michael's hospital, Harbour View and 1 Charlemont Avenue and 5-6 The Mews (both residential).
- 3.81 The amenity areas within the proposed scheme have also been assessed. The development benefits from a total of 765 sqm of external communal open space, in the form of a central courtyard and 4 no. external roof terraces across the two residential blocks.
- 3.82 The Hollis Report has been prepared in response to the feedback and comments provided by the Planning Authority and An Bord Pleanála at Pre-Application

- Consultation stage. A detailed methodology of the approach adapted by Hollis is set out in the Executive Summary of the report now submitted, providing a rationale for the assessment undertaken.
- 3.83 Hollis note that the flat nature of the subject site *'leads to artificially elevated levels of daylight and sunlight amenity at neighbouring properties as they receive light across the boundaries of the site without obstruction... this is not considered to be a typical reflection of an urban situation at an infill site such as this'*.
- 3.84 The report provides a detailed and comprehensive of the projected impacts of the proposed development upon neighbouring properties, whilst also providing comparisons against alternative baseline scenarios in the form of a 'mirror image' of Harbour View on the application site and the indicative development on the site as indicated in the Dun Laoghaire Urban Framework Plan, which the Hollis report notes *'present a more realistic view of development on the subject site'*. The methodology is set out at paragraph 1.2.10 of the Hollis report and is considered appropriate in the context of the BRE Guidelines which suggest such comparisons, as well as the content of the Dun Laoghaire CDP.
- 3.85 It is important to note that: *'of the 271 windows assessed at the surrounding properties, 114 currently achieve the BRE target of 27% VSC. The remaining 157 achieve levels of VSC below the recommended BRE target value. This equates to 42% of the surrounding windows meeting the BRE's numerical target values in the existing condition. It should therefore be taken into account that the majority of windows surrounding the site do not currently achieve the BRE's target values, despite them overlooking a surface car park This is mainly due to the inherent design of Harbour View Apartments, which contains recessed windows located beneath balconies; features which, as highlighted in the BRE guide, impair the potential for good daylighting'*.
- 3.86 Notwithstanding the current levels of daylight at Harbour View, it should be noted that the nature of the existing Harbour View apartments appear to have been designed in a manner which gave little or no consideration to the likely future development of the surface site. The Harbour View application was originally granted in November 2003 (Reg. Ref.: D03A/0163) and amended in July 2004 (Reg. Ref.: D04A/0424) (as detailed in Appendix 3).
- 3.87 Owing to this situation, and in accordance with the BRE guide, the Hollis report has assessed the proposed development against the 'mirror image' of Harbour View on the application site and DLRCC concept plan to present a realistic comparison for the development of the site. In respect of the 'mirror image' comparison, the results note that the proposed development achieves better results at 59% of windows analysed at Harbour View in terms of Vertical Sky Component, with an 87% improvement for rooms in terms of Daylight Distribution comparison to the mirror image. Improvements are also noted in terms of Annual Probable Sunlight Hours.
- 3.88 The proposed development is seen to provide an improvement in comparison to the Dun Laoghaire Urban Framework Plan notional design on the site, with the proposals producing better results at 66% of windows assessed for VSC and an 89% improvement in terms of rooms assessed for DD. The windows analysed for APSH are also seen to provide better result in 89% instances when compared with the Dun Laoghaire UFP scheme.
- 3.89 The Hollis study also assesses the VSC of Harbour View apartments to the east against the current undeveloped site. It is noted that owing to the design of these apartments including recessed balconies on a west facing aspect, the daylight levels

received are poor at present, as noted at paragraph 2.1.17 that *'balconies and overhangs significantly reduce the light entering windows below them'*.

- 3.90 Relatively modest results are noted; however the proposed development represents a superior design solution in terms of reduced impact to both the mirror image and Dun Laoghaire UFP schemes as discussed above in terms of VSC. It is further noted that almost 50% of the windows falling short of recommended levels are bedrooms which the BRE guide considers to have a lower requirement for daylight owing to their secondary use, predominately at night-time.
- 3.91 The Hollis report summarises that owing to the context of the site and the design of the existing Harbour View apartments, the shortfalls in terms of VSC *'are viewed as generally minor and acceptable'*. Compliance with Daylight Distribution (DD) rises to 75% at Harbour View. This assessment provides an assessment of the daylight reaching the room as a whole, which is considered a more objective and realistic assessment of impact in real terms.
- 3.92 In respect of the Harbour View apartments, the report notes that:
- 'Overall, it is likely that any kind of viable development on the site would significantly alter the levels of daylight reaching the windows and rooms to Harbour View Apartments. This is due to the location of the main windows facing east over the existing surface car park, and the inherent design of the recessed windows beneath the balconies. Given the overall context of the site, the results are considered to be reasonable.'*
- 3.93 It is inevitable that any meaningful development on the site that would be considered acceptable in the context of the current national planning framework and section 28 guidelines, which encourage increased densities and heights at central and accessible locations such as this, would have an impact upon the light access at Harbour View and to a lesser extent at the other windows assessed at neighbouring properties. A development of such scale and form would not be considered acceptable at the location having regard to the current planning framework.
- 3.94 Windows analysed for VSC at other neighbouring buildings present superior results to the compromised situation at Harbour View. Results show 60% and 67% of windows analysed at the Mews and Charlemont Avenue achieving compliance with the BRE guidelines, with 75% of those at St. Michael's Hospital and 80% at Charlemont Terrace achieving compliance. Each of these percentages rises when analysed against the DD test, with 100% compliance achieved at 5 Charlemont Terrace, 5 and 6 The Mews, 1 Charlemont Avenue and St. Michael's Hospital and 92% compliance at Harbour View.
- 3.95 Taking into consideration results of both of the above methods in comparison with the analysis for the proposed development, it is considered that the proposals constitute the optimum design solution for the site which sensitively considers the amenity of adjacent buildings whilst also implementing a high quality development which complies with national planning objectives and section 28 guidelines.
- 3.96 The Average Daylight Factor for dwellings within the proposed development has also been assessed, with 89% of units meeting BRE Guidelines. The remaining bedrooms and living rooms tested which fall only marginally below the ADF levels recommended have been mitigated by enlarged windows, a south facing aspect and generous private balcony space. This is compensated by high levels of communal amenity at various locations throughout the development which exceeds required standards set out in the Apartment Guidelines 2020.

- 3.97 The amenity spaces associated with buildings to the west of the subject site have also been assessed for light access in the context of the proposed development. The results note that the quantum of sunlight received at the Charlemont Terrace property in closest proximity to the subject site is reduced to a small extent when considered in the context of the proposed development. However, sunlight access to this property is currently compromised by existing planting and vegetation which limits direct sunlight in the amenity area. It is noted that the end terrace building is in commercial use and therefore of lower sensitivity to that of residential properties. There is no perceptible impact on the garden spaces to the rear of the properties at Charlemont Avenue.
- 3.98 The Hollis report notes that the guidelines are not mandatory and should be interpreted flexibly because natural lighting is one of many factors in the site layout design. Furthermore, the guidelines are considered to be applicable to suburban residential development with typically low densities, in contrast with the proposals.
- 3.99 The report concludes that *'the majority of windows to other properties which face the site are not materially affected and retain reasonable levels of VSC'*. It is noted that where shortfalls are encountered, these are marginal in nature, with flexibility in applying numerical criteria promoted by the BRE guide.
- 3.100 It is considered that the proposals will enable the regeneration of an area of infill brownfield land which is significantly underutilised at present, with a high-quality development, the introduction of a residential population in close proximity to Dun Laoghaire town centre and excellent public transport, as well as providing publicly accessible commercial uses and landscaped public open space. This achieves the 'balance' that is required within Policy RES3 (see Section 5 below).
- 3.101 It is considered that owing to the site's urban context, proximity to existing buildings, particularly to the east and south, the design of the proposed development has enabled results to perform relatively well in the context of the recommended BRE Guidelines in respect of light access. Furthermore, the guidelines are considered to be applicable to suburban residential development with typically low densities, in contrast to the proposals, which are located at an urban site with developed sites neighbouring to the west, east and south.

### **Access & Parking**

- 3.102 The proposed development will take its primary point of access from Crofton Road, at the north western corner of the site. This is a shared access surface and has been designed as such in order to ensure low vehicle speeds through the site to St. Michael's hospital.
- 3.103 This location has been assessed by a traffic engineer and represents a superior alternative to accessing the site in the north eastern corner. The assessment is included in the Muir Associates report accompanying the submission. The assessment considers that were the access point located in the north eastern corner (adjacent to Harbour View) the presence of a large tree would obstruct sight lines and compromise road user's safety when exiting the site onto Crofton Road. Details of this junction layout and associated amendments to the footpath alignment, lighting standard and road markings on Crofton Road are provided by the accompanying engineering report and drawings prepared by Muir Associates. The proposals are considered to present the most efficient and safe solution at the location, with a secondary pedestrian route at the north eastern corner contributing to a welcoming entrance to the development, the café at ground floor level and the route to St. Michael's Hospital.



- 3.104 Owing to the site's excellent location in relation to the Dun Laoghaire DART station and bus terminus approximately 120 metres to the east, and Dun Laoghaire town centre, a total of 3 no. car parking spaces are proposed, inclusive of 1 no. disabled access space. It is intended that 2 no. spaces will be operated by Yuko Car Club, who have agreed in principle to operate vehicles at these spaces. This approach will provide flexibility and accessibility for residents, who will be able to book vehicles via the Yuko website and smartphone application. The inclusion of a disabled space contributes to the development meeting Part M requirements of the Building Regulations ensuring universal access.
- 3.105 It is noted that due to the Build to Rent nature of the development, SPPR8 of the Apartment Guidelines 2020 requires '*a default minimal or significantly reduced car parking on the basis of BTR development being more suitable for central locations and/or proximity to public transport services*'. In this respect, the proposed development is considered to be compliant with the Guidelines.
- 3.106 The site benefits from excellent connectivity and is closely located to high capacity public transport at central location in the context of Dun Laoghaire as noted above. This includes DART and commuter rail services as well as bus routes provided by Dublin Bus, Go-Ahead Ireland and Aircoach which provide links to Cherrywood, Loughlinstown, Killiney, Dalkey, Bray, Kilmacanogue, Kiltiernan, Tallaght, Ballsbridge, Donnybrook, Dublin City Centre, Phoenix Park and Dublin Airport.
- 3.107 Furthermore, the development includes 75% 1-bedroom apartments, with residents anticipated to include young professional people or older, retired couples who may be 'downsizing' to an accessible location with no need for a vehicle. The site's location provides excellent connectivity to Dublin city centre and the main employment hubs at Ballbridge/Pembroke Road, Docklands and the city centre, as well as more locally in Dun Laoghaire town centre, Blackrock and Cherrywood.
- 3.108 A total of 150 no. secure bicycle parking spaces are provided at ground floor level at Building 02 accessed from the central courtyard. Additional external cycle parking spaces for visitor use (26 spaces) are provided in the courtyard adjacent to Building 02 for resident and visitor use in the form of Sheffield stands. It is considered that this mobility strategy will promote sustainable forms of travel and provide adequate quality facilities as an alternative to the private car. A total of 8 no. bicycle parking spaces will also be provided adjacent to the entrance to the café unit in the north eastern corner of Building 01 for visitor use.
- 3.109 In addition to this, the recently implemented two-way cycle lane on the N31 (linking Blackrock and Sandycove) in close proximity to the site will encourage safe cycle travel by residents. It is anticipated that this link may become permanent in future having regard to the mobility strategy currently being developed by DLRCC.
- 3.110 The proposed vehicular access route along the western perimeter of the proposed development will provide access to the courtyard via a controlled sliding entrance gate which will be operated by those using shared vehicles. Cyclists will be encouraged to exit the site through Building 01 or via the controlled access gate at the eastern perimeter of the communal courtyard.
- 3.111 Owing to the significant reduction in car parking spaces within the proposed development in comparison with the existing situation, it is considered that there will be a substantial decrease in traffic movements accessing and exiting the site on to Crofton Road. The mobility strategy is therefore considered to be appropriate for the scale and nature of the proposed development through limiting the reliance on the private car and provided shared car club options as well as a disabled access space.

This is complemented by a generous provision of bicycle parking for residents and visitors to encourage multi-modal forms of travel, contributing to the creation of sustainable communities. This is further detailed within the Engineering Services Report prepared by Muir Associates.

### **Landscaping & Open Space**

- 3.112 The site currently exists primarily as a surface car park with a small number of planted areas including trees, shrubbery and grass. The proposed development will introduce a high quality landscaping scheme which will enhance the appearance of the site and enable its integration with the streetscape at Crofton Road, creating habitats and biodiversity on site and in this respect, representing a superior land use to the present situation.
- 3.113 The proposed landscaping scheme prepared by Dermot Foley Landscape Architects proposes the retention of the existing boundary walls at both the eastern and western perimeters. An area of soft and hard landscaping is located adjacent to the northern elevation of Building 01 in the form of informal seating areas, and a raised area of planting and grass. This also incorporates the arcade style terrace extending from the café at this location. This will encourage public use and make a positive contribution the urban realm at Crofton Road, also introducing a mix of planting which have been sensitively chosen for the location. This area comprises 681 sqm of public open space and provides an attractive and welcoming frontage to Crofton Road, which encourages use of the pedestrian right of way linking to St. Michael's Hospital. It will also promote the use of the public space to enjoy the attractive aspects across Dublin Bay to the north.
- 3.114 A planting strip is proposed along the western perimeter adjacent to the vehicular access route and right of way through the site. This will be aligned adjacent to the shared access route linking to the hospital to the south. A landscaped pedestrian route is also included at the site's eastern perimeter, facilitating links through the site to the hospital lands to the south, an objective of the Dun Laoghaire Urban Framework Plan relative to the site.
- 3.115 This pedestrian route also provides access to the central landscaped courtyard which is located between the residential blocks. Access is gained to this area via steps and a controlled gate. A cycle ramp will be provided to enable access to Building 02 as an alternative to entering via Building 01. The central courtyard provides a range of landscaping features including specimen trees, shrubbery and a generous area of lawn, extending to 378 sqm of communal space.
- 3.116 Access to both residential blocks can also be gained from the courtyard. The area subsequently benefits from passive surveillance from north facing units within Building 02 and south facing units within Building 01. This contributes to the creation of a sense of place and a safe environment for all residents to enjoy.
- 3.117 The central courtyard is complemented by the 4 roof terraces across both residential blocks which provide 405 sqm of external communal space. Terraces at both buildings benefit from excellent levels of sunlight access throughout the year and have been carefully designed to ensure safe usage whilst negating issues of overlooking. The 13<sup>th</sup> storey terrace at Building 01 provides a unique and highly valuable amenity space for residents from which to benefit from spectacular views. This external terrace is accompanied by an internal space enclosed by glazing to maximise panoramic views. It is intended that this space will also be used for exercise classes, resident events, meetings and socialising. It is intended that this will be open to public use on certain days during the year, in partnership with DL RCC and other cultural events. This

occasional use is considered to be in compliance with the site's Major Town Centre zoning under which 'community facility' is permissible. This will ensure public use of the building and contribute positively to the development's value within the streetscape and urban fabric of Dun Laoghaire.

- 3.118 The use of the amenity provision is detailed further within the accompanying LIV Consult BTR Operational Management Plan.
- 3.119 A total of 765 sqm of external communal open space is provided across the site. This is in excess of the requirements for open space provision as set out in the 2020 Apartment Guidelines, with additional flexibility afforded to BTR development in accordance with SPPR8. In addition to internal amenity and facilities, the proposals provide c. 1,272 sqm of residential amenity space, equating to c. 12.5 sqm per unit.
- 3.120 This ensures a high quality residential environment is created at the location. Please refer to the accompanying drawings and report prepared by Dermot Foley Landscape Architects and the BTR Operational Management Plan for further details on the use, design and management of these areas.
- 3.121 In accordance with Condition 5 of the DLRCC Letter of Consent accompanying this application, an arboricultural survey has been undertaken by The Tree File in accordance with the recommendations of BS 5837:2012: Trees in relation to design, demolition and construction and is also submitted. The Arboricultural Report includes a method statement and proposed tree protection measures to be implemented during the construction phase. These include the erection of construction exclusion fencing and establishing an area of primary construction exclusion as detailed within the drawings enclosed with the report.

#### **Appropriate Assessment**

- 3.122 An Appropriate Assessment Screening Report is submitted as part of this final application pack. The screening report was prepared by Enviroguide Consulting in accordance with the requirements of Article 6 of the EU Habitats Directive (Directive 92/34/EEC), as subsequently transposed into domestic legislation via the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development Act (2000), as amended.
- 3.123 A Screening Report for Appropriate Assessment prepared by Enviroguide Consulting accompanies this submission. The report concludes that:
- 'upon the examination analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility may be excluded that the Proposed Development will have a significant effect on any of the Natura 2000 sites listed.'* [on page 30 of the Report].
- 3.124 Furthermore, the report states notes that *'in carrying out this AA screening, mitigation measures have not been taken into account'*, nor have standard best practice construction measures which could have the effect of mitigating any effects on any European Sites.
- 3.125 The report concludes:

*'On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant*

*impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.'*

### **Drainage & Flood Risk**

- 3.126 The proposed drainage strategy for the disposal of foul water from the site has been subject to discussion with the planning authority and Irish Water has confirmed that a connection to the existing foul water sewer at Crofton Road. Irish Water has also confirmed acceptance of the proposed drainage strategy, as noted in the Statement of Design Acceptance. Both letters of confirmation are submitted alongside this request as an appendix to the Muir Associates Engineering Report.
- 3.127 The proposed SUDS method of water disposal at the site will ensure that no negative impacts to surface water leaving the site will arise due to the attenuation measures planned. The proposed development has been designed in order to comply with the Greater Dublin Drainage Study (GDDS), as well as other relevant guidance. All surface water intercepted on the site will be subject to a single stage of treatment to manage runoff. SUDS components will include green roofs, permeable paving and bioretention areas.
- 3.128 This is detailed further within the accompanying Engineering Report prepared by Muir Associates. Surface water will be attenuated and subject to a single form of treatment on the site, prior to controlled release to the surface water sewer on Crofton Road which discharges to the Irish Sea at West Pier.
- 3.129 In respect of flooding, the ECFRAMS and ICPSS indicates that the subject site is not within any flood zone. A review of the Strategic Flood Risk Assessment undertaken as part of the Dun Laoghaire Rathdown County Development Plan 2016-2022 Appendix 13 notes that the site does not fall within either Flood Zone A or Flood Zone B. As noted within the accompanying Engineering Report, a site-specific Flood Risk Assessment will be undertaken in accordance with the Planning System and Flood Risk Management Guidelines 2009 and submitted alongside the final application. The accompanying EIA Screening Report prepared by John Spain Associates provides further detail in this respect.
- 3.130 The proposed drainage strategy has been developed in consultation with and agreed in principle with DLRCC Drainage and Infrastructure Services in advance of this submission.

### **Conservation & Historic Environment**

- 3.131 The subject site is urban in nature and is located adjacent to a number of Protected Structures, most notably those to the west at Charlemont Terrace, with a secondary row of buildings at Charlemont Avenue to the south west also protected structures. The scale and design of the proposals have been developed in cognisance of the presence of these historic assets and in order to preserve and enhance their setting, character and amenity.
- 3.132 In light of these important heritage features, an Architectural Heritage Impact Assessment has been prepared by Rob Goodbody, Historic Building Consultant, to assess the potential impact of the proposed development upon the historic environment. In addition to this, a Landscape & Visual Impact Assessment, prepared by Bill Hastings (Grade I Conservation Architect) of Arc Consulting is also submitted alongside this application.
- 3.133 The content of the report has been developed in order to respond directly to Item 1 of the An Bord Pleanála Notice of Pre-Application Consultation Opinion dated 3<sup>rd</sup> June

2020 and in particular, the criteria set out in Section 6.4.15 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities 2011, as well as Dun Laoghaire-Rathdown County Development Plan.

- 3.134 The report notes that the proposed development will make an easy and effective transition in terms of height and building line, respecting the scale and design of the protected structures and the wider streetscape. Following comment received from DLRCC and An Bord Pleanála, the treatment and fenestration of the western part of Building 01 has been carefully considered to ensure no adverse impact upon the protected structures at Charlemont Terrace. This includes a uniform building line, light coloured brick complemented by white reconstituted stone feature lintels and brown aluminium frame windows.
- 3.135 The scale and height of Building 01 steps up gradually from the 3 no. storey Charlemont Terrace in order to respect its setting and character, including appropriate modulation at this location, with high quality finishes and building materials used. The palette of building materials seeks to integrate with the typical finishes along the Dun Laoghaire Seafront Quarter and is considered to complement the existing streetscape.
- 3.136 Building 02 to the rear steps up away from the protected structures at Charlemont Avenue. As noted above, the western part of this building has been redesigned following the PAC stage and no longer protrudes above the vehicular right of way along the western perimeter of the site. This increased separation distances between the proposed and existing buildings and minimises impacts on the setting and amenity of the historic buildings.

### **Archaeology**

- 3.137 Additionally, an Archaeology Report has been prepared by IAC to accompany this application. The report acknowledges the brownfield nature of the subject lands and considers that *'whilst it is clear that the proposed development site has been subject to disturbance, it is not clear how the disturbance may have affected the potential archaeological resource. It remains possible that ground disturbances associated with the proposed development may have an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level with no surface expression'*.
- 3.138 In this respect the report recommends that all ground disturbances associated with the proposed development are monitored by a suitably qualified archaeologist, with mitigation required upon the discovery of any features of interest such as preservation *in-situ* or by record.

### **Construction & Waste Management**

- 3.139 An outline Construction Management Plan, Construction and Demolition Waste Management Plan and Operational Management Plan have been prepared by Muir Associates and accompany this application.
- 3.140 As set out within the CMP, construction will be undertaken in accordance with current European and British industrial standards, with all mitigation and safety measures put in place to ensure a responsibly managed construction process. Appropriate actions will be taken during the construction phase to minimise impacts upon neighbouring properties and the environment.
- 3.141 In addition to the above, a Construction and Environmental Management Plan has been prepared by Enviroguide Consulting to accompany the submission which provides for the safe management of the demolition and construction phases of the



development and details methods to be implemented to ensure the safety of the environment during this time.

- 3.142 The Construction & Demolition Waste Management Plan sets out the measures used in the responsible disposal of waste arising from the construction of the development. The majority of waste generated at the construction phase will be excavated material, with surplus construction materials and cuts also anticipated.
- 3.143 Other resources used will be construction materials which will be typical raw materials used in construction of residential developments. The scale and quantity of the materials used will not be such that would cause concern in relation to significant effects on the environment and will be disposed of or recycled appropriately by a qualified contractor.
- 3.144 The Operational Waste Management Plan includes strategy for the disposal of waste during the operational phase of the development. This is to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development.

#### **4.0 NATIONAL AND REGIONAL PLANNING POLICY**

- 4.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy as it relates to the proposed development is set out in the following sections. The key policy and guidance documents of relevance to the proposed development are as follows:

- Project Ireland 2040 - National Planning Framework;
- Rebuilding Ireland – Action Plan for Housing and Homelessness;
- Regional Spatial & Economic Strategy (RSES) for the Eastern and Midland Regional Assembly;
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007);
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020);
- Urban Development and Building Height Guidelines (2018);
- Greater Dublin Area Transport Strategy 2016-2035;
- The Planning System and Flood Risk Management (2009); and
- Birds and Habitats Directive – Appropriate Assessment.

##### **Project Ireland 2040: National Planning Framework (2018)**

- 4.2 Project Ireland 2040 National Planning Framework was published on the 16th February 2018. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland out to the year 2040. The plan will guide national, regional and local planning opportunities together with investment decisions for at least the next two decades.
- 4.3 The companion to this document is the National Development Plan, a ten-year strategy for public capital investment of almost €116 billion. The NPF notes the documents align *'our investment strategy with our strategic planning documents to, for the first time in the history of our State, create a unified and coherent plan for the country'*.
- 4.4 It is stated that the NPF will be given *'full legislative support within the planning system'*, including regular review with the future potential to make adjustments where

necessary. Each of the three regions will prepare their own strategy in accordance with the Framework set by the NPF, known as Regional Spatial and Economic Strategies (RSES). County and City Development Plan review cycles will then fall in to line with their respective regional strategies, ensuring alignment between the hierarchy of plans.

4.5 The National Strategic Outcomes set out in the NPF are:

- Compact Growth
- Enhanced Regional Accessibility
- Strengthened Rural Economies and Communities
- High-Quality International Connectivity
- Sustainable Mobility
- A Strong Economy, supported by Enterprise, Innovation and Skills
- Enhanced Amenities and Heritage
- Transition to a Low Carbon and Climate Resilient Society
- Sustainable Management of Water, Waste and other Environmental Resources
- Access to Quality Childcare, Education and Health Services

4.6 In relation to residential development the plan states:

*'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'.*

4.7 A core objective of the NPF is achieving compact growth and the Framework targets a *'significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas'*.

4.8 The NPF seeks to achieve *'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'*. National Policy Objective 3a targets the delivery of at 40% of future housing development to be within the footprint of built-up footprint of existing settlements.

4.9 The proposed development will provide for the efficient reuse of a brownfield, infill site which is considered to be underutilised in its current use as a surface car park, implementing a higher housing density in a central location in close proximity to existing facilities and public transport in accordance with objective 3a.

4.10 National Policy Objective 4 aims to *'ensure the creation of attractive, liveable, well designed urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'*.

4.11 National Policy Objective 6 seeks to *'Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area'*.

4.12 National Policy Objective 11 states: *'In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject*

- to development meeting appropriate planning standards and achieving targeted growth*'.
- 4.13 The proposed development will create an attractive liveable environment of high architectural quality and design which includes a range of residential amenity and a publicly accessible café. In this respect, the proposals will increase residential population and employment activity, generating jobs and implementing sustainable development at an urban location in accordance with NPOs 4, 6 and 11 above.
- 4.14 The NPF advocates compact urban development and focuses on maximising potential with respect to connections to transport links.
- 4.15 National Policy Objective 13 states that: *'In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.'*
- 4.16 The proposed development comprises 2 no. buildings ranging in height from 5 to 13 no. storeys in a high quality architectural design to ensure that the brownfield site is utilised efficiently and integrates with the uses in the surrounding area and takes cognisance of existing building heights whilst proposing the introduction of a landmark element of height to mark the entrance to the Dun Laoghaire Seafront Quarter.
- 4.17 National Policy Objective 27 seeks to *'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages'*.
- 4.18 The proposed development is located at a highly accessible location with Dun Laoghaire DART station and bus stop situated approximately 120 metres to the east, with the Blackrock - Sandycove cycle route located across the railway line to the north. The centre of Dun Laoghaire is also found within short walking distance to the south east via established pedestrian routes at Crofton Road and Marine Road.
- 4.19 The development proposes a total of 3 no. car parking spaces, including 1 no. disabled space. It is intended that 2 of these spaces would be operated by Yuko Car Club who will provide shared vehicles at these spaces, with this agreed in principle with the company. This will enable residents to benefit from a convenient share car service in order to facilitate journeys which are most conveniently made by car as opposed to public transport. There are also a number of other share car locations nearby from which residents can benefit.
- 4.20 The level of car parking proposed has been informed by the site's accessibility to high capacity public transport connections, with 150 no. secure bicycle parking spaces located at ground floor level at Building 02 with an additional 26 no. spaces located in the central courtyard. This promotes sustainable forms of travel as an alternative to the private car in close proximity to an established cycle route.
- 4.21 National Policy Objective 33 seeks to *'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'*.
- 4.22 Objective 35 of the National Planning Framework aims to: *'Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of*

*existing buildings, infill development schemes, area of site-based regeneration and increased building heights.'*

- 4.23 It is considered that the current use of the subject lands constitutes an underutilisation of an urban space at a highly accessible location. The development of the site for the purposes of residential use will deliver a high quality scheme of an appropriate scale and density which is sensitive to existing surrounding properties. This will optimise the use of the site and ensure sustainable development at an appropriate location in close proximity to a range of services and public transport facilities. The inclusion of a rooftop amenity space at 13<sup>th</sup> storey level which will be open to public use at various times each year also adds to the civic value of the scheme proposed.
- 4.24 In summary, the NPF shows broad policy support for residential development as proposed in an existing settlement area on residential zoned land, within the metropolitan area of the GDA and in close proximity to a DART station, as well as high frequency Dublin Bus, Go-Ahead and Aircoach bus links. The proposals will achieve compact growth and densification of urban areas and ensure efficient use of zoned land under which residential development is permissible and constitutes effective land and transport planning.

### **Rebuilding Ireland – Action Plan for Housing and Homelessness**

- 4.25 Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing stock and laying the foundation for a more vibrant and responsive private rented sector.
- 4.26 The Action Plan seeks to address the ongoing housing and homelessness crisis in the state via the pursuit of a broad range of actions and objectives set out under five 'pillars'. The fourth of these pillars is to 'Improve the Rental Sector', and one of the key actions set out thereunder is to encourage the development of a build to rent sector with institutional ownership of developments designed specifically for the rental market.
- 4.27 The Action Plan notes, that at the time of its publication, one in five households in Ireland rented their homes. However, it is noted that the existing housing stock in Ireland was not developed with such a significant proportion of renters in mind. Build to rent development is envisaged as one of the potential solutions to this issue by providing for professionally managed accommodation for the rental market.
- 4.28 A *Strategy for the Rental Sector* was published in December 2016 under the auspices of Rebuilding Ireland, setting out a series of key objectives for the future development of the sector to meet increased demand and urgent need for housing. One of the key objectives set out therein was to maintain "*existing levels of rental stock and promoting additional supply through encouraging new investment and bringing unused capacity to the market*".
- 4.29 One of the 'key actions' put forward in the Strategy to achieve this objective was as follows:
- "Increase new supply through the build to rent model so that a significant proportion of overall delivery specifically targets the rental sector."*
- 4.30 The Strategy further notes that guidance was issued to Planning Authorities in October 2016, requesting that priority be given to Build to Rent projects. The Strategy states that build to rent projects tend to be constructed in urban locations close to major centres of employment and transport nodes.

- 4.31 The proposed build to rent development is wholly in accordance with the general direction and specific objectives of the Rebuilding Ireland Action Plan and the December 2016 Strategy for the Rental Sector. The proposal will see the delivery of quality rental accommodation and associated facilities in a highly accessible urban location directly adjacent to a major transport node, comprising a DART station and bus terminus as well as a cycle route located on the N31 connecting Blackrock and Sandycove.
- 4.32 Rebuilding Ireland is set around 5 no. pillars of proposed actions summarised as follows:
- Pillar 1 – Address Homelessness:** Provide early solutions to address the unacceptable level of families in emergency accommodation; deliver inter-agency supports for people who are currently homeless, with a particular emphasis on minimising the incidence of rough sleeping, and enhance State supports to keep people in their own homes.
- Pillar 2 – Accelerate Social Housing:** Increase the level and speed of delivery of social housing and other State – supported housing
- Pillar 3 – Build More Homes:** Increase the output of private housing to meet demand at affordable prices.
- Pillar 4 – Improve the Rental Sector:** Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.
- Pillar 5 – Utilise Existing Housing:** Ensure that existing housing stock is used to the maximum degree possible – focusing on measures to use vacant stock to renew urban and rural areas.
- 4.33 The proposed development is consistent with Pillar 3 and Pillar 4 to improve the rental sector. The proposed development provides for 102 no. new apartment units as part of a Build-To-Rent Scheme. The provision of the 102 no. residential units will substantially add to the residential accommodation availability of the area and cater for the increasing housing demand as well as providing 10% social housing (10 no. units) in accordance with the Planning & Development Act 2000, as amended.
- 4.34 The proposed development will play a part in responding to significant need and demand for housing with residential units which will be professionally managed and which will remain within the rental market for the long term in accordance with the requirements of the 2020 Apartment Guidelines.

**Regional Spatial & Economic Strategy (RSES) for the Eastern and Midland Regional Assembly (2019)**

- 4.35 The RSES for the EMRA was adopted in June 2019. This sets out is a regional strategic plan to enable the delivery of the National Strategic Outcomes as set out within the NPF.
- 4.36 The RSES notes that the Dublin Metropolitan Area is focused on the capital as its main gateway to the nation and the largest economic contributor. Growth enablers for the DMA include:
- Achieving a 250,000 growth in population to 1.4 million in Dublin City and Suburbs and 1.65 million people in the DMA by 2031;
  - Realise compact growth targets of at least 50% of all new homes to be built within or contiguous to the existing built up area of Dublin city and Suburbs;
  - Deliver strategic development along high-quality public transport corridors in tandem with the delivery of infrastructure;

- Increase employment in strategic locations providing for people intensive employment at sustainable locations near high quality public transport nodes;
  - Promote the development of infill brownfield lands.
- 4.37 The Regional Spatial and Economic Strategy is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond. The Eastern and Midland Regional assembly (EMRA) was established in 2015 as part of the regional tier of governance in Ireland.
- 4.38 In respect of Dublin city, Regional Policy Objective 4.3 is to *'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'*.
- 4.39 A Metropolitan Area Strategic Plan (MASP) for Dublin is incorporated into the RSES that sets out large scale strategic residential, employment and regeneration development opportunities and infrastructure deficits which may need to be addressed. The MASP provides a 12-year strategic planning and investment framework for the DMA.
- 4.40 A guiding principle for the DMA is 'Integrated Transport and Land Use' by focusing growth *'along existing and proposed high quality public transport corridors and nodes on the expanding public transport network'*.
- 4.41 Section 5.6 of the MASP suggests that *'to the extent practicable, development within the metropolitan area should be carried out sequentially, whereby lands which are... most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised'*.
- 4.42 The Metropolitan Area Strategic Plan for the Dublin area supports the development of infill sites in order to achieve compact growth and densification, in line with the principles of the NPF. In this regard, the nature of the proposed development is considered to be compliant with the aims of the RSES.

#### **Transport Strategy for the Greater Dublin Area 2016 - 2035**

- 4.43 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 4.44 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
  - Improve economic competitiveness
  - Improve the built environment
  - Respect and sustain the natural environment
  - Reduce personal stress
- 4.45 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.

- 4.46 The Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government's Transport 21 investment framework are included in all of the strategy options.
- 4.47 The proposed residential development, which provides for a density in excess of 50 units per hectare, adjacent to excellent public transport links and cycling infrastructure. In this regard, the development is consistent with the vision and objectives of the Transport Strategy for the GDA.

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)**

- 4.48 The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- Prioritise walking, cycling and public transport, and minimise the need to use cars;
  - Are easy to access for all users and to find one's way around;
  - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
  - Provide a mix of land uses to minimise transport demand.
- 4.49 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and through their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 4.50 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000 (as amended). Section 2.1 of the Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.
- 4.51 The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *'the sequential approach as set out in the Department's Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'*
- 4.52 Having regard to the above the subject lands are zoned 'MTC' with the objective to provide for major town centre uses, including residential and commercial development as proposed. The site is infill, brownfield land and its redevelopment for the proposed use will consolidate the urban pattern whilst respecting and adding positively to the streetscape.
- 4.53 The subject lands are considered to be lands within 'Public Transport Corridors' in the context of the densities required under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), as the lands are located within 120 metres of the DART stop and bus terminus at Dun Laoghaire town centre. The Blackrock cycle route along the seafront is also found in close proximity to the site



across the railway line to the north and has been recently implemented by the Planning Authority, providing high quality links to residents.

- 4.54 Section 5.8 of the Guidelines recommends that *'in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes'*. The proposals provide for a net density of c. 309 units per hectare, which is considered to be a suitable density in the context of proximity to public transport whilst also having regard to the surrounding context and character of the urban area.
- 4.55 The scale and density of development proposed is considered to make optimum use of an underutilised brownfield site and its topographical features through the implementation of bicycle parking and repair centre, bin storage and plant at ground floor level of Building 02. The rise in topography moving south through the site serves to mitigate the visual presence of the development within the surrounding area, particularly from Dun Laoghaire town centre to the south and east.
- 4.56 The site can be simply navigated from a single point of vehicular/shared access from Crofton Road, which provides access to St Michael's hospital to the south. Residents and members of the public gain access to the site via pedestrian entrances at the northern elevation of Building 01, with the landscaped pedestrian route along the site's eastern perimeter providing an attractive connection to the central courtyard and to St Michael's Hospital to the south, as agreed with the landowner.
- 4.57 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 4.58 In respect to pre-application consultations with the Planning Authority and An Bord Pleanála, the design team had regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009), which recommends the following approach:
- Development Brief:** An analysis of the site has been carried out which includes reviewing the local development plan, flooding information, utilities and services etc.
- Site Analysis:** The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.
- Concept Proposals:** An initial proposal responding to the parameters established by the development brief and site analysis has been prepared describing aspects of the scheme such as land use and density range, boundary conditions and connections which is discussed in greater detail below.
- Pre-planning:** Pre-planning consultation is designed to respond to initial designs to encourage an interactive process, particularly for sites in excess of approx. 50 units.
- 4.59 The above approach has been considered within the RAU Design Appraisal which accompanies the application.
- 4.60 The **Urban Design Manual – A Best Practice Guide (2009)** sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 criteria are assessed in detail within the

accompanying Design Appraisal prepared by Reddy Architecture & Urbanism and complemented by the accompanying Landscape Rationale and Drawings prepared by Dermot Foley Landscape Architects and are responded to as follows below.

***Context: How does the development respond to its surroundings?***

- 4.61 **Response:** The height, scale and massing of the proposed development has been informed by the surrounding context of the development in particular the existing residential and commercial development to the east and west and the hospital buildings to the south, whilst optimising the site's northern frontage across Dun Laoghaire Harbour and Dublin Bay.
- 4.62 Building 01 of proposed development falls in height moving west from a height of c. 42 metres above ground level at its eastern to 16.2 metres at its western elevation adjacent to Charlemont Terrace (which rises to 13.81 metres). Building 02 to the rear is set back from the western boundary extends to 27.5 metres above ground level at its highest eastern point, falling to 24.5 metres at its western elevation. These heights are directly comparable to the eight storey Harbour View development to the east and the four and six storey St. Michael's Hospital to the south. Charlemont Terrace extends to 3 no. storeys to the west, with Building 01 providing a gradual and sensitively designed increase in height moving east in order to respect the setting of the heritage features.
- 4.63 The proposed scale, height and layout of the proposed development adequately addresses and responds appropriately to the scale and use of surrounding development. The proposed residential and commercial use is compatible in nature with neighbouring uses and will enhance the visual appearance of the underutilised brownfield site, providing a high quality architectural solution to the Seafront Quarter.

***Connections: How well is the new neighbourhood / site connected?***

***Inclusivity: How easily can people use and access the development?***

- 4.64 **Response:** The proposed development currently exists as a surface car park with one primary point of access at its northern perimeter at Crofton Road, a short distance from Dun Laoghaire town centre, DART station and bus terminus to the east, accessed by existing pedestrian links. In this regard, the site benefits from a high level of accessibility at present. This will be enhanced by the proposals.
- 4.65 The proposals will include a shared vehicular right of way along the western perimeter of the site which will provide access to St. Michael's Hospital to the south, in addition to a pedestrian right of way along the eastern perimeter. These routes have been agreed with St. Michael's Hospital and will enhance permeability through the site, providing connectivity which may facilitate a future link to Eblana Avenue subject to landowner agreement.
- 4.66 The site benefits from an abundance of public transport links in the form of DART and commuter rail, as well as bus terminus located 120 metres east. This is complemented by additional bus stops on Marine Road and Queen's Road. A cycle lane exists on the N31 to the west. In this regard, the proposal will improve accessibility to and from the lands and permeability at the location.
- 4.67 The development will provide for shared and disabled car parking, bicycle parking and all communal areas and unit types are designed to be accessible to all.

***Variety: How does the development promote a good mix of activities?***

- 4.68 **Response:** The overall use of the site is residential with a commercial café at ground floor level at Building 01. This is in addition to a roof level amenity area at Building 01 which will be occasionally used for publicly assessable use throughout the year in conjunction with events organised by DLRCC and others.
- 4.69 The proposal includes an excellent range of internal residential facilities and amenities including a reception and postal storage area at the main entrance to Building 01. A coworking/study area, gym, multipurpose room, kitchen and lounge and games room is also provided at ground floor level at Building 01. These facilities are complemented by 765 sqm of external landscaped open space within a central courtyard and 4 no. external roof terraces across Building 01 and 02. This provides an excellent level of amenity and mix of activities for residents, with external terraces benefiting from panoramic views across Dun Laoghaire, the harbour and Dublin Bay.
- 4.70 A 681 sqm area of public open space is provided at the northern perimeter of the site fronting Crofton Road. This landscaped area provides public seating and a plaza located adjacent to the café unit. This feature enhances the public realm at Crofton Road and contributes positively to the aesthetical quarter of the seafront.

***Efficiency: How does the development make appropriate use of resources, including land?***

- 4.71 **Response:** The proposed development is located on an infill brownfield site in an existing urban area. It is recognised by the Council as one of the last remaining development opportunities in Dun Laoghaire. The proposed density makes efficient use of these major town centre zoned lands in close proximity to high capacity public transport links and cycle infrastructure. The proposal will regenerate an underutilised site which exists as a surface car park at present and replace this with a sustainable use which enhances the residential population of the town.
- 4.72 The layout and orientation of the scheme has been designed to provide continuity in scale and height with neighbouring development, whilst providing an element of height which marks the entrance to the Seafront Quarter, optimising the use of this brownfield site in order to contribute to national planning policy objectives and guidelines.

***Distinctiveness: How do the proposals create a sense of place?***

- 4.73 **Response:** The proposed development has been designed to improve the nature and appearance of the subject site whilst respecting the setting of the historic environment to the west. It constitutes a BTR residential scheme (with commercial café and element of community facility) of high quality architectural design and materials which will comprehensively regenerate the surface car park site.
- 4.74 The design and layout of the proposal contributes to a sense of place through the implementation of a high quality landscaping strategy which includes a welcoming area of amenity space at the northern perimeter adjacent to Crofton Road. This encourages the site to be accessed by foot and bicycle, facilitated by the shared vehicular and bicycle right of way along the western side of the site and the proposed pedestrian route on the eastern side linking to St. Michael's Hospital.
- 4.75 The pedestrian route also provides access to the central courtyard which includes c. 378 sqm of landscaped open space for the communal use of residents. This is complemented by roof terraces at both buildings and an internal amenity at top floor level of Building 01, optimising the site's excellent seafront location and offering attractive views across Dun Laoghaire and Dublin Bay.
- 4.76 The variance in surfaces, planting and hard and soft landscaping, as well as the range of uses incorporated provide useable open space for residents and visitors which

benefits from passive surveillance by the proposed residential units. Details of surface finishes are provided in the accompanying Landscape Design Rationale by Dermot Foley Landscape Architects.

- 4.77 Therefore, the scheme will provide an enhanced feature of the urban fabric at an important gap in the Dun Laoghaire waterfront and will significantly enhance the sense of place at the location, attract footfall and visitors owing to its appearance, landscaping scheme and palette of materials used.

***Layout: How does the proposal create people-friendly streets and spaces?***

- 4.78 **Response:** The proposed development provides for a legible and easily navigable development which is directly connected to the public footpath and road network on Crofton Road. The shared access points for vehicular, bicycle and pedestrian use create people-friendly streets in accordance with DMURS. Both routes on the west and east side of the site provide connections to the central shared courtyard and St. Michael's Hospital to the south and enhance user experiences through landscaping and shared surfaces which encourage low vehicular speeds.
- 4.79 The central courtyard provides c. 378 sqm of communal open space for residents and acts as a high quality link between the residential blocks. The boundary with St. Michael's Hospital to the south is open, with landscaping strips along the western, southern and eastern perimeters.
- 4.80 The proposals include a generous level of external amenity space which provides a range of informal activities and passive uses comprising external terraces which encourage use by residents and benefit from excellent views, as well as passive surveillance to the central courtyard.
- 4.81 The proposed development will also provide for high quality internal communal active uses which will invite and attract people to the development thereby creating attractive and friendly spaces.

***Public Realm: How safe, secure and enjoyable are the public areas?***

- 4.82 **Response:** The proposed development includes a 681 sqm area of public open space at the northern perimeter, including the pedestrian route to St. Michael's Hospital to the south. This includes a public plaza, mix of hard and soft landscaping, informal seating and area extending from the café to be used by customers. This area also interacts with the coworking/study space located at the western part of Building 01 at ground floor level which provides passive surveillance and active frontage across the entire extent of Crofton Road.
- 4.83 The design and layout of the public area contributes to a welcoming approach and entrance to the development at Crofton Road through the implementation of a high quality landscaping strategy. This encourages the site to be accessed by foot and bicycle, facilitated by the shared vehicular and bicycle right of way along the western side of the site and the proposed pedestrian route on the eastern side linking to St. Michael's Hospital. The pedestrian route will be well lit and benefits from passive surveillance from the proposed development as well as Harbour View apartments to the east, ensuring a safe environment at all times of day and night.
- 4.84 An area of internal amenity is provided at 13<sup>th</sup> storey level at Building 01, extending to c. 77 sqm. It is intended that this will be open to public open on a number of occasions throughout the year in conjunction with DRLCC and others. This area will be safely access via stairs and lift with guided access provided by the onsite management team.

The rooftop amenity area and external terrace provides panoramic views of the surrounding area and can be safely enjoyed by the public.

- 4.85 It is therefore considered that the proposed design and layout of the overall development provides for a high quality safe and enjoyable area and contributes a new area of public open space to the streetscape which is superior to the current use of the site at present.

***Adaptability: How will the buildings cope with change?***

- 4.86 **Response:** The proposed residential units meet or exceed the minimum standards for residential unit size. The development provides a mix of 1 and 2 no. bed apartments that can be reconfigured to adapt to the changing life cycles and personal needs of each resident.
- 4.87 A Building Life Cycle Report prepared by RAU is submitted with the application which demonstrates how the proposed development will adopt to changes life cycles and tenures.

***Privacy / Amenity: How do the buildings provide a high quality amenity?***

- 4.88 **Response:** The majority of units are provided with a private amenity area in the form of a balcony or terrace which meets or else exceeds the minimum standard requirements of the Apartment Guidelines. Where private balconies are not provided at Building 01, this is compensated by attractive views north across Dublin Bay, Juliet balconies and full level glazing as well as a high level of communal amenity space throughout the scheme. Private amenity is complemented by communal amenity space and residential facilities, including roof terraces.
- 4.89 As noted within the accompanying Hollis report, a high number of units achieves the minimum requirements in terms of daylight (ADF) as set out by the BRE Guidelines. Where units fall marginally below the recommended standards, full height glazing seeks to maximise light access. The development also provides a series of high quality landscaped open spaces which includes informal and passive activity space and roof terraces with excellent vistas across Dun Laoghaire Harbour and Dublin Bay. This contributes to a high level of residential amenity for the residents.

***Parking: How will the parking be secure and attractive?***

- 4.90 **Response:** A total of 3 no. car parking spaces, including 1 no. disabled access space will be provided between the two building at surface level. It is intended that 2 of these spaces will be use as share-car spaces, with vehicles provided by Yukon Car Club, who have provided a letter in support of the development (appended to accompanying Outline Travel Plan). The proposed club car strategy will facilitate sustainable travel by residents who wish to make certain trips and journeys that are not readily convenient by the range of high capacity public transport links located nearby, as well as providing a disabled space. The car parking area will be accessed via the main entrance from Crofton Road and the vehicular right of way at the western perimeter of the site with a sliding entrance gate providing secure access at the western edge of the courtyard parking area.
- 4.91 A total of 150 no. secure bicycle parking spaces are provided at ground floor level of Building 02, with a bicycle repair area also included at this location. Additional bicycle parking in the form of Sheffield stands comprising 26 visitor spaces will also be provided externally within the central courtyard in close proximity to the main entrance to Building 02. An additional 8 no. spaces will be located at the public open space at

the northern part of the site to serve the café. This generous provision of bike parking accompanied by additional amenity will help to promote and encourage sustainable modes of travel by residents. This is detailed further within the accompanying Travel Plan prepared by Muir Associates.

***Detailed Design: How well thought through is the building and landscape design?***

- 4.92 **Response:** The design of the development has been subject to 2 no. pre-application consultation meetings undertaken between the design team and the Planning Authority, and 1 no. tripartite meeting with An Bord Pleanála and Dun Laoghaire-Rathdown County Council. The outcome and comments received from these meetings have contributed to the design now presented, with variations made to ensure a high quality residential environment which integrates well with its urban surroundings.
- 4.93 The RAU Design Appraisal sets out a comprehensive design rationale for the proposed development. The footprint, shape and siting of the proposed residential buildings has been developed and refined having regard to neighbouring buildings and seeks to retain the established building lines at Charlemont Terrace and the Mews to the west. The separated blocks ensure that light penetrates through the site and optimises provision to the existing residents at Harbour View which would be compromised by a development of similar scale and size being developed at the site. The design and layout will optimise the brownfield site whilst respecting the existing surrounding urban fabric.
- 4.94 A Landscape Rationale statement is also submitted with this application. The proposed landscape strategy will consolidate existing boundary treatments and implement a series of high quality, useable and accessible external amenity spaces.

**Delivering Homes, Sustaining Communities (2008)**

- 4.95 The Department's policy statement Delivering Homes, Sustaining Communities, Guidance provides the overarching policy framework for an integrated approach to housing and planning. The statement notes that demographic factors will continue to underpin strong demand for housing, which in turn will present considerable challenges for the physical planning of new housing and the provision of associated services. The quality of the housing environment is stated as being central to creating a sustainable community.
- 4.96 Sustainable neighbourhoods are areas where an efficient use of land, high quality design, and effective integration in the provision of physical and social infrastructure combine to create places people want to live in.
- 4.97 The Delivering Homes, Sustaining Communities policy statement is accompanied by Best Practice Guidelines entitled '**Quality Housing for Sustainable Communities**'. The purpose of these Guidelines is to promote high standards in the design and construction and in the provision of residential and services in new housing schemes. They encourage best use of land and optimal utilisation of services and infrastructure in the provision of new housing; point the way to cost effective options for housing design that go beyond minimum codes and standards; promote higher standards of environmental performance and durability in housing construction; seek to ensure that residents of new housing scheme enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and provide homes and communities that may be easily managed and maintained.

- 4.98 The proposed urban design approach has been developed and informed by the pre-application consultation with both the Planning Authority and An Bord Pleanála and will provide a high quality development at a key location on the Dun Laoghaire Seafront Quarter. Design optimisation has been sought to ensure the development complements and integrates with the design and architecture of the streetscape whilst defining the entrance to the quarter with a modern development of notable presence.
- 4.99 This application is accompanied by a Housing Quality Assessment document prepared by RAU which demonstrates the consistency of the proposed development with the relevant quantitative standards in the Quality Housing for Sustainable Communities document, the accompanying best practice guidelines and the Dun Laoghaire Rathdown County Development Plan where relevant.

### **Sustainable Urban Housing: Design Standards for New Apartments (2020)**

- 4.100 The Sustainable Urban Housing Design Standards for New Apartment were published in March 2018 and updated in December 2020. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland and the standards and Specific Planning Policy Requirements within are understood to supersede corresponding Development Plan provisions where they are in conflict:

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

- 4.101 A key inclusion in the guidelines is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The guidelines identify locations is cities and town that may be suitable for apartment development as follows:

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

- 4.102 A key aspect of the guidelines is the emphasis on the importance of existing urban brownfield sites in strategic locations in close proximity to existing public transport and the potential of these to facilitate increased densities and heights in accordance with the National Policy Objectives set in the NPF. In respect of the proposed site, Dun Laoghaire DART station (120 metres east) provides regular, frequent services between Bray and Greystones in the south to Howth and Malahide to the north. The N31 is located a short distance west.

- 4.103 The town's main bus terminus is along located adjacent to the rail station on Crofton Road. This benefits from a number of Dublin Bus services which provide links to Dublin city centre and Phoenix Park to the north west (no. 46a) as well as Dalkey (no. 111), Brides Glen (no. 7) and Loughlinstown Park (no. 7a). Additional bus stops can be located on Marine Road, approximately 175 metres from the site, providing links to Dublin Airport (no. 703), Kilmacanogue (no. 45a), Kiltiernan and Carrickmines (no. 63) and Killiney (no. 59). Go-Ahead Ireland and Aircoach which provide additional links to Cherrywood, Bray, Tallaght, Ballsbridge, Donnybrook, Dublin City Centre, Phoenix Park and Dublin Airport. In this respect the site benefits from excellent connectivity to the wider metropolitan area of Dublin.



- 4.104 The proposed development is therefore located in a highly accessible area well serviced by public transport and other infrastructure and as such is suitable for *'higher density'* apartment development in accordance with the description of proximity and accessibility considerations provided in the 2020 Apartment Guidelines.
- 4.105 It is noted that the proposed development is a Build to Rent scheme as is subject to slightly more flexible requirements in respect of storage, private amenity space, communal support facilities. A default position of *'minimal or significantly reduced car parking provision'* is also applied at central locations and/or proximity to public transport services.
- 4.106 The accompanying Housing Quality Assessment and prepared by RAU demonstrates the compliance of the proposed development with the relevant quantitative standards required under the 2020 Apartment Guidelines.
- 4.107 Requirements in terms of individual room sizes, storage and private amenity (as set out at Appendix 1 of the Apartment Guidelines) are also achieved and exceeded, with 41% of units dual aspect in accordance with SPPR4 (33% required), with some windows angled to avoid views to dwellings opposite, with translucent glass introduced and louvres implemented where necessary to mitigate any elements of overlooking. The majority of the proposed apartments significantly exceed all minimum standards, notwithstanding the build to rent nature of the development, with floor to ceiling heights compliant with the requirements of SPPR5 of the Apartment Guidelines (2.7m required) as illustrated in the accompanying RAU elevation drawings.
- 4.108 In relation to the north facing units which are without a balcony due to an urban design solution which ensures integration with the protected structures to the west and present a uniform building line to Crofton Road, these are finished with full height glazing and Juliet balconies to optimise daylight access and aspects across the amenity area of Dun Laoghaire Harbour and Dublin Bay.
- 4.109 This is consolidated by generously scaled roof terraces at 6<sup>th</sup>, 9<sup>th</sup> and 13<sup>th</sup> storey levels at Building 01 and 9<sup>th</sup> storey level at Building 02. This is complemented by public open space adjacent to the northern elevation of Building 01 and the internal courtyard located between the two blocks and compensates sufficiently for the shortfall in private open space at these units. In this respect, the proposed development provides sufficient private and communal amenity space in accordance with the Guidelines.
- 4.110 A total of 765 sqm of communal external open space is provided, which is significantly in excess of the 554 sqm required under the Guidelines and equate to 7.7 sqm per unit. When combined with the range of residential support facilities and amenities, a total of c. 1,272 sqm communal space is provided on site, equating to c. 12.5 sqm per unit.
- 4.111 Relative to car parking, the proposed minimum provision is considered to be justifiable given the site's location in the context of public transport provision and proximity to Dun Laoghaire town centre, which constitutes a *'Central and/or Accessible Urban Location'* in the context of the 2020 Apartment Guidelines.
- 4.112 There is precedent for significantly reduced / minimised car parking provision at central locations in Dun Laoghaire. A comparable scheme for a 208 no. bed space Build to Rent / Shared Accommodation at Eblana Avenue, Dun Laoghaire was granted by An Bord Pleanála (Ref: 304249-19) with the provision of 4 no. visitor parking spaces, 1 disabled access space and 1 set-down space. In assessing the provision, the ABP Inspector considered the provision to be *'acceptable with regard to the location of the site in close proximity to public transport, employment and local services and to SPPR*

*9 (iv) of the Apartment Guidelines, i.e. a default policy of minimal car parking provision.'*  
This is also considered relevant in respect of SPPR8 (iii) which replicates this statement in respect of Build to Rent development.

- 4.113 This is detailed further within the accompanying Engineering Services Report by Muir Associates.

*Build to Rent Development*

- 4.114 The 2020 Guidelines set out specific policies in respect of build to rent development. The Guidelines note the role that BTR development can play in accelerating the delivery of new housing. It is noted that for traditional housing developments, the pace of development is generally dictated by the sale of units, whereas in the case of BTR development, a full scheme can be delivered to the rental market at once. The Guidelines go on to state:

*"This potential for accelerated housing construction through BTR can make a significant contribution to the required increase in housing supply nationally, identified by Rebuilding Ireland, and the scale of increased urban housing provision envisaged by the National Planning Framework."*

- 4.115 SPPR 7 of the 2020 Guidelines applies specifically to BTR development and is set out *in extenso* below:

*"BTR 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."*

- 4.116 In accordance with SPPR 7, the proposed development has been described as Build to Rent development within the development description set out within the application form. The scheme has been described as a BTR scheme within the public notices published / erected for this application. A draft covenant is also submitted to ensure that the development remains owned and operated by an institutional entity for a period of not less than 15 years. In accordance with part (b) of the SPPR above, this report sets out details of the proposed residential support, communal and recreational facilities proposed as part of the development which are considered to be wholly adequate for the nature and scale of development proposed, both quantitatively and qualitatively. The operation and management of resident support services and

amenities and facilities is detailed further within the accompanying BTR Operational Management Plan prepared by Liv Consult.

4.117 SPPR 8 of the 2020 Guidelines also applies specifically to BTR development. SPPR 8 reads as follows:

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

- (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;*
- (ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;*
- (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;*
- (iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;*
- (v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.”*

4.118 In accordance with part (i) of SPPR 8, the proposed development provides for a mix of one-bedroom apartments and two-bedroom apartments. This unit mix is predicated on a demand for one-bedroom and two-bedroom units in this location, particularly having regard to the proximity of employment centres in Dun Laoghaire and the accessibility of the site to the city centre and other employment nodes via the DART and bus services from Crofton Road and Marine Road.

4.119 In accordance with Part (ii) of SPPR 8, the proposed development provides for private open space for the large majority of the units within the scheme. The only units which will not have access to a private balcony space benefit from excellent views over Dun Laoghaire Harbour and the bay beyond. The 15 no. apartments without balconies will benefit from full height opening windows with ‘Juliet balconies’ (i.e. balustrades in front of the windows on the building façade) to maximise daylight and allow ample access to fresh air within the units. Furthermore, the development provides for compensatory measures in the form of high quality community support facilities and amenities throughout the development providing 507 sqm, and provision of high quality external communal open space (765 sqm) at a rate above the minimum standard required by the guidelines. Total communal space (internal facilities and amenity and external communal space) per unit equates to c. 12.5 sqm, which is significantly in excess of the standards set out at Appendix 1 of the Apartment Guidelines.

- 4.120 The quality of the facilities to be provided, and the standard of residential amenity which will be enjoyed by future residents is illustrated in detail within this planning report and the accompanying documentation forming part of this planning application.
- 4.121 In accordance with part (iii) above, the proposed development includes a significant reduced provision of car parking, with 2 no. car club spaces and 1 no. disabled access space provided in the central courtyard for shared use by all residents, alongside 2 no. motorcycle parking spaces. This is consolidated by the provision of 150 no. secure bicycle parking spaces at ground floor level of Building 02 and a total of 26 external spaces located in the central courtyard and a further 8 spaces adjacent to the northern elevation of Building 01 serving the public open space and café operation. The development places a firm emphasis on sustainable modes of travel and cyclists will be able to make optimal use of the recently implemented Blackrock to Sandycove cycle route on the N31 located a short distance west. In this regard, the proposals align with the prioritisation of cycling which has been a renewed focus of investment for the Planning Authority in recent months. The development therefore promotes the use of sustainable transport modes, including adjacent high frequency public transport routes, cycling and walking.
- 4.122 It is noted that while the Apartment Guidelines states no minimum requirements for BTR units, all proposed units exceed the minimum floor areas for one bedroom and two-bedroom apartments set out within the Guidelines, which will provide good quality of residential accommodation within the scheme.
- 4.123 Notwithstanding the provisions of part (v) of SPPR 8, the proposed development provides for significantly less than 12 units per floor per stair core.

#### Aspect and Orientation

- 4.124 Under SPPR 4, the Apartment Guidelines 2020 require 33% of units in central/accessible locations to be dual aspect. The proposal provides for more than 50% dual aspect apartments and therefore exceeds the minimum requirement.
- 4.125 The Guidelines note that north facing single aspect units can be considered where overlooking a significant amenity such as a public park, garden or formal space, or a water body or an amenity feature. In this instance, the 15 no. north facing single aspect units benefit from extensive views across Dun Laoghaire Harbour and Dublin Bay and will have access to the landscaped courtyard between the two residential blocks and are therefore considered acceptable in this regard. Apartments with east facing orientations benefit from angled windows with louvres to prevent direct lines of sight to adjacent properties.
- 4.126 A sunlight and daylight assessment has been prepared by Hollis and is submitted as part of this application and is discussed in greater detail below.

#### **Urban Development and Building Heights Guidelines (2018)**

- 4.127 The Urban Development and Building Heights Guidelines for Planning Authorities were published in their final form in December 2018 under section 28 of the Planning and Development Act 2000, as amended.
- 4.128 In relation to Development Planning, Specific Planning Policy Requirement 1 requires Planning Authorities to avoid provision of blanket '*numerical limitations on building height*' and advises the identification of areas '*where building height will be actively pursued*' within Development Plans. The Guidelines advocate increased building heights '*in locations with good public transport accessibility, particularly town/city cores*'.

- 4.129 The Guidelines also note that historic environments can be sensitive to large scale and tall buildings, with the suitability of typology and building heights to be determined to by Planning Authorities subject to the existing character and setting of the site.
- 4.130 This planning application made to Bord Pleanála is accompanied by a Visual Impact Assessment prepared by ARC Consulting, and an Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Conservation Architect. Both documents take into consideration the potential impact of the proposed development upon the character and setting of the area and the potential impacts upon the protected structures to the west. Please refer to these reports for more detail.
- 4.131 The Guidelines introduce Development Management criteria at Section 3.2 which proposals for higher buildings will be required to satisfy. These are fully addressed in the accompanying Statement of Material Contravention in respect of the proposed development.

#### **Transport Strategy for the Greater Dublin Area 2016 - 2035**

- 4.132 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 4.133 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
  - Improve economic competitiveness
  - Improve the built environment
  - Respect and sustain the natural environment
  - Reduce personal stress
- 4.134 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 4.135 The strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government's transport 21 investment framework are included in all of the strategy options.
- 4.136 The proposed residential development, which provides for an appropriate density of development, adjacent to existing good quality public transport, in the form of the DART line and Dublin Bus services is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

#### **Guidelines for Planning Authorities on 'The Planning System and Flood Risk Management' (November 2009)**

- 4.137 The Planning System and Flood Risk Management Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended).
- 4.138 The Planning system and flood risk management guidelines require the planning system at all levels to:

- Avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere;
- Adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and
- Incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

4.139 The ECFRAMS and ICPSS indicates that the subject site is not within any flood zone. A review of the Strategic Flood Risk Assessment undertaken as part of the Dun Laoghaire Rathdown County Development Plan 2016-2022 Appendix 13 notes that the site falls within Flood Zone C.

4.140 A Site-Specific Flood Risk Assessment has been undertaken by Muir Associates and now accompanies this application in accordance with the Planning System and Flood Risk Management Guidelines 2009. The report concludes the proposed development has the required level of flood protection by the implementation of a FFL height which is above the 1 in 100 year fluvial flood level and does not increase the flood risk to other third parties or lands. The proposed drainage system has been designed in accordance with the relevant standards and regulations.

#### **Birds and Habitats Directive – Appropriate Assessment**

4.141 An Appropriate Assessment Screening Report is submitted as part of this final application pack. The screening report was prepared by Enviroguide Consulting in accordance with the requirements of Article 6 of the EU Habitats Directive (Directive 92/34/EEC), as subsequently transposed into domestic legislation via the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development Act (2000), as amended.

4.142 The report concludes that:

*'upon the examination analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the Natura 2000 sites listed.'* [on page 30 of the Report].

4.143 Furthermore, the report states notes that *'in carrying out this AA screening, mitigation measures have not been taken into account'*, nor have standard best practice construction measures which could have the effect of mitigating any effects on any European Sites.

4.144 The report concludes:

*'On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.'*

## **5.0 LOCAL PLANNING POLICY**

- 5.1 This section of the Statement of Consistency provides an account of the relevant local planning policies contained within the Dun Laoghaire Rathdown County Development Plan 2016 – 2022.

### Dun Laoghaire Rathdown County Development Plan 2016 – 2022

- 5.2 The site is located within the administrative area of Dun Laoghaire Rathdown County Council and is therefore subject to the land use policies and objectives of the County Development Plan 2016-2022.

### Chapter 1 – Strategic Framework & Core Strategy

- 5.3 The central focus of the Core Strategy (set out at Chapter 1 of the CDP) is on *'residential development and in ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing, over the lifetime of the Plan'*.

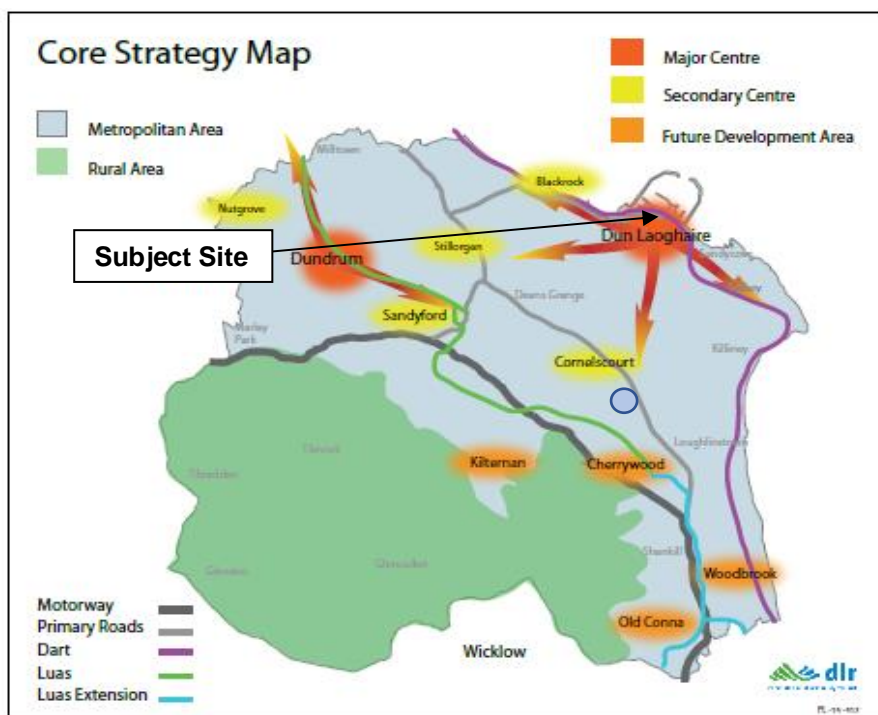
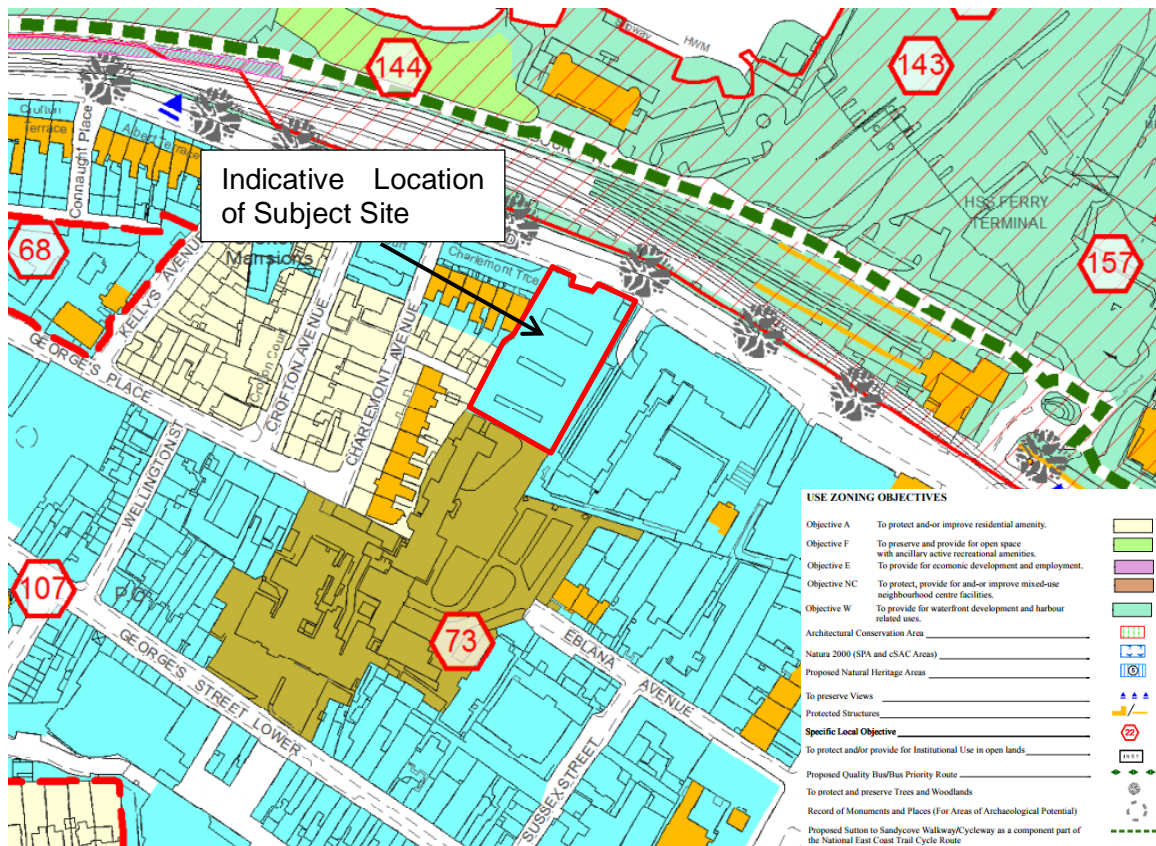


Figure 6: Core Strategy Map

- 5.4 A key strand of the overall Settlement Strategy focuses on the *'continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban/suburban built form – and thereby maximizing efficiencies from already established physical and social infrastructure'*.
- 5.5 The Strategy seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands occupy an underutilised brownfield infill site in a highly accessible urban location in close proximity to public transport links and a wide variety of services and amenities within Dun Laoghaire town centre, which is designated as a Major Centre. The site is therefore considered to be suitable for high density development as proposed. Commercial elements of the scheme will also add to the vitality of town centre and consolidate employment of the major centre of Dun Laoghaire in the context of the county.

- 5.6 Section 2 of the County Development Plan contains the Sustainable Communities Strategy. The vision of the Strategy is ‘To develop sustainable and successful communities across the County both through the continuing consolidation and redevelopment of the established built up areas, and the promotion of new, compact mixed-use urban villages optimally located in greenfield areas well served by existing or planned public transport networks and where residents will be within walking distance of supporting social and community infrastructure – including shops, services, employment opportunities, schools and leisure facilities’.
- 5.7 The proposed residential development, which provides for a net density of c. 309 units per hectare in close proximity to high quality public transport infrastructure and existing social and community infrastructure is considered to be consistent with the vision and strategies outlined above.

**Zoning and Local Objectives**



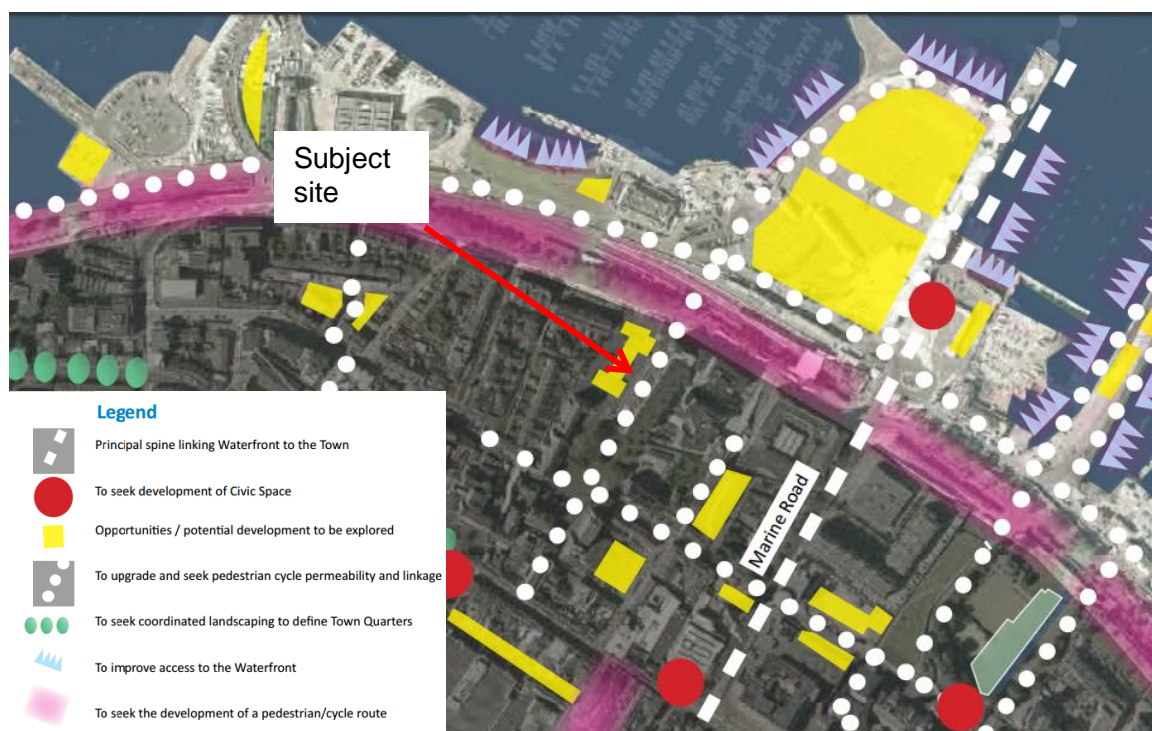
**Figure 7: Extract from CDP zoning map 3 with site outlined in red**

- 5.8 The subject site is zoned MTC (Major Town Centre) with an objective “to protect, provide for and-or improve major town centre facilities”.
- 5.9 ‘Residential’ and ‘café’ development is permitted in principle under this zoning objective as set out in Table 8.3.8 of the County Development Plan. The occasional use of the Building 01 roof terrace at 13<sup>th</sup> storey level is considered to be in compliance with the site’s Major Town Centre zoning under which ‘community facility’ is permissible. There are no site-specific objectives on the site.

**Dun Laoghaire Urban Framework Plan**



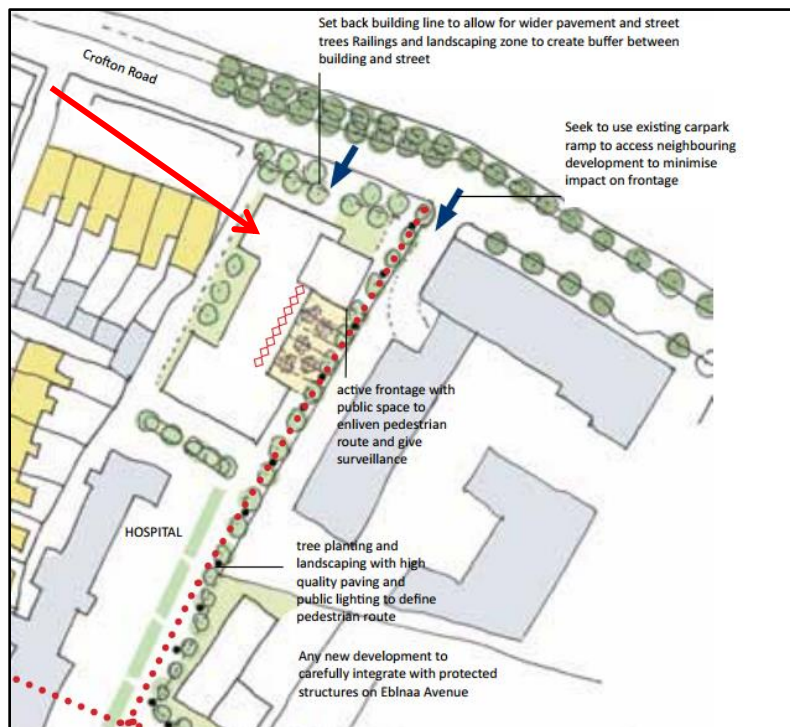
- 5.10 The Dun Laoghaire Urban Framework Plan (Appendix 12 of the CDP) identifies the site as an 'Opportunity / Potential Development to be explored' as shown in Figure 8 below:



**Figure 8 – Extract from Urban Framework Plan (Appendix 12 of DLRCC Development Plan)**

- 5.11 Dun Laoghaire Urban Framework Plan identifies the Hospital lands and the Boylan Centre as one of the largest remaining potential redevelopment areas within the Town Centre. The Framework Plan will seek to retain the existing Hospital uses on site, together with a mix of complementary uses that will help create and contribute to the vitality of the Town Centre. The proposed mix of commercial and residential development is considered to be consistent with the objective of the Urban Framework objective for the site and will *'help create and contribute to the vitality of the town centre'*.
- 5.12 Figure 8 below highlights an 'idea' for what is referred to as the Hospital Site in the Urban Framework Plan. While the redevelopment of the site is referred to, the plan seeks to setback the building line significantly to allow for a wider pavement in order to provide for street trees, railings and a landscape buffer between the trees and streets.
- 5.13 An active frontage is to be included to the east of the site in order to enliven the proposed pedestrian route to the east.

Subject  
site



**Figure 9 – Extract from Urban Framework Plan (Appendix 12 of DLRCC Development Plan)**

- 5.14 The subject site is located within the Seafront Quarter as identified in the Dun Laoghaire Urban Framework Plan. The plan states the following in relation:

*“The Seafront Quarter comprises the area around the Town Hall, the redeveloped Harbourmaster Square, the DART Station, the Pavilion Theatre and the redeveloped area along the Metals.*

*The role of this area as a ‘link’ in the connection of the Waterfront and the Town Centre, together with proposed new routes to Sussex Street. The area has undergone significant redevelopment in recent years and has emerged as an attractive area for civic life centred on the Town Hall and the Theatre at the Pavilion. This civic activity will be greatly complemented by the new DLR Lexicon.*

*A significant cluster of restaurants has developed and this together with new residential development, has added vitality and life to this Quarter. It is an objective of this Plan to consolidate this positive activity and to continue to link this activity with the Waterfront and to the Town Centre Quarter.”*

- 5.15 The Dun Laoghaire Urban Framework Plan contains the following policies and objectives which refer to the subject site:

- 5.16 Policy SLO 73 seeks to:

*“Retain the existing hospital uses at St. Michael’s and to develop and upgrade the Hospital and Boylan Centre sites in accordance with the objectives of the Dún Laoghaire Urban Framework Plan and the pending Dún Laoghaire and Environs Local Area Plan.”*

- 5.17 The proposed development is considered to achieve the objectives of the UFP to develop and upgrade the site with the setback building line at Building 01 creating a buffer from Crofton Road, with the varied elevation reflecting and providing continuity to the established street frontage.

- 5.18 The development integrates with and enhances the streetscape and public realm by the introduction of a mix of soft and hard landscaping adjacent to the northern elevation of Building 01. This includes areas of informal seating alongside planting and a public plaza located adjacent to the café use at the north eastern corner of the building. This encourages public use of the development, which also incorporates a publicly accessible coworking space at ground floor level at Building 01, contributing positively to the commercial viability of the town centre.
- 5.19 Ground floor uses at this location will animate and enliven the streetscape and encourage the use of the proposed pedestrian link at the eastern perimeter of the site. This link is finished by high quality landscaping and planting to provide a soft edge to the site at this location and encourage use through a welcoming and attractive design. This is detailed further within the Design Appraisal by RAU and the Dermot Foley Landscaping Report and Drawings.
- 5.20 It is noted that the development will not compromise the continued hospital use at St Michael's located to the south of the site. The proposals will facilitate vehicular access to the hospital via the roadway located adjacent to the western perimeter of the site. The proposed landscaped pedestrian route at the eastern perimeter serves to facilitate a pedestrian link with St Michael's hospital to the south, with an open boundary at this location.
- 5.21 In this respect the development is considered to be compliant with the aims and objectives of the Dun Laoghaire Urban Framework Plan and the specific guidance on design relative to the subject lands. The proposed footprint of the two residential blocks has been designed in order to align with the building lines at Charlemont Terrace and Avenue, and to better preserve the amenity of adjoining properties compared with the approach set out in the Urban Framework Plan.

## **Chapter 2 – Sustainable Communities Strategy**

- 5.22 Policy RES3: Residential Density notes that it is Council policy to promote higher residential densities *'provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of the areas, with the need to provide for sustainable residential development'*. In considering higher density forms of residential development and compact growth the Planning Authority is required to have regard to Section 28 Guidelines, as discussed above, including the 2020 Apartment Guidelines which promote higher density development at 'central and/or accessible' locations.
- 5.23 It is considered that the proposed development makes optimum use of an underutilised brownfield infill site which is zoned for major town centre uses under which residential and commercial uses are permissible. In accordance with RES3, the design of the development will ensure an appropriate balance between the protection of existing amenity and the need to provide for sustainable residential development.
- 5.24 It is considered that any form of development at the location will have an impact on the amenity of adjoining residential properties. This is particularly relevant in respect of the Harbour View development which it appears to have been designed without consideration of the development of the application site. The impacts upon residential amenity have been assessed within the accompanying Hollis Daylight & Sunlight Report in the context of the BRE Guidelines and note that in comparison with alternative development options on site, in the form of a 'mirror image' of Harbour View and the notional design set out by the Dun Laoghaire Urban Framework Plan, the proposed development represents a superior alternative.

- 5.25 Building 01 of the proposal has been refined to provide an appropriate visual transition from Charlemont Terrace to the west in order to integrate with these heritage assets, stepping in height moving east. Building 02 has been modified from the original design submitted at PAC Request stage to remove the western part of the building and increase the separation distance between neighbouring properties. These amendments have contributed to the preservation of amenity at adjoining properties.
- 5.26 The proposal comprises a residential development of c. 309 units per hectare. This is considered appropriate for the brownfield, infill nature of the site and its excellent location having regard to the quantum of services and facilities in Dun Laoghaire town centre, as well as major employment hubs, connections to which are available from the DART and commuter rail station and bus terminus 120 metres to the east. In this respect, the proposals are considered to comply with Policy RES4: Existing Housing Stock and Densification which seeks to *'improve and conserve housing stock of the County, to densify existing built-up areas, having regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities'*.
- 5.27 Policy RES7 of the Development Plan is *"to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy"*. The proposed 102 no. unit build to rent apartment scheme is comprised of: 80 no. 1-bed apartments and 22 no. 2-bed apartments. The proposed mix is considered to provide *'a wide variety of housing and apartment types, sizes and tenures'* in accordance with Policy RES7: Overall Housing Mix, having regard to the evolving declining household size as noted by the NPF. The mix is considered to respond to and meet local rental demand.
- 5.28 It is noted however that pursuant to SPPR 8 of the 2020 Apartment Guidelines, there is no restriction on dwelling mix within BTR schemes.
- 5.29 The proposed development includes 10% of all units in accordance of Part V and Section 96 of the Planning & Development Act 2000, as amended. It is intended that these dwellings (9 no. 1-bed and 1 no. 2-bed units), located in Building 02 of the scheme, are wholly appropriate for the purposes of social housing.
- 5.30 This proposal has been discussed and validated by DLRCC and Part V costings are now submitted alongside a Validation Letter issued by the Housing Department.
- 5.31 In this respect, the proposals are compliant with Policy RES8: Provision of Social Housing and Policy which promotes *'the provision of social housing in accordance with the projects outlined in the Council's Interim Housing Strategy and Government policy as outlined in the DoECLG 'Social Housing Strategy 2018', and Policy RES9: Housing for All, which supports 'the concept of independent and/or assisted living for older people and people with disabilities/mental health issues'*.
- 5.32 Please see attached letter from Dun Laoghaire Rathdown County Council Housing Department confirming the proposals *'are capable of complying with the requirements of Part V of the Planning & Development Act 2000, as amended and of the County Development Plan and Housing Strategy'*.
- 5.33 Policy ST2: Integration of Land Use and Transportation Policies is to *"actively support sustainable modes of transport and ensure that land use and zoning are fully integrated with the provision and development of high public quality transportation systems"*. The proposed development provides for a sustainable density of development in close proximity to high frequency and high capacity public transport provision, which is in

accordance with the goal of integrated planning and transport provision set out by the Development Plan.

### **Chapter 3 – Enterprise & Employment**

- 5.34 Policy RET3: Retail Hierarchy defines the retail hierarchy for the County and the role of retail centres. Dun Laoghaire is designated 'Major Town Centre' status with the overall strategy seeking to consolidate the town centre quarter. The major town centre area offers a full range of all types of retail services. These centres *'should be well connected and served by high quality public transport'*.
- 5.35 Policy RET4: Major Town Centres seeks to *'maintain the two Major Town Centres - Dun Laoghaire and Dundrum as the primary retail centres in the County. This will be reflected in the nature and scale of retail and services permitted in these centres and by the range of complementary leisure, entertainment and cultural facilities located there'*.
- 5.36 The proposed development includes a 93 sqm café at ground floor level at Building 01. It is noted that 'café' use is identified as permissible under the site's Major Town Centre zoning. The commercial use will add to the mix of uses at the location, provide an active frontage to Crofton Road and attract footfall within the Seafront Quarter. The café will benefit from attractive views across the harbour and external seating within an area of landscaped open space adjacent to a pedestrian route to St. Michael's Hospital provides a high quality setting for the use in compliance with Policies RET3 and RET4.

### **Chapter 4 – Green County Strategy**

- 5.37 Policy OSR5: Public Open Space Standards promotes public open space *'standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' (2009) and the accompanying 'Urban Design Manual - A Best Practice Guide'*.
- 5.38 The proposed development provides a total of 681 sqm of public open space in the form of a landscaped pedestrian route along the eastern perimeter of the site providing access to St. Michael's Hospital and an area of mixed hard and soft landscaping including informal seating adjacent to the northern perimeter of Building 01. This quantum of open space equates to 16% of the site area which is considered acceptable in the context of the above policy.
- 5.39 The proposals will also contribute to an enhanced public realm at Crofton Road incorporating green landscaping features in addition to a central courtyard between Building 01 and 02 and a landscaped pedestrian route which will create habitats and biodiversity at the location. This is considered a superior alternative to the site's current car park use in accordance with chapter 4. Landscaping proposals are detailed within the accompanying Landscape Design Rationale and drawings prepared by Dermot Foley Landscape Architects.

### **Chapter 5 – Physical Infrastructure Strategy**

- 5.40 The proposed development has been prepared having regard to Sections 5.2 and 5.2.5 of the County Development Plan in respect of Climate Change, Energy Efficiency and Flooding. The planning application includes Site Specific Flood Risk Assessment and Engineering Planning Report prepared by Muir Associates, a Building Lifecycle Report prepared by RAU and a Sustainability Report prepared by Parkbourne Consulting

Engineers which assess the proposals in the context of Chapter 5 of the CDP, with the proposals including specific design features to ensure sustainable development at the location. Please refer to these documents for further details.

### **Chapter 6 – Physical Infrastructure Strategy**

- 5.41 Chapter 6 of the County Development Plan sets out the Built Heritage Strategy for the county.
- 5.42 Policy AR1: Record of Protected Structures aims to:
- “...ii) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- iii) Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts, Heritage and the Gaeltacht ‘Architectural Heritage Protection Guidelines for Planning Authorities’ (2011).*
- iv) Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.”*
- 5.43 Policy AR2: Protected Structures Applications and Documentation states:
- It is Council policy to require all planning applications relating to Protected Structures to contain the appropriate level of documentation in accordance with Article 23 (2) Planning Regulations and Chapter 6 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities, or any variation thereof.*
- 5.44 The subject site is located adjacent to a terrace of protected structures at Charlemont Terrace, which face northwards towards Crofton Road. Additional protected structures are located to the west at Charlemont Avenue. The proposed development has carefully considered the presence and setting of these heritage features within a sensitively designed proposal which seeks to preserve and protect amenity.
- 5.45 The accompanying Architectural Heritage Impact Assessment report prepared by Rob Goodbody Historic Building Consultant states that the *‘proposed building on the Crofton Road frontage is designed to make the transition from the mid-nineteenth century scale, as seen at Charlemont Terrace and the early twenty first century scale at Harbour Square’*. The report considers that *‘the first two stages of the proposed building make an easy transition of the height and building line, while the third, high, stage is at a sufficient separation from Charlemont Terrace that it does not crowd the protected structures in the terrace’*.
- 5.46 In addition to this the report notes that *‘To ameliorate the location of the access close to Charlemont Terrace the scale of the access though the proposed building has been kept as small as practicable and the façade set in line with the protected terrace’*, and that *‘while being contemporary in design’* the proposed development *‘will reflect the traditional character and appearance of the protected structures in Charlemont Terrace’*. Therefore, the proposed design, scale and height of the development is in accordance with Policies AR1 and AR2 above.
- 5.47 Having regard to the proximity of the scheme to protected structures, the planning application is accompanied by an Architectural Heritage Impact Assessment report prepared by Rob Goodbody Historic Building Consultant and a Visual Impact Assessment prepared by Arc Consulting, Grade I Conservation Architects.
- 5.48 In additional, an Archaeological Assessment prepared by IAC accompanies the submission. This report notes the possibility that groundworks may have an impact on previously unrecorded archaeological features. In this regard, the reports recommends

that all ground disturbances associated with the proposed development are monitored by a suitably qualified archaeologist, with mitigation required upon the discovery of any features of interest such as preservation *in-situ* or by record.

## Chapter 7 – Community Strategy

- 5.49 Policy SIC11 Childcare Facilities encourages the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments. At least one childcare facility should be provided for all new residential developments subject to demographic and geographical needs.
- 5.50 It is considered that owing to the provision of 80 no. of 1-bed build to rent units at the site, with 22 no. 2-bed units, the proposals fall below the 75 dwelling threshold for the provision of a childcare facility at the location (i.e. significantly less than 75 of the units within the scheme will contribute to the demand for childcare in the vicinity). Furthermore, it is considered that as the proposed scheme makes social housing provision through the provision of 10 no. 1-bed units of high quality design and finish.

## Chapter 8 – Principles of Development Design Principles

### Urban Design

- 5.51 Policy UD1 Urban Design Principles states *“It is Council policy to ensure that all development is of high quality design that assists in promoting a ‘sense of place’. The Council will promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.”*
- 5.52 Policy UD3 Public Realm Design: *“It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved”.*
- 5.53 As set out above, and demonstrated in the RAU Design Appraisal (submitted in accordance with Policy UD2: Design Statements), the proposed development has been guided by the principles within ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013). A variety of apartment typologies, built form and amenity space adds to the quality of the development and the public realm.
- 5.54 The proposals have been refined and developed following PAC with An Bord Pleanála and the Planning Authority and comments received in both opinions. This has resulted in an amended design in the form of a reduced height western elevation of Building 01 provide a more gentle graduation in height moving east from Charlemont Terrace in order to implement a sensitively designed transition in response to the setting and character of the protected structures. Material finishes have been revisited and a palette reconstituted stone, timber coloured windows, extensive glazing and light shaded brick at the northern elevation of Building 01 provide a high quality design which relates to the traditional composition of Dun Laoghaire seafront buildings whilst implementing a modern architectural solution at the location.
- 5.55 Building 02 has been amended to omit the western part of the building presented at PAC request stage (which previously extended over the vehicular route at the western perimeter). This has contributed to an increased separation distance between the



- building and its neighbours to the west, contributing positively to amenity levels at these properties.
- 5.56 The proposal introduces a significant element of public open space adjacent to the northern elevation of Building 01 which will have a positive impact on the public realm on Crofton Road in accordance with Policy UD3: Public Realm Strategy. This adds to the series of green spaces moving east toward Dun Laoghaire town centre and provides a welcoming feature to the development and the café facility at ground floor level fronting Crofton Road.
- 5.57 The proposals have been amended to provide 3 no. car parking spaces at the central courtyard, 2 of which are for shared use with 1 no. providing for disabled access use. This will enhance the accessibility provision at the development for residents at an appropriate level having regard to the excellent provision of public transport connections in close proximity.
- 5.58 An internal amenity at 13<sup>th</sup> storey level at Building 01 has been introduced alongside an external terrace to add to the facilities available to residents. This space will enhance the quality of living within the development and is anticipated to be utilised for social events, dining, resident meetings and various classes. The space will benefit from panoramic views across Dun Laoghaire Harbour and Dublin Bay adding a valuable and unique element of amenity to the proposal. It is proposed that this will open to public access at occasions through the year in conjunction with DLRCC cultural events and is considered a 'community facility' in this respect.
- 5.59 The proposal will implement a western 'bookend' of the Seafront Quarter, marking a turn in Crofton Road towards the town centre and the seafront extending east. The 13<sup>th</sup> storey design element responds directly to the nature of the existing Dun Laoghaire skyline and providing a visual balance to this vista which comprises both modern and historic buildings in public and private use. The proposal provides a sensitively designed transition between the heritage assets at Charlemont Terrace and the modern development at Harbour Square whilst utilising appropriate materials and finishes to successfully implement this. The lower building heights relate to and have been directly informed by the heights of neighbouring buildings.
- 5.60 The urban design rationale for the proposals are set out in greater detail in the accompanying RAU Design Appraisal, the Visual Impact Assessment prepared by ARC Consulting and the Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Building Consultant.
- 5.61 Policy UD7 Urban Tree Planting promotes tree planting throughout the county. The proposed development is considered to comply with this policy by way of the proposed comprehensive landscaping strategy which includes a range of tree planting at surface level at the site's northern section at Crofton Road as well as along the pedestrian route at the eastern perimeter and the central communal courtyard. This contributes to the high quality appearance of the development and creates habitats and biodiversity at the location which ensures its superior use to that currently existing.

#### Building Height

- 5.62 Policy UD6 Building Height Strategy of the Dun Laoghaire Rathdown County Development Plan states that it is the Council's objective to adhere to the recommendations and guidance set out within the Building Height Strategy for the County. This is provided at Appendix 9 of the County Development Plan which notes that c. 75% of the county is subject to some form of building height quality and control.



- 5.63 Section 4 of the appendix notes that tall buildings *'can realistically only be accommodated in a number of key centres in the County – specifically Sandyford, Cherrywood, Dundrum, Dun Laoghaire and UCD Belfield'*. Dun Laoghaire is considered to be 'self-selecting' for taller buildings due to its 'Major Town Centre' status and is therefore capable of accommodating buildings of increased height.
- 5.64 Section 4.8 of Appendix 9 sets out a series of 'modifiers' which should be complied with to allow increased building heights within any proposed development at certain locations. The appendix states that the section *'specifically focuses on all of those residual suburban areas not already included within the boundaries of the cumulative control area identified in Section 4.7'*. It is noted that subject site is located within Dun Laoghaire town major centre and therefore is under control of the content Dun Laoghaire Urban Framework Plan (in the absence of any Local Area Plan for Dun Laoghaire). In this respect, the modifiers set out at Section 4.8 are not applicable to the subject site.
- 5.65 The proposed development may be considered as a landmark building in the context of the Height Strategy at Appendix 9. The strategy states that *'it may be entirely appropriate... to provide landmark buildings at **key strategic points throughout the town centre**'*. It is considered that the application site constitutes a key strategic point at the western edge of the Seafront Quarter, marks a gateway to the town centre and defines a transport node is therefore suitable for a landmark scheme as proposed.
- 5.66 Section 5 of the Height Strategy sets out 'General Principles' which the Planning Authority will use in assessing appropriate building heights, listed and responded to as follows:
- *To protect the residential amenities of the County*
- 5.67 The proposed development has been subject to comprehensive pre-planning consultation and refinement prior to this submission. The iterative design process has taken careful consideration of the amenities of neighbouring properties whilst ensuring that the site's brownfield, infill nature at a highly accessible location is optimised. The massing and scale of the development has been altered in response to Planning Authority and ABP comments at pre-application consultation stage to help mitigate potential amenity impacts. The proposed building heights are considered to relate appropriately with the adjacent 8 no. Harbour View to the east, with a taller element included to define the site's strategic location at the western edge of the Seafront Quarter.
- 5.68 Owing to the site's urban setting and the design of existing neighbouring development, it is reasonable to note that any development which seeks to align with National Policy Objectives relative to compact growth and increased density is almost certain to have an amenity impact on adjacent properties.
- *To protect the County's built heritage and natural areas of exceptional beauty*
- 5.69 The proposed development has considered carefully the potential impact on built and natural areas. The scale and height of the proposed development falls moving west, in order to successfully integrate with the nature of the protected structures at Charlemont Terrace and Avenue, in order to preserve levels of amenity at each, as well as respecting the historic setting and character of these. The choice of materials proposed are considered to integrate appropriately with the established seafront character whilst introducing an element of high quality architectural design. The rising topography of the site moving south, in combination with the nature and scale of adjacent urban

development also enables the proposals to be screened to a large extent from the surrounding area.

5.70 The proposals are considered to optimise the site's attractive seafront setting and will contribute positively to the streetscape at the location. The site is not located within or adjacent to any designated natural areas.

- *To promote higher densities and allow for increased building heights around public transport nodes and centres of activity*

5.71 The proposed development seeks to provide a high density, mixed use development at a central area adjacent to the public transport node of the Dun Laoghaire railway station and bus terminus in accordance with this principle. The proposals include a high quality apartment scheme with a commercial café which will attract custom due to the site's town centre location adjacent to a transport node and routes through the site connecting to St Michael's Hospital. The proposed range of building heights are considered to integrate appropriately with the site surroundings whilst introducing an element of height which is considered appropriate in urban design terms and add positively to the skyline of Dun Laoghaire.

- *To encourage higher densities and also to allow for increased building heights at appropriate locations along public corridors*

5.72 As noted above, the proposed development will introduce an element of increased building height at a strategic location in the centre of Dun Laoghaire immediately adjacent to a public transport corridor. The principle seeks to promote '*higher densities and mixed-use development*' at these locations to support sustainable development patterns, noting that '*increased building height at key locations, particularly junctions along major transport corridors, helps the legibility of the County*'.

5.73 The proposed 8 and 9 no. storey elements of the proposed scheme are informed by the heights at Harbour View, St Michael's hospital and the Sisters of Mercy building, each of which are in close proximity to the subject lands. The proposals are therefore considered compliant with this principle.

- *To promote higher density through in-fill development*

5.74 This principle seeks to '*provide additional new housing near centres and existing public transport infrastructure*' through the '*redevelopment of vacant or underused lands and sites in sustainable locations*'. The proposals are considered to comply with this principle by optimising the brownfield, infill site for a higher density use at a central and accessible location which responds appropriately and contributes positively to the character and setting of the area.

5.75 The proposals introduce a superior public realm to Crofton Road in comparison to that existing currently and will implement a sustainable use which is compatible with the mixed use context of the area.

5.76 It is considered that the proposed development successfully utilises the nature of this brownfield, infill site through its sustainable redevelopment which represents an efficient use of land resource. The built environment existing to the east and south of the subject lands provides a basis for the heights proposed at the lower aspects of Building 01, as well as within Building 02.

- *To allow for landmark buildings in the right places*

- 5.77 The proposed may be considered to constitute a landmark building which the principle notes as *'generally higher than their surroundings'*. The proposed 13 no. storey element of Building 01 is noted to be higher than the 8 no. storey neighbouring building at Harbour View, with 8, 6 and 5 no. storey elements of the development integrating with the surrounding mix of building heights to the west and south which range from 2 storey to 6 no. storeys.
- 5.78 The proposed development is considered to add positively to the balance of the skyline in Dun Laoghaire and responds appropriately to the existing context of taller buildings which are observed within the extent of the Seafront Quarter. The taller element of Building 01 will implement a defining marker point to the western edge of this area corresponding to the role of the Lexicon library on Queen's Road. In this respect, the proposals may contribute to the creation of a *'close cluster of taller buildings'* (within the Seafront Quarter) as referred by this principle which can *'combine to form a single landmark in wider urban views'*.
- 5.79 The appendix identifies *'Local Areas Plans, Framework Plans or SDZs'* as the *'appropriate vehicle for identifying the specific sites... that have potential for accommodating building height'*. In respect of the subject site at a central location in Dun Laoghaire town centre, the Dun Laoghaire Urban Framework Plan (Appendix 12 of the CDP) is identified as this 'vehicle'. The UFP assumes this role in the absence of the Dun Laoghaire Local Area Plan which has not yet been prepared.
- 5.80 Appendix 12 notes that in relation to Dun Laoghaire, *'traditional building height within the area are typically 2-4 storeys, with some post-war developments of about 4-5 storey. More recent schemes extend up to a maximum of 7 storeys. Generally, only the spires of St. Michael's Church and Mariner's Church and the tower of the County Hall rise above this urban skyline'*.
- 5.81 The Dun Laoghaire Urban Framework Plan notes the importance of St Michael's Church and Mariner's Church spires as important focal points both in the town and when viewed from the piers and Dublin Bay. The Plan states an object to *'preserve and maintain'* the relationship between the landmark buildings, facilitated by new infill development which is *'contextual'* and seeks to *'re-establish streetscapes'* as well as being *'appropriately scaled'*.
- 5.82 As noted above, the proposed 13 no. storey element within the proposed development introduces a defining edge to the western perimeter of the Seafront Quarter and marks a gateway to Dun Laoghaire town centre at the curve of Crofton Road, replicating the role of the Lexicon building at the eastern edge of the Seafront Quarter.
- 5.83 It will also provide a visual balance with the 'landmark' building elements at St Michael's and Mariners churches and the Lexicon further to the east, and the town hall clock tower at the centre, particularly when viewed from Dublin Bay and key views at both the east and west piers.
- 5.84 The proposals are considered to introduce significant urban design benefits at the location and contribute positively to the streetscape at the Seafront Quarter by providing an area of public open space at the northern perimeter and providing a sense of place by the introduction of a passive landscaped area which benefits from excellent aspects towards the harbour and Dublin Bay.
- 5.85 The site is located approximately 120 metres west of the Dun Laoghaire DART station and bus terminus and when observed from afar, is considered to contribute to the identification of this public transport interchange and the Seafront Quarter at Dun Laoghaire.

- 5.86 As discussed in greater detail within the ARC Consulting Landscape & Visual Impact Assessment and the RAU Design Appraisal, the proposals are considered to provide a visual balance to the Dun Laoghaire skyline in the context of existing buildings of greater height in the vicinity. In this regard, the proposals are considered to beneficially frame important views, such as from the east and west piers of Dun Laoghaire Harbour.
- 5.87 The proposals are considered to introduce improvements to the public realm at Crofton Road. This development will replace a surface car park which provides little interaction or animation with the streetscape. A generous quantum of public open space extending to 681 sqm is included at the northern perimeter of the site and the landscaped pedestrian route linking to St. Michael's Hospital to the south. This provision also enhances permeability and connections at the location and encourages walking by the reduction of car parking provision.
- 5.88 The proposals therefore provide a positive interface with the public realm at Crofton Road, introducing active frontage in the form of a café and outdoor seating area, passive recreation and planting at an attractive location which encourages public use and provides a welcoming entrance to the development.
- 5.89 The proposals include an area of internal amenity and an external terrace/viewing deck at 13<sup>th</sup> storey level at Building 01. It is proposed that this community facility would be opened to the public at various occasions throughout the year via events such as the Dun Laoghaire Summer of Heritage, Culture Night or Open House events. This will add to the value of the development in a community context and ensure that the proposals are accessible to members of the public through specific events, as to be agreed with DLRCC. In addition, the rooftop space would be available for social activities on certain occasions during the year. This will ensure the development can be available and accessible to all.
- 5.90 This is illustrated and discussed in greater detail within the accompanying Design Rationale by RAU, Landscape & Visual Impact Assessment by ARC Consulting and Architectural Heritage Impact Assessment prepared by Rob Goodbody, Historic Building Consultant.
- 5.91 On the basis of the above, the site is considered to possess the necessary attributes to accommodate a density and building height as now proposed, in accordance with the Height Strategy of the Planning Authority.
- 5.92 Notwithstanding the above rationale in the context of the Height Strategy, it is considered that the proposals comply with the development management criteria set out in the Urban Development & Building Height Guidelines (as set out in the accompanying Statement of Material Contravention) which effectively supersede the content of any relevant development plan policy such as Appendix 9 and Appendix 12.
- 5.93 It is important to note that the Building Height Strategy (Appendix 9) and the Dun Laoghaire Urban Framework Plan (Appendix 12) do not provide upper height limits or restrictions on building heights of proposed development in Dun Laoghaire town centre.

#### Development Standards

- 5.94 Section 8.2.3.1 Quality Residential Design of the CDP states that *"it is Council policy to promote high quality design and layout in new residential development. A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling*

units and in terms of the overall layout and appearance of schemes. In considering applications for new developments the Planning Authority will refer to Government guidelines for 'Sustainable Residential Development in Urban Areas', its companion document 'Urban Design Manual', the 'Design Manual for Urban Roads and Streets' (DMURS) and the 'Sustainable Urban Housing (Design Standards for Apartments)' - along with the 'Green City Guidelines' published by UCD in conjunction with Dún Laoghaire-Rathdown and Fingal County Councils. Regard will also be had to the Green Infrastructure Strategy for the County contained in Appendix 14 of this Plan, where appropriate. The objective of Dún Laoghaire-Rathdown County Council is to achieve high standards of design and layout to create and foster high quality, secure and attractive areas for living. The following criteria will be taken into account when assessing applications:

- Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone/Local Area Plan/Urban Framework Plan/ non-statutory planning guidance adopted by the Council.
- Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.
- Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure.
- Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.
- Quality of linkage and permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces.
- Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.
- Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.
- Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied. A safety audit may be required.
- Quality of proposed public, private and communal open spaces and recreational facilities.
- Compliance with National Housing Policy as set out in the 'Housing Policy Statement' 2011 (e.g. lifecycle provision, size, tenure, mix, etc.)
- Compliance with social and community infrastructure (e.g. childcare facilities, schools, local shops, facilities for the elderly etc.).
- Quality of the pre-existing environmental sound environment.

- *Context - having regard to the setting of the site and the surrounding character and streetscape.”*

- 5.95 It is considered that the proposed development is sited on suitably zoned land and accords with the density requirements of the CDP by providing for a net density of c. 242 units per hectare on a highly accessible site in close proximity to high frequency Dublin Bus and DART services, as well as local services located at Dun Laoghaire town centre.
- 5.96 New pedestrian links through the site improve permeability to surrounding area in accordance with the Urban Development Framework objectives and provide access to new areas of public open space incorporated within the proposals.
- 5.97 The site layout maximises accessibility and permeability through carefully designed series of pathways and access routes, leading to the amenity spaces and residential units within the development. The subject site is a highly accessible location, having regard to its proximity to the aforementioned strong public transport links. The site itself is located directly adjacent to a major public transport node – the confluence of the DART line and the terminus for several bus routes, including the high-frequency 46A route which links with the city centre via the Stillorgan Road.
- 5.98 The open spaces within the scheme have been carefully considered in order to maximise their impact on the amenity of future residents. As discussed elsewhere within this report and as detailed within the RAU Design Appraisal and the sunlight and daylight analysis report, areas of communal open space have been located so as to ensure excellent sunlight and views for spaces located at upper floors. The central open space within the scheme benefits from a strong, distinctive landscape treatment, which will enhance both the visual and residential amenities of the dwellings within the two proposed buildings and encourage active use by residents and visitors.
- 5.99 The publicly accessible open space to the front of the scheme onto Crofton Road will precipitate a significant positive impact on this streetscape, replacing an area of inactive road frontage with a high-quality space, animated by lively ground floor uses.
- 5.100 The scheme provides for strong permeability, with pedestrian and vehicular links provided to the hospital to the south, in accordance with Specific Local Objective 73 of the County Development Plan and part of the Urban Design objectives for the site as set out in the Urban Framework Plan.
- 5.101 As has been detailed within the previous section of this report, the proposed development has been designed via an iterative process with due regard to and compliance with relevant standards set out within Section 28 Guidelines.
- 5.102 Proposals have developed through collaboration with DLRCC in the form of 2 no. Section 247 pre-application meetings. These are summarised at Appendix 1 of this Statement. A tripartite meeting at PAC Stage and Opinions arising from this has also directly informed the design and development of the proposals now submitted.
- 5.103 Chapter 8 of the CDP provides detailed development management standards for residential development including those relating to apartment development; open spaces; landscape, heritage and biodiversity; archaeological heritage; travel and transport; and environmental management.
- 5.104 It is noted at Chapter 8 that ‘Specific Planning Policy Requirements’ set out in the DoECLG Apartment Guidelines take precedence over the Dún Laoghaire-Rathdown standards and specifications as set out in Section 8.2.3.3 of the 2016 – 2022 County

- Development Plan. These Guidelines have since been replaced by the Design Standards for New Apartments 2020 and in this respect, are considered to take precedence over Section 8.2.3.3 of the CDP: Apartment Development. In this respect, this statement of consistency has not considered this section. Compliance with the Apartment Guidelines is detailed above at paragraphs 4.85 – 4.111.
- 5.105 Section 8.2.3.4 Additional Accommodation in Existing Built Up Areas (vii) Infill states that *'new infill development shall respect the height and massing of existing residential units... retain the physical character of the area'*. The proposals are considered to integrate appropriately with existing building heights, graduating moving east from the 2 and 3 no. storey buildings at Charlemont Terrace and Avenue to implement a suitable transition to the 8 no. Harbour View apartments to the east. The proposals also introduce a 13 no. storey element which defines the entrance to the Seafront Quarter and marks the change of orientation at Crofton Road, as discussed in greater detail above.
- 5.106 The proposals have taken cognisance of Section 8.2.3.5 Residential Development General Requirements of the CDP. The proposals comply with the provisions of DMURS as set out in the accompanying Engineering Planning Report prepared by Muir Associates in respect of footpath and road requirements. The accompanying HQA prepared by RAU sets out compliance of room sizes with the Apartment Guidelines 2020. The proposals include appropriate physical and social infrastructure requirements and will be professionally managed.
- 5.107 Section 8.2.3.5 Residential Development General Requirements (xiv) Demolition and Replacement Dwellings sets out the policy approach to demolition of existing dwellings. It is considered that the existing dwelling on the application site is of declining standard and little architecture value. Its demolition will enable the sustainable redevelopment of the site to provide a high quality residential scheme and is considered acceptable in this regard.
- 5.108 In accordance with Section 8.2.4 Sustainable Travel and Transport, a Traffic and Transport Assessment is included the accompanying Engineering Planning Report prepared by Muir Associates. This is accompanied by an outline Travel Plan. The proposals include 3 no. car parking spaces and encourage sustainable modes of travel by the inclusion of 176 no. bicycle parking spaces at a site which is immediately adjacent to a transport node. The proposals replace an existing surface car park and therefore will significantly reduce vehicular movements at Crofton Road, creating a safe, enhanced environment for pedestrians at this location.
- 5.109 Section 8.2.4.5 Car Parking Standards refers to Table 8.2.4 presenting same. The Development Plan requires 1 space per 1 and 2 bed units and 2 spaces per 3 + bed units. The proposed development provides 3 no. car parking spaces and is therefore considered to be material contravention of the development plan on this basis.
- 5.110 A justification for this provision in the context of the Apartment Guidelines 2020 relative to BTR development is set out in the accompanying Statement of Material Contravention.
- 5.111 The proposed development includes a minimum provision of car parking, which is considered to be an appropriate level due to the fact that the scheme is a Build to Rent Development which is located in close proximity to high quality, high frequency public transport services.
- 5.112 A total of 150 no. bicycle parking spaces are provided at ground level of Building 02, with 26 no. visitor parking spaces in the communal courtyard. This exceed the requirement for cycle parking for residential development as set out at Table 4.1 of the

- dlr 'Standards for Cycle Parking and associated Cycling Facilities for New Developments' document which required 1 short stay space per 5 units and 1 long stay space per unit, equating to a requirement of 122 spaces. The commercial café use requires 1 no. short stay space per 100 sqm, with 1 no. long stay space for every 5 staff, equating to c. 2 spaces.
- 5.113 These are consolidated by an additional 4 no. Sheffield stand spaces provided to the front of the development on Crofton Road, to serve the café unit and visitors. This exceeds the requirements set out within the DLR Cycle Manual 2018, which requires one cycle space per apartment unit, one visitor space per five units for apartments, and one space per 100 sq.m GFA for café use, with one short term space per five staff.
- 5.114 Section 8.2.8.2 Public / Communal Open Space – Quantity states the requirement for *'an absolute default minimum of 10% of the overall site area for all residential developments to be reserved to use as Public Open and/or Communal Space'*. The proposed development includes 681 sqm of publicly accessible landscaped open space equating to c. 16% of the site area. An additional 765 sqm of communal open space is provided within a central courtyard and roof terraces, providing a total of 1,446 sqm of open space on site, comprising c. 34% of the total site area.
- 5.115 Section 8.2.8.4 (iv) Private Open Space: refers to Table 8.2.5 which notes a requirement of 6 sqm and 8 sqm of private open for 1 and 2 no. bed apartments respectively. The section notes that *'in urban centres for reasons of maintenance of streetscape character or preservation of residential amenity the Planning Authority may accept the provision of communal open space in lieu of private open space'*. The accompanying HQA prepared by RAU notes that while the majority of apartments have their own private amenity space there are a number without. It states that *'the removal of a number of balconies from this [northern] façade was an architectural response to the protected structures of Charlemont Terrace where facades are defined by simple massing with punched rectangular windows and are without recessed or cantilevered balconies'*.
- 5.116 It is noted that some units are without private amenity and other units with balconies or terraces fall below the requirements set out at Table 8.2.5 and constitute a material contravention in this respect. A justification for this is set out in the accompanying Statement of Material Contravention relative to SPPR8 of the Apartment Guidelines which note that *'flexibility shall apply in relation to private amenity space'* within Build to Rent proposals.
- 5.117 In accordance with Section 8.2.8.1, Landscape Plans are included with the submission, prepared by Dermot Foley Landscape Architects.
- 5.118 Section 8.3.2 Transitional Zonal Areas of the CDP notes that development proposals within mixed use areas must pay attention to the use, scale and density of the development to protect amenity. The proposed development is considered to be of suitable use, scale and height to optimise the site's Major Town Centre zoning which will make optimal use of a brownfield, infill site at a central urban location in close proximity to public transport. The iterative design process has resulted in a high quality architectural scheme which respects and integrates with adjacent land uses whilst incorporating a legible layout which minimises potential amenity impact.
- 5.119 Section 8.2.4.14 of the Development Plan sets out Council policy on Construction Management Plans. An outline Construction Management Plan has been prepared by Muir Associates and accompanies this submission in accordance with this policy. This is complemented by a Construction and Environmental Management Plan prepared by Enviroguide Consulting.



- 5.120 It is noted that the proposed development, in removing a large area of surface parking, will likely lead to a significant reduction in traffic movements originating from the subject site. The CMP sets out appropriate mitigation measures to be implemented during the construction phase of development in accordance with relevant best practice standards to address the implications of the construction works.

## 6 LOCAL FACILITIES

- 6.1 The site is located within 120 metres of Marine Road, a main street within Dun Laoghaire town centre. Public transport facilities in the form of the DART station and bus terminus are also located adjacent to the site, providing a high quality of facilities and amenities within a short walking distance of the site. The Blackrock cycle route along the seafront is also found in close proximity to the site across the railway line to the north.

- 6.2 A number of these are noted and further discussed within the RAU Design Appraisal.

- 6.3 Owing to the nature and typology of the proposed unit mix, it is unlikely that many children of school age with reside at the development. However, there are a number of schools and educational facilities provided within a 2.5 km radius of the site. These are noted in the list below which is not considered as exhaustive.

- Monkstown Park junior school;
- Christian Brothers school;
- The Dominican primary school;
- Newpark comprehensive school;
- University College Dublin graduate business school c. 1.8km west; and
- Dun Laoghaire Further Education Institute c. 880 metres east/north east.
- Rockford Manor Secondary School;
- Holy Child Community School;
- Rathdown Junior and Secondary School;
- Monkstown Park Junior School;
- St Annes Junior School;
- Castle Park School;
- Harold National School Glasthule;
- St Joseph of Cluny Secondary School, Killiney.

- 6.4 It is further noted that the subject site provides access to a wide range of schools (both secondary and junior schools) which are located in proximity to the DART line. These include *inter alia*, for example; Blackrock College / Willow Park, St Michaels Secondary School, Booterstown National School, St Andrews, Booterstown, and Sion Hill, Blackrock.

- 6.5 A wide range of recreational, cultural, and sporting facilities are also located within the vicinity of the site. Due to the location of the site within the central area of Dun Laoghaire, these far too numerous to exhaustively list. These amenities and facilities include the following *inter alia*:

- The Lexicon – library, cultural, and exhibition space;
- The Pavillion Theatre;
- The People's Park;
- Sailing, canoeing, rowing, and yacht clubs located at Dun Laoghaire Harbour;
- The east and west piers;
- A range of gyms and fitness studios;

- Restaurants, cafes, and bars within the town centre;
- Dun Laoghaire shopping district including Dun Laoghaire Shopping Centre;
- IMC Cinema Dun Laoghaire;
- Scotsmans Bay public open space, Sandycove Beach, and Seapoint Beach;
- Churches and places of worship of various denominations;
- Access to healthcare, including St Michaels Hospital, HSE Clinic on Patrick Street and various local General Practitioner's and dental practices;
- Clarinda, Croswaithe, Vesey and Hudson Road parks (Hudson Road Park to include playing pitches);
- Leisure and sport facilities including DLR Leisure Services Monkstown, Cuala GAA Club, Dalkey Football Club, and St Michael's Rowing Club.

6.6 In this respect, the site's accessible location ensures it is well-served by a wide range of public services, facilities and schools and is therefore in accordance with Section 8.2.3.1: Quality Residential Design of the Development Plan in respect of Social and Community Infrastructure.

## 7 CONCLUSION

7.1 The statement set out herein demonstrates the consistency of the proposed development with the relevant national, regional and local planning policy context.

7.2 At a national and regional level, this statement and accompanying submission documentation has demonstrated the consistency of the proposed development with the following:

- Project Ireland 2040 - National Planning Framework;
- Rebuilding Ireland – Action Plan for Housing and Homelessness;
- Regional Spatial & Economic Strategy (RSES) for the Eastern and Midland Regional Assembly;
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007);
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020);
- Urban Development and Building Height Guidelines (2018);
- Greater Dublin Area Transport Strategy 2016-2035;
- The Planning System and Flood Risk Management (2009); and
- Birds and Habitats Directive – Appropriate Assessment.

7.3 The proposal is considered to be consistent with the key quantitative standards and development management standards outlined in local planning policy. However, the proposals may be considered to be a material contravention of the Dun Laoghaire-Rathdown County Development Plan 2016-2022 in relation to car parking, height and unit mix and in this respect, a Statement of Material Contravention accompanies this submission.

7.4 It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this underutilised site whilst improving pedestrian permeability with adjoining sites in accordance with development plan objectives whilst providing a high quality rooftop facility which will be made available for public use at different occasions throughout the year.

- 7.5 This Statement of Consistency, accompanying this SHD Application Consultation to An Bord Pleanála demonstrates that the proposed development is largely consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this site which is highly accessible and well served by public transport, having regard to its proximity to Dun Laoghaire DART station, several high frequency bus routes and high quality pedestrian and cycle infrastructure. In the instances that the proposal is not considered to be compliant with the Development Plan, these are addressed within the accompanying Statement of Material Contravention.
- 7.6 The proposed development and accompanying documentation and reports have been prepared following pre-planning consultation with Dun Laoghaire Rathdown County Council and An Bord Pleanála.
- 7.7 In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national and regional planning policies and guidelines and therefore constitutes a reasonable basis for an application under the provisions of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended.

## **APPENDIX 1 - DETAIL OF SECTION 247 MEETINGS WITH DLRCC**

### Meeting No. 1

Date: 16<sup>th</sup> August 2018

Attendees:

Liam Walsh, Senior Planner, DLRCC  
Julianne Browne, Senior Executive Planner, DLRCC  
Zara Horan, Executive Planner, DLRCC  
Bob Hanna, Assistant County Architect, DLRCC  
Aidan French, Parks Department, DLRCC  
Bernard Egan, Drainage, DLRCC  
Dermot Nugent, Transportation, DLRCC

Bryan Lawlor, Applicant Company  
David McDowell, Reddy Architecture,  
Tony Reddy, Reddy Architecture  
Seamus O' Rourke, Muir & Associates  
John Spain, John Spain Associates

Summary of Points Raised:

- Proposal would be for a built to rent scheme. It was advised that the scheme had been prepared having regard to the planning context, including the County Development Plan, including the Dun Laoghaire Urban Framework Plan which sets out key principles for the site, and government policy including the Apartment Guidelines 2018.
- The planning authority noted that they would welcome the submission of details in respect of drainage and surface water proposals. No particular difficulties were envisaged.
- It was noted that the Dun Laoghaire Urban Framework Plan seeks a buffer in this location. The relationship of this space to Charlemont Terrace needs to be considered. It was advised that a landscape architect is being appointed to address these issues in further detail.
- The level of car parking provision within the scheme was discussed in light of the Apartment Guidelines 2018.
- The issue of height was discussed. The Planning Authority advised that they had an open mind in respect of the height proposed, having regard to the new Draft Building Height Guidelines and the height policies of the County Plan. Details on visual impact would be required, however, before a clearer view could be formed.
- It was noted that AA Screening would be required.
- The Planning Authority noted that the proposal contains a lot of benefits and would add to the vitality of the town centre which was welcome.

Meeting No. 2

Date: 11<sup>th</sup> January 2019

**Attendees:**

Liam Walsh, Senior Planner, DLRCC  
Julianne Browne, Senior Executive Planner, DLRCC  
Eoin Kelliher, Executive Planner, DLRCC  
Bob Hannan, Assistant County Architect, DLRCC  
Bernard Egan, Drainage, DLRCC  
Dermott Fennel, Transportation, DLRCC

Bryan Lawlor, Applicant Company  
Noel Smyth, Applicant Company  
Tony Reddy, Reddy Architecture  
David McDowell, Reddy Architecture  
Barry Foote, Reddy Architecture  
Rob Goodbody, Historic Building Consultant  
Luke Byrne, Dermot Foley Landscape Architects  
Seamus O' Rourke, Muir & Associates  
John Spain, John Spain Associates  
Ian Livingstone, John Spain Associates

**Points Raised:**

- The height of the proposed scheme was discussed in the context of surrounding development.
- The animation of the ground floor frontage to Crofton Road was discussed.
- The inclusion of landscaped terraces at upper floors was welcomed as additional open space.
- It was confirmed that the Planning Authority would be open to reduced car parking provision within the development.

**APPENDIX 2: CUSHMAN & WAKEFIELD LETTER**



164 Shelbourne Road  
 Ballsbridge, Dublin 4  
 Ireland  
 Tel +353 (0)1 639 9300  
 cushmanwakefield.ie

The Secretary	Email	Patrick.hogan@cushwake.com
An Bord Pleanála	Direct	01 639 9329
64 Marlborough Street		
Dublin 1	Our Ref	St. Michaels/FRE/20

29<sup>th</sup> September 20

Dear Sirs

### **St. Michaels, Crofton Road, Dun Laoghaire, Co. Dublin**

Cushman & Wakefield (C&W) have been retained by Fitzwilliam DL Ltd to provide expert advice to ensure all long-term management and maintenance matters of the completed development at St. Michaels are considered at the design stage, the construction stage and the operational stage of the project.

As a top 3 global firm, C&W currently manage in excess of 4 billion square feet of real estate worldwide. This extensive experience will ensure that best practice advice, research and management expertise will be available to Fitzwilliam DL Ltd.

### **Communal Facilities at St. Michaels**

The development is proposed to include 102 no. build-to-rent residential apartments (80 no. 1-bed and 22 no. 2-bed units) across 2 no. buildings (Building One and Building Two), along with ancillary residential amenities and a publicly accessible café.

The residential amenities (being a requirement of the Sustainable Urban Housing Standards) are proposed to include a total of 507 sq.m across resident services and support facilities.

We believe that these amenities are appropriate and necessary given the quantum of apartments within the scheme and will allow the end operator to offer a high quality of service, which will differentiate St. Michaels in the market. These services will be required in a rental scheme of this quality at this location in order to support the rental levels which will be demanded.

In addition, the amenity spaces to be provided allow for a level of flexibility in terms of use and therefore can be adapted to the everchanging needs of residents over the life of the scheme.



We trust that this is to your satisfaction.

A handwritten signature in black ink, appearing to read "Patrick Hogan", written over a horizontal line.

**Patrick Hogan**  
Director, Head of PRS  
Ireland Capital Markets

## APPENDIX 3: RELEVANT PLANNING HISTORY

### Planning History

The recent planning history considered relevant to the consideration of the proposed development is set out below, starting with the subject site and then considering the surrounding sites.

### **Subject Site**

Register Reference: D07A/1067 / ABP Reg. Ref.: PL06D226077

Planning permission was refused by Dun Laoghaire Rathdown County Council in July 2007 and was subsequently refused by An Bord Pleanála in July 2008 for the following development:

*“Permission is sought for development on a site of 3.2 hectares. This application is being submitted simultaneously with another for lands at Eblana Avenue, Dun Laoghaire. The development of a mixed use residential / retail building of 6-8 storeys over double basement along Crofton Road reducing to five storeys to the south of the lands will consist of:- demolition of an existing dwelling along Crofton Road and ancillary sheds along the west of the site. - 80 apartments consisting of 8 no. 1 bed units, 64 no. 2 bed units and 8 no. 3 bed units -two retail units totalling 486sqm - ESB substation and switch room at ground floor level, - access from Crofton Road facilitating access to the development and lands adjoining, - dedicated pedestrian access along the eastern boundary to facilitate pedestrian permeability objective in the Urban Structure Plan, - ground and basement car park over two split levels incorporating 124 car spaces, caretaker facility, bin storage, bicycle storage, storerooms and water tank room. 80 no. car spaces are allocated to the development and 44 no. are allocated to the adjoining development, part of a planning application being lodged simultaneously. - The gross floor area is 8,581sqm.”*

The three reasons for refusal by An Bord Pleanála were as follows:

- 1. The site is located in a sensitive and prominent location on Crofton Road, in an area of diverse architectural styles, with Charlemount Terrace, a terrace of protected structures to the west of it. The proposed development, by reason of its scale, bulk, massing and, in particular, the projecting building line forward of Charemount Terrace, would constitute an overly dominant and oppressive appearance on the streetscape and would, therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.*
- 2. Having regard to the existing use of the site for car parking, the parking needs of the proposed development and for other development in the area, it is considered that the proposed development, which entails the loss of an existing car park, would result in an under provision of a car parking space in the area. The proposed development would, therefore, add to the traffic congestion in the area, would seriously injure the amenities of property in the area and be contrary to proper planning and sustainable development of the area.*
- 3. Having regard to the siting, design and layout of the proposed development and its relationship to adjoining properties, it is considered that the proposed development would result in overlooking and the loss of privacy to adjoining property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

### **Lands to the East of the Subject Site**

Register Reference: D03A/0163



ABP Ref: PL06D.204047

Planning permission was granted by An Bord Pleanála in November 2003 for the following development:

*“Mix use development comprising: 110 no. apartments in a single building consisting of a six storey plus penthouse level structure which accommodates 32 No. 1 bedroom apartments, 69 No. 2 bedroom apartments and 9 no. 3 bedroom apartments; 10,646 m<sup>2</sup> of office accommodation laid out in four buildings. Office building 1 is a 5-storey plus penthouse structure (c. 2,045 m<sup>2</sup> of office space); Office building 2 is a 5-storey plus penthouse structure (c. 2,892 m<sup>2</sup> of office space); Office Building 3 is a five-storey plus penthouse structure (c. 4,635 m<sup>2</sup> of office space) and Office Building 4 is a 4 storey structure (c. 1,074 m<sup>2</sup> of office space, including an office foyer at ground floor of 146 m<sup>2</sup> interchangeable as a retail showroom); 1 no. two storey cafe/restaurant licensed premises interchangeable with a two storey retail unit (c. 685 m<sup>2</sup>) and 1 No. single storey retail unit (c. 230 m<sup>2</sup>) at ground / first floor level of Office Building 1 off Crofton Road; 1 No. two storey cafe/restaurant licensed premises interchangeable with a two storey retail unit (325 m<sup>2</sup>) at ground / first floor level off Crofton Road located between Office Building 1 and Office Building 4; 1 No. ESB substation; a ground floor security / management unit in the Residential Building; demolition of Nos. 3 - 10 (inclusive) Harbour Cottages (being habitable dwellings); provision of car parking in two levels below ground entered via a ramp from the proposed vehicular access off Crofton Road; removal of existing vehicular access and ramp off Crofton Road serving car park off Dun Laoghaire/Rathdown County Hall; provision of new vehicular access off Crofton Road c. 30 metres west of access to St. Michaels Hospital ground to serve as vehicular access to the development proposed and also to existing underground car park associated with Dun Laoghaire/Rathdown County Hall; provision of on-street delivery zone on Crofton Road to serve proposed commercial units; traffic management improvement measures on Crofton Road in the vicinity of the proposed development; site development works, including the demolition of a boundary wall adjoining St. Michael's Hospital; landscapes works, including the provision of a landscaped amenity space (Plaza), involving the provision of c.2.1 metre high railing detail to the front of the Harbour Lodge (a protected structure) and also provision of landscaped Courtyard all on lands accommodating the Harbour Lodge (a protected structure) bounded generally by Crofton Road to the north, properties on Eblana Avenue to the south (some of which are Protected Structures) the ground of St. Michaels Hospital to the west and Dun Laoghare/Rathdown County Hall to the east (part of which is a Protected Structure), on a site of c.0.99 Ha on lands known as Dun Laoghare Harbour Company site, including Nos. 3 - 10 (inclusive) Harbour Cottages and the existing vehicular access to Dun Laoghare/ Rathdown County Hall, all on Crofton Road, Dun Laoghare. An Environmental Impact Statement will be submitted to the Planning Authority with the planning application.”*

Register Reference: D04A/0424

Planning permission for amendments to the above scheme (D03A/0163) was granted by Dun Laoghare Rathdown County Council in July 2004 as follows:

*“The removal of top floor of permitted Office Building 1; replacement of permitted Office Building 3 with proposed new linked Buildings 2 & 3, (Building 2 six storeys overall accommodating approx. 2,860 sq. m of office use, Building 3 seven storeys overall accommodating approx. 632 sq. m. of office use at ground and first floor, approx. 211 sq. m. of crèches use at ground floor, 23 no. apartments (15 No. 2 beds and 8 no. 1 beds) on second to sixth floors); reconfiguration of permitted Retail Unit at ground floor of permitted building 1 from 230 sq. m. to 271 sq. m. with new rear frontage to proposed public plaza; replacement of permitted pub/cafe/retail unit at ground and first floor level off Crofton Road with retail unit*

236 sq. m. at ground floor level, replacement of permitted showroom/office use at ground and first floor level with new retail unit 205 sq. m. at ground floor of new proposed building 5 and private open space at first floor level; reconfiguration of permitted eight storey apartment building 4 (with 105 No. permitted apartments), including removal of 2 No. permitted apartments at ground level, reconfiguration of 3 apartments at each of first floor to fifth floor level, provision of new apartment at first floor level and provision of new apartment at six floor level, reconfiguration of No. 2 apartments at seventh floor level, additional private terrace, all to accommodate 105 No. apartments (comprising 22 no. 3 bed, 59 No. 2 bed and 24 No. 1 bed units); provision of landscaping, storage and related incidental service areas at reconfigured building building 4, Provision of 13 No. apartments (comprising 1 No. 3 bed, 8 No. 2 beds and 4 No. 1 beds) at first floor to fifth floor level with ground level entry, in a new 6 storey building (Building 5) adjoining building 1 and 4; provision of new landscaped public plaza linking to permitted public plaza, separate residential open space areas and outdoor crèche play area; revisions to permitted ramp access to permitted basement car park; revisions to level of pedestrian access route alongside building 4 to provide a ramping upwards from north-east to south-west; incidental site development works; minor revisions to basement area as permitted under D03A/0163, including repositioning of service cores, provision of additional storage and service areas, vehicular access and associated junction works on Crofton Road all as per permission D03A/0163. This application also proposes deletion of Condition 15 as per permission D03A/0163. The revisions as proposed will result in provision of an additional 36 No. apartments, provision of an additional gross retail floor area of 191 sq. m; provision of a crèche with a gross floor area of 211 sq. m.; reduction in overall office space on site of 1,807 sq. m., compared to permitted scheme under D03A/0163. The total development on site (as permitted and subsequent to revisions) would comprise 5,250 sq. m. approx. of Office Floor space; 141 No. apartments; 1,431 sq. m. of gross retail floor space, a creche facility of c. 211 sq. m. plus outdoor play area (c. 150 sq. m.) all within Building 1 (six storeys); Building 2 (six storeys); Building 3 (seven storeys); Building 4 (eight storeys); Building 5 (six storeys); provision of a new public plaza; associated site developments, landscape and vehicular and pedestrian access; all on lands of approx. 0.9 Hectares, the subject of permission D03A/0163 known as the Dun Laoghaire Harbour Company site accommodating the Harbour Lodge (A Protected Structure) bounded generally by Crofton Road to the north, properties on Eblana Avenue to the south (some of which are Protected Structures), the grounds of St. Michael's Hospital to the west and Dun Laoghaire to the East (part of which is a Protected Structure), including Nos. 3-10 (inclusive) Harbour Cottages, the demolition of which is permitted under D03A/0163 and the existing vehicular access to the Dun Laoghaire / Rathdown County Hall, the replacement of which is permitted under D03A/0163, Dun Laoghaire, Co. Dublin.”

This permission has been implemented and the development is completed.

### **Lands to the South of the Subject Site**

Resister Reference: D07A/1065

Planning permission was refused by Dun Laoghaire Rathdown County Council in September 2007 at the Former Nurses Home, Eblana Avenue (to the rear / south of the subject site for the following development:

*“Permission is sought for development of the former Nurses Home on a site of 0.25 hectares at this main location. This application is being submitted simultaneously with another for lands at Crofton Road, Dun Laoghaire. The development will consist of:- partial demolition to include stairway to the north of the building and single storey element to the west and the south. - Extensions at ground floor to accommodate a Sisters of Mercy Community facility, ancillary office accommodation with a six-bedroom residence and Prayer Room. - ESB sub station and switch room at ground floor level facing the public lane behind Georges Street. - Extensions to the west and north to accommodate residential accommodation from existing first to fifth*

*floor inclusive. Balconies and winter gardens are proposed along the east and north facades. - New floor at sixth floor consisting of a three bedroom apartment at existing roof level. - 31 no. apartments consisting of 9 no. 1 bed units, 20 no. 2 bed units, 2 no. three bed units. Access is from Eblana Avenue entrance to Sisters of Mercy lands. Car parking and bicycle spaces are provided in adjoining lands on Crofton Road which are subject to a simultaneous planning application. The total gross floor area proposed is 4152 sq. m."*

The reasons for refusal were as follows:

- 1. It is considered that the proposed development would add to the height, massing and scale of the existing structure, which is considered to be inappropriate within its context of Dun Laoghaire town centre. It would therefore increase the visual impact of this building, would seriously detract from the amenity of the area, and as such, would be contrary to the proper planning and sustainable development of the area.*
- 2. Having regards to the development potential of the site to the east, as identified in the Dun Laoghaire Urban Structure Plan, the relationship between the proposed development and the property to the east, to the proposal to significantly increase the extent of fenestration to the eastern elevation, it is considered that the proposed development would significantly increase overlooking of adjoining properties, would place an unreasonable burden on the development potential of the adjoining property, would devalue its property value, and would therefore be contrary to the proper planning and sustainable development of the area.*
- 3. It is an objective of the Dun Laoghaire Urban Structure Plan (Chapter 4 of the County Development Plan) to Upgrade and Seek Pedestrian Permeability through the site. In this regard it is noted that no proposal was put forward in the proposed development to indicate how this objective could be achieved. The proposed development therefore fails to realise an objective of the development plan and as such, would be contrary to the proper planning and sustainable development of the area.*
- 4. The decision to refuse permission for the concurrent scheme adjoining Crofton Road, D07A/1067, upon which the proposed development is dependent on for its off-street parking provision, has rendered the proposed development non-compliant with development plan standards, and would therefore, constitute a traffic hazard and would be contrary to the proper planning and sustainable development. In any event, the provision of off-street parking off site has not satisfactorily been addressed, as this is not considered to be an ideal situation. Furthermore, as the two sites of the applicant on which the concurrent applications have been lodged are not physically linked, it is not clear how future occupants would access the car park over lands outside of the ownership of the applicant.*
- 5. Insufficient details of water supply proposals have been submitted. The proposed development could thereby give rise to conditions prejudicial to public health."*