THORNTON O'CONNOR
TOWN PLANNING

Planning Report & Statement of Consistency

Planning Report & Statement of Consistency

In respect of a Strategic Housing Development comprising 183 No. Build-to-Rent units and a café/retail unit

At No. 146A and Nos. 148-148A Richmond Road, Dublin 3

Submitted on Behalf of Birkey Limited

December 2021

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1.0 INTRODUCTION

Thornton O'Connor Town Planning in association with a multidisciplinary team as detailed in the table below, have been retained by Birkey Limited to lodge a planning application in relation to a proposed part 6 No. to part 10 No. storey over partial basement mixed-use development comprising 183 No. apartments and 1 No. café/retail unit (157 sq m) at No. 146A and Nos. 148-148A Richmond Road, Dublin 3.

1.1 Multi-Disciplinary Team

COMPANY NAME	DOCUMENTS PREPARED
Thornton O'Connor Town Planning No. 1 Kilmacud Road Upper Dundrum Dublin 14 D14 EA89	• Planning Report and Statement of Consistency • Material Contravention Statement • Application Form
RKD Architects No. 59 Northumberland Road Ballsbridge Dublin 4 D04 WP89	• Architectural Drawing Pack • Schedule of Accommodation • Housing Quality Assessment • Architectural Design Statement
DBFL Consulting Engineers Ormond House Upper Ormond Quay Dublin 7 D07 W704	• Infrastructure Design Report • Engineering Drawings • Site Specific Flood Risk Assessment • Traffic and Transport Assessment Report • Mobility Management Plan • DMURS Design Statement • Preliminary Construction & Environmental Management Plan • Basement Impact Report (including Preliminary and Generic Quantative Risk Assessment (GQRA) by Tetra Tech)
Mitchell and Associates Landscape Architects No. 5 Woodpark The Rise Glasnevin Dublin 9 D09 NA02	• Landscape Masterplan and Drawings • Landscape Design Report • Landscape Visual Impact Assessment • Outline Landscape Specification
The Tree File Consulting Arborists Brookfield House Brookfield Terrace	• Arboricultural Assessment • Arboricultural Drawing Pack

Blackrock Co. Dublin	
Enviroguide Consulting 3D Core C Block 71 The Plaza Park West Dublin D12 F9TN	• Appropriate Assessment Screening Report • Ecological Impact Assessment Report Environmental Impact Assessment Screening Report (including Bat Assessment by Brian Keely of Wildlife Surveys Ireland) • Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 (as amended) • Natura Impact Statement
Invasive Plant Solutions The Stationhouse Station Road Dundrum Co. Tipperary E34 EK83	• Invasive Alien Plant Species: Site Assessment Report & Management Plan
AWN Consulting Limited The Tecpro Building No. 17 Clonshaugh Business and Technology Park Dublin 17	• Noise & Vibration Impact Assessment • Operational Waste Management Plan • Construction & Demolition Waste Management Plan • Microclimate Assessment
3D Design Bureau No. 65 Rock Road Blackrock Co. Dublin A94 PT62	• Daylight and Sunlight Analysis • Verified View Montages and Computer-Generated Images
Axiseng Limited No 47 Mount Street Upper Dublin 2 D02 AC95	• Part L Planning Compliance for the Mechanical and Electrical Services Installations • Site Lighting Layout Drawing Pack
Historic Building Consultants Old Bawn Old Connaught Bray Co. Wicklow	• Architectural Heritage Impact Assessment
Rubicon Heritage	• Archaeological, Architectural and Cultural Heritage Impact Assessment

Office No. 8 Dominick Court 41 Dominick Street Dún Laoghaire Dublin A96 P525	
KPMG Future Analytics No. 23 Fitzwilliam Square South Dublin D02, RV08	• Social Infrastructure Audit • Childcare Demand Assessment
O'Herlihy Access Consultancy Guinness Enterprise Centre Taylor's Lane The Liberties Dublin 8	• Universal Access Statement
Independent Site Management (ISM) No. 77 Camden Street Lower Dublin 2 Ireland D02 XE80	• Telecommunications Report- Section 3.2 of the Building Height Guidelines (2018)
Aramark Ireland 17 Malahide Road Priorswood Dublin D17 AY61	• Property Management Strategy Report • Building Lifecycle Report
Birkey Limited The Courtyard Carmanhall Road Sandyford Dublin 18	• Section 47 Agreement
Bruton Consulting Engineers Drogheda Road Glaspistol Clogherhead Co. Louth	• Quality Audit Including Road Safety Audit, Access Audit, Cycle Audit and Walking Audit

1.2 Purpose of this Report

This Report will include a rationale for the proposal, relevant planning history and a detailed description of the development. In addition, the *Planning & Development (Strategic Housing Development) Regulations 2017*, specify that all SHD applications must be accompanied by a statement demonstrating that the proposal is consistent with the relevant National, Regional and Local Policies. The Statement of Consistency outlined in Sections 7.0, 8.0 and 9.0 of this Report demonstrates that the proposed scheme providing 183 No. residential units and a café/retail unit is consistent with national, regional and local planning policy.

The following policy documents are discussed within this document:

National

1. *Project Ireland 2040 – National Development Plan 2021-2030;*
2. *Project Ireland 2040 – The National Planning Framework;*
3. *National Spatial Strategy 2002-2020;*
4. *Action Plan for Housing and Homelessness, Rebuilding Ireland;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2020);*
7. *Urban Design Manual – A Best Practice Guide (2009);*
8. *Design Manual for Urban Roads and Streets (2013); and*
9. *The Planning System and Flood Risk Management (2009).*

Regional

10. *Regional Planning Guidelines for the Greater Dublin Area 2010-2022;*
11. *Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly; and*
12. *Metropolitan Area Spatial Plan for Dublin City and Suburbs.*

Local

13. *Dublin City Development Plan 2016-2022; and*
14. *Richmond Road Area Action Plan 2007.*

2.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The subject planning application is categorised as a Strategic Housing Development as defined in Section 3 of the *Planning and Development (Housing) and Residential Tenancies Act 2016* (amended July 2018), which states that Strategic Housing Development means:

> ***'a) the development of 100 or more houses on land zoned for residential use for a mixture of residential and other uses,***
>
> *b) the development of student accommodation units which, when combined, contain 200 or more bedspaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,*
>
> *i) development consisting of shared accommodation units that, when combined contain 200 or more bed spaces, and*
>
> *ii) on the zoning of which facilitates the provision of shared accommodation or a mixture of shared accommodation thereon and its application for other uses,*
>
> *c) development that contains development of the type to which all of the foregoing paragraphs, or any two of the foregoing paragraphs, apply, or*
>
> *d) the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph a), b) or c).'* [Our Emphasis]

Section 3 of the *Planning and Development (Housing) and Residential Tenancies Act 2016* (amended July 2018) further states that Strategic Housing Developments:

> *'**may include other uses on the land, the zoning of which facilitates such use, but only if—***
>
> *(i) **the cumulative gross floor area of the houses or student accommodation units, or both, as the case may be, comprises not less than 85 per cent**, or such other percentage as may be prescribed, of the gross floor space of the proposed development or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and*
>
> *(ii) the other uses cumulatively do not exceed—*
>
> *(I) 15 square metres gross floor space for each house or 7.5 square metres gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, subject to a **maximum of 4,500 square metres** gross floor space for such other uses in any development, or*
>
> *(II) such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to*

which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development as may be prescribed.'

As the proposed development comprises 183 No. residential units, it is therefore considered to be a Strategic Housing Development and the application must be lodged directly to An Bord Pleanála. Furthermore, the non-residential element of the proposed scheme (c. 157 sq m) represents c. 1% of the total gross floor space of the development and thus must be accepted as a Strategic Housing Development application.

The full description of development is as follows:

Birkey Limited intend to apply to An Bord Pleanála for permission for a strategic housing development at this c. 0.61 hectare (c. 6,067 sq m) site at No. 146A and Nos. 148-148A Richmond Road, Dublin 3 (Eircodes D03 W2H1, D03 T6P0, D03 Y8R9, D03 PX27, D03 K6F7, D03 E447 and D03 HR27). The site is bounded to the north-east by Richmond Road and the Leyden's Wholesalers & Distributor Site, to the north-west by an apartment development (Deakin Court), to the south-west by the Tolka River and to the south-east by a residential and commercial development (Distillery Lofts). Improvement works to Richmond Road are also proposed including carriageway widening and a new signal controlled pedestrian crossing facility on an area of c. 0.08 hectares (c. 762 sq m). The development site area and road works area will provide a total application site area of c. 0.69 hectares (c. 6,829 sq m).

The proposed development will principally consist of: the demolition of all existing structures on site (c. 2,346 sq m) including warehouses and 2 No. dwellings; and the construction of a part 6 No. to part 10 No. storey over basement development (with roof level telecommunications infrastructure over), comprising 1 No. café/retail unit (157 sq m) at ground floor level and 183 No. Build-to-Rent apartments (104 No. one bedroom units and 79 No. two bedroom units). The proposed development has a gross floor area of c. 16,366 sq m over a basement of c. 2,729 sq m. The proposed development has a gross floor space of c. 15,689 sq m.

The development also includes the construction of a new c. 126 No. metre long section of flood wall to the River Tolka along the site's southern boundary. The new flood wall is positioned at the top of the existing river bank and will connect to existing constructed sections of flood wall upstream and downstream of the site. The top of the wall will be set at the required flood defence level resulting in typical wall heights of c. 1.2 to 2 metres above existing ground levels. The development will also include the repair and maintenance of the existing river wall on site adjacent to the River Tolka.

The development also provides ancillary residential amenities and facilities; 71 No. car parking spaces including 8 No. electric vehicle spaces, 4 No. mobility impaired spaces and 1 No. car share space; 5 No. motorcycle parking spaces; bicycle parking; electric scooter storage; a drop off space; the decommissioning of the existing telecommunications mast at ground level and provision of new telecommunications infrastructure at roof level including shrouds, antennas and microwave link dishes; balconies facing all directions; public and communal open space; a pedestrian/bicycle connection along the north-western boundary of the site from Richmond Road to the proposed pedestrian/bicycle route to the south-west of the site adjoining the River Tolka; roof gardens; hard and soft landscaping; boundary treatments; green roofs; ESB Substation; switchroom; comms rooms; generator; lift overruns; stores; plant; and all associated works above and below ground.

3.0 SITE LOCATION, DESCRIPTION AND CONTEXT

3.1 Site Location

The subject site, which is generally irregular in shape, is located on the southern edge of Richmond Road approximately c. 540 metres from the junction with Drumcondra Road Lower and c. 570 metres from the junction with the Ballybough Road.

Figure 3.1: Map with Indicative Application Site Boundary Outlined in Red

(Source: MyPlan.ie, annotated by Thornton O'Connor Town Planning, 2021)

Owing to the irregular shape of the subject site, only a small portion of the northern boundary has frontage onto Richmond Road. The Tolka River runs along the southern boundary of the subject site.

The total red line application site boundary is c. 0.69 Ha (c. 6,829 sq m) and is broken down as follows:

1. The developable site of c. 0.61 Ha (c.6,067 sq m); and

2. Road works to Richmond Road: c. 0.08 Ha (c. 762 sq m).

The Applicant owns c. 6,228 sq m (c. 0.63 Ha) of the site area which includes the developable lands and a small area of land towards Richmond Road that is included in the road works area above. The remaining land on Richmond Road within the red line boundary is Dublin City Council land (c. 601 sq m/ 0.06 Ha) and a letter of consent has been received to include the lands in the application site boundary.

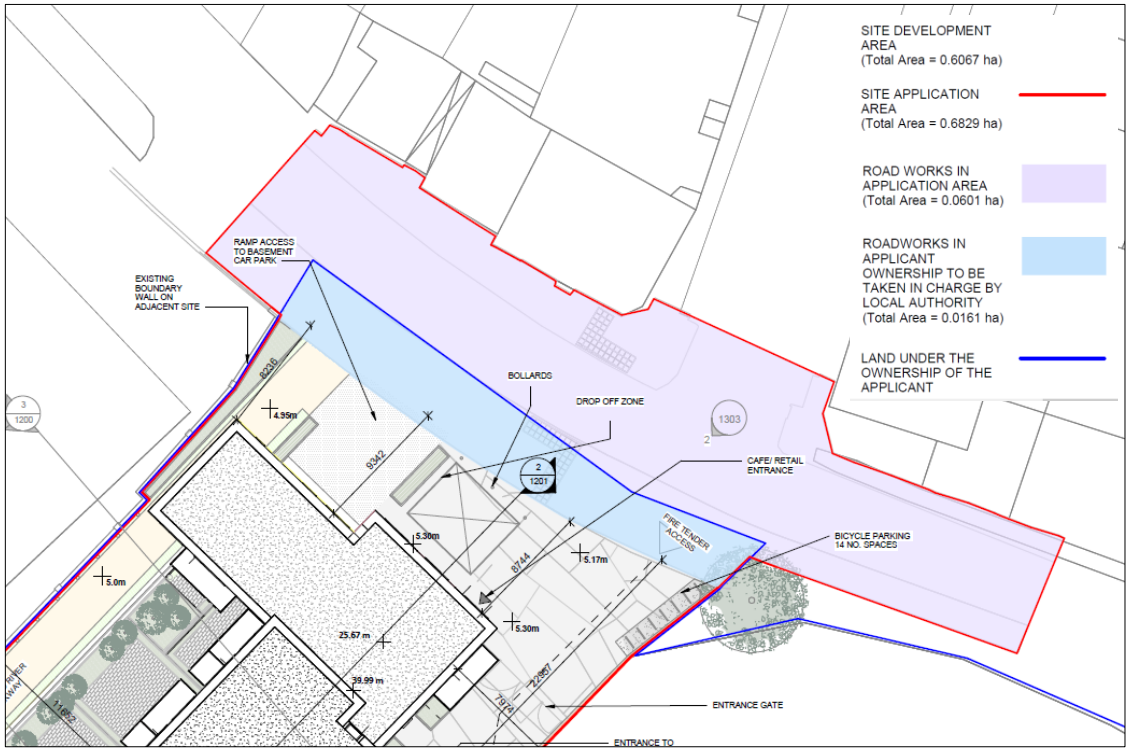

Figure 3.2: Proposed Site Plan Enclosed Which Shows the Extent of Ownership at Richmond Road

(Source: RKD Architects Proposed Site Plan, Dwg No. 20199-RKD-ZZ-ZZ-DR-A-1002)

3.2 Site Description

The site, with a developable site area of c. 0.61 Ha (c. 6,067 sq m), contains numerous warehouse buildings and 2 No. dwellings and an internal access road from Richmond Road as demonstrated in Figures 3.3, 3.4 and 3.5 below.

Figure 3.3: **Aerial Photo of the Subject Site with Indicative Developable Site Boundary Outlined in Red**

Source: **Google Maps, annotated by Thornton O'Connor Town Planning, 2021**

Figure 3.4: **Aerial Photo of the Subject Site with Indicative Developable Site Boundary Outlined in Red**

Source: **Google Maps, annotated by Thornton O'Connor Town Planning, 2021**

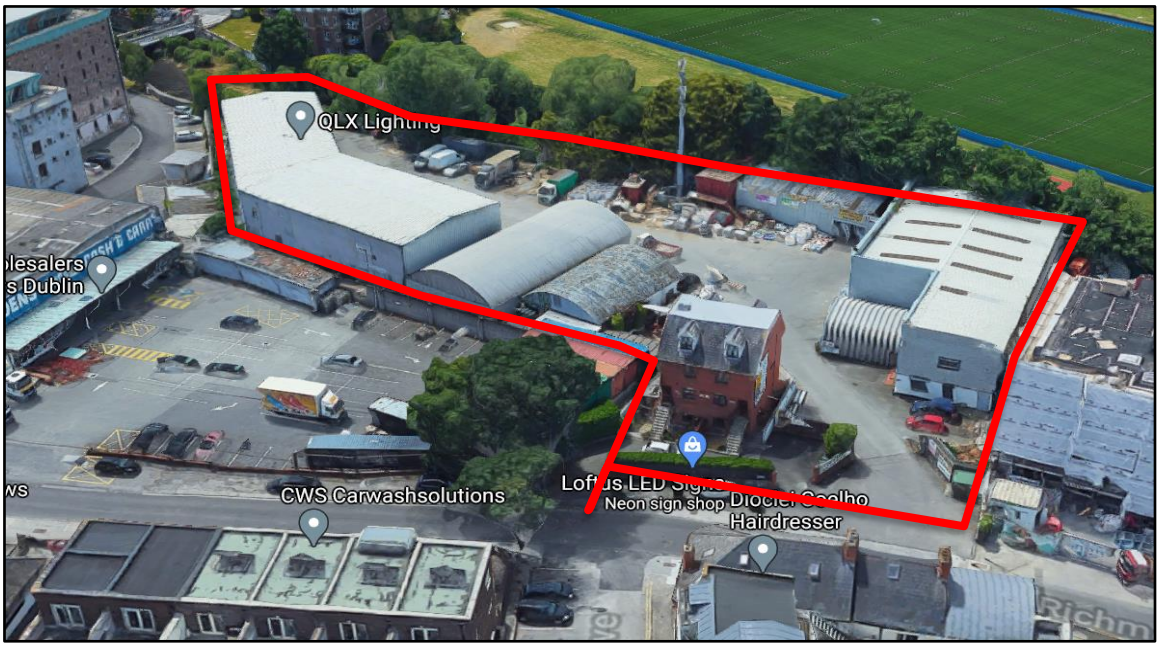

Figure 3.5: **Aerial Photo of the Subject Site with Indicative Developable Site Boundary Outlined in Red**

Source: **Google Maps, annotated by Thornton O'Connor Town Planning, 2021**

The site is bounded to the north-east by Richmond Road and the Leyden's Wholesalers & Distributor Site (now in the control of the Applicant), to the north-west by a recently constructed 4 No. storey apartment development (Deakin Court), to the south-west by the Tolka River and to the south-east by a part 4 No. to 6 No. storey residential and commercial development, which had permission for a 7 No. storey element (DCC Reg. Ref. 5224/05) which was never constructed. The part 4 No. to 5 No. storey Richmond Hall apartment development is located further to the south-east of the site.

3.3 Site Context

The surrounding context of the subject site is generally comprised of a mix of land uses, including but not limited to, late 19th century and early 20th century housing, more recent residential development such as the Richmond Hall apartment development, commercial and industrial land uses, institutional land use in the form of the Clonliffe College Seminary c. 200 metres to the south-west of the site across the Tolka River (permission recently granted for a mixed-use development comprising 1600+ residential units with heights of up to 18 No. storeys under ABP Ref ABP-310860-21), healthcare in the form of St. Vincent's General Hospital Fairview c. 450 metres to the north-east and recreational land use in the form of the Belvedere rugby grounds c. 120 metres to the south of the subject site across the Tolka River (c. 1.3 km / 16 minute walking distance) and tennis courts, a pitch and putt golf course and the grounds of Stella Maris Football Club located c. 120 metres to the north of the subject site.

The subject site is located approximately 700 metres from the District Centre of Drumcondra, an active streetscape which is anchored by the presence of the Drumcondra Train Station (c. 1.3 km or 16 minutes walking distance of the subject site), a Quality Bus corridor and proximity to Croke Park Stadium.

Drumcondra comprises the following services and amenities along Drumcondra Rad Upper and Lower in proximity to the subject site, which will serve the subject scheme:

Lidl	Diamond Pizza
The Ivy House Restaurant and Bar	Iona Day Services
Izumi Japanese Sushi & Chinese	Mint Leaf Restaurant
Domino's Pizza Drumcondra	Pinto Wines Store
Restaurant 104	FBD Insurance
Il Corvo Restaurant	Fagan's Bar and Restaurant
The Cartridge Shop	AIB Bank
DCU Institute of Education	Kennedy's Pub
Corrigan's Butchers	Permanent TSB
Benny's Barbers	The Lovely Food Company
Mr Burrito	Bread & Butter Gourmet Market
San Sab Thai Restaurant	Nelly's Café
Cat and Cage Pub	Boylesports Bookmakers
Glasnevin Orthodontics	Small Changes Wholefood Store
Drumcondra Medical	Shouk Restaurant
Scribbles Newsagents	Post Office
Tesco Express	Centra Drumcondra
Venus Hair Salon	Bank of Ireland
Thunders Home Bakery Drumcondra	Independent Pizza Company
Yummy Oriental	McGraths Pub
Lloyds Pharmacy	Boles Pharmacy
EBS Drumcondra	Advance Late Night Pharmacy
Base Wood Fired Pizza	Le Petit Breton Epicerie Fine Convenience Store & Creperie
Abrakebabra	Apache Pizza
Insomnia Coffee	Bear Lemon Bakery
Derwin's Off License	

This table demonstrates that there are a variety of facilities and services available for the residents of the proposed scheme to utilise in Drumcondra in close proximity to the site, in addition to the café/retail unit and ancillary amenities and facilities that will be provided within the scheme.

3.3.1 Zoning Objective

The subject lands are zoned Objective Z10 '*Inner Suburban and Inner City Sustainable Mixed-Uses'* in the *Dublin City Development Plan 2016-2022*, where the stated aim is *'to consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas'.* A strip of land along the south-west boundary adjacent to the River Tolka is zoned Objective Z9 'Amenity/Open Space Lands/Green Network', where the stated aim is *'to preserve, provide and improve recreational amenity and open space and green networks'.*

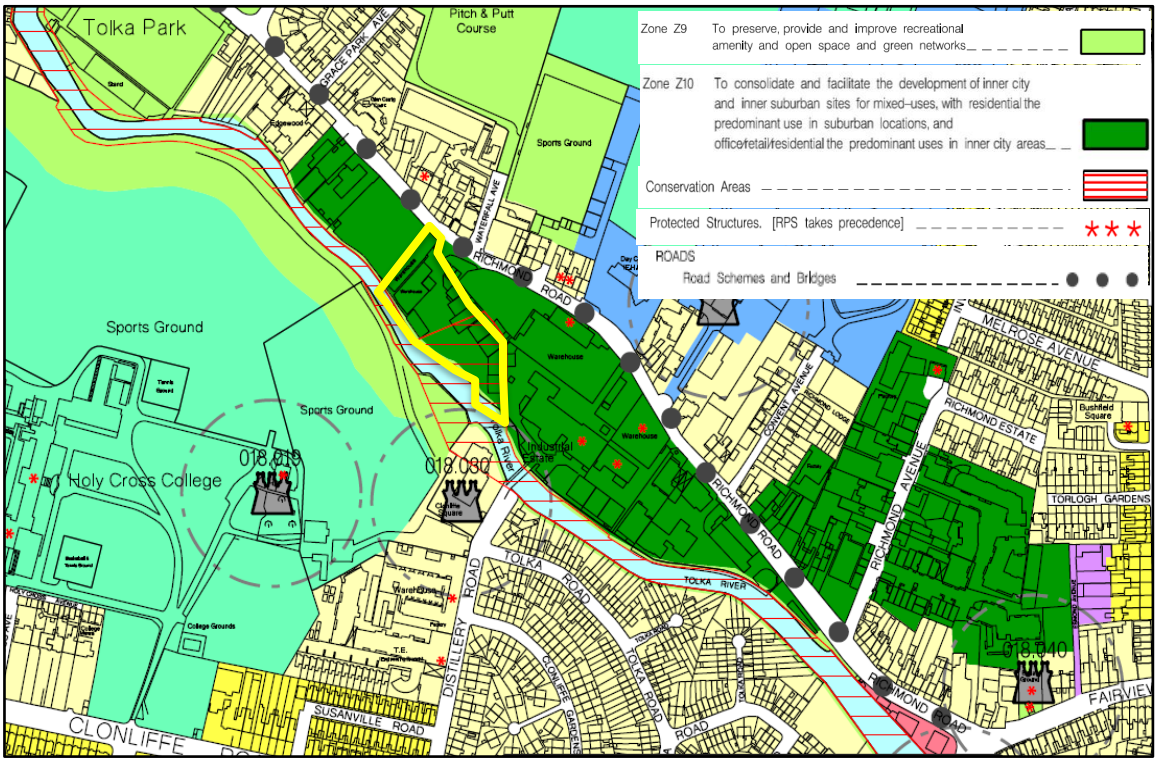

Figure 3.6: Zoning Map of the Subject Site (Indicative Developable Site Boundary Outlined in Yellow)

(Source: *Dublin City Council Development Plan 2016 – 2022*, Zoning Map E)

Part of the subject site is located within a Conservation Area and there are Protected Structures to the south-east and opposite the site to the north-east annotated by the red asterix in Figure 3.6 above.

Dublin City Council clarified by email on 24th September 2020 that the warehouse fronting Richmond Road (within the neighbouring Leyden's site) is not a Protected Structure and is marked on the zoning map in error. This was also confirmed by email on 24th August 2021. Please see correspondence attached as Appendix A to this Report.

In addition, the Architectural Heritage Impact Assessment prepared by Historic Building Consultants and enclosed separately notes the following in relation to the Conservation Area:

> *'The red hatching that denotes a conservation area runs along the River Tolka past the application site. As has been noted, the hatching also encroaches into the site, but it has been suggested above that this part of the conservation area is now obsolete and should be removed from the development plan maps, as the area is the part of the site seen in plate 1 above and is no longer part of the river system.*
>
> *Notwithstanding this assertion, the proposed development would result in a more ordered site that would be more compatible with the conservation area objective than the present commercial buildings and yard.'*

3.4 Accessibility

The subject site is accessible by foot from the canal ring (c. 18 minutes) and O' Connell Street Upper (c. 30 minutes). The site is located proximate to a sustainable modes of transport such as Drumcondra Railway Station (c. 1.3 km / c. 16 minutes walking distance) and bus stops on Drumcondra Road (c. 750 metres / c. 9 minutes walking distance). These bus stops serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins). The surrounding bus networks will also be improved by Bus Connects. A number of important arterial and orbital roads are located within a short walk of the subject site. In addition, a number of coach services operate adjacent to the Drumcondra Train Station including Aircoach No. 700 to Dublin Airport, Bus Eireann No. 100 to Dundalk and No. 101 to Drogheda; and Matthews Coaches Service No. 900 to Dundalk, No. 901 to Drogheda, No. 904 to Drogheda/Dundalk and No. 910 to Laytown/Bettystown.

A large range of employers, services and facilities are available within a short distance including, but not limited to, St Vincent's General Hospital (c. 450m) c. 600 metres / c. 7 minutes walking distance) and DCU St. Patrick's Campus (c. 800 metres / c. 10 minutes walking distance). The surrounding area provides strong permeability to many of the surrounding neighbourhoods, employment, services and facilities.

In relation to cycling, although no dedicated bicycle infrastructure exists along Richmond Road, the narrow roadway prevents cars from reaching high speeds and thus a relatively safe space for cyclists is created, an approach seen widely across cities with high bicycle modal share.

Heading south along Drumcondra Road Lower and upon reaching Drumcondra, cyclists enjoy the benefit of dedicated segregated infrastructure. This infrastructure is also present heading north from Drumcondra along Drumcondra Road Upper offering cyclists relatively short and safe journeys south into the city centre and also north towards Whitehall.

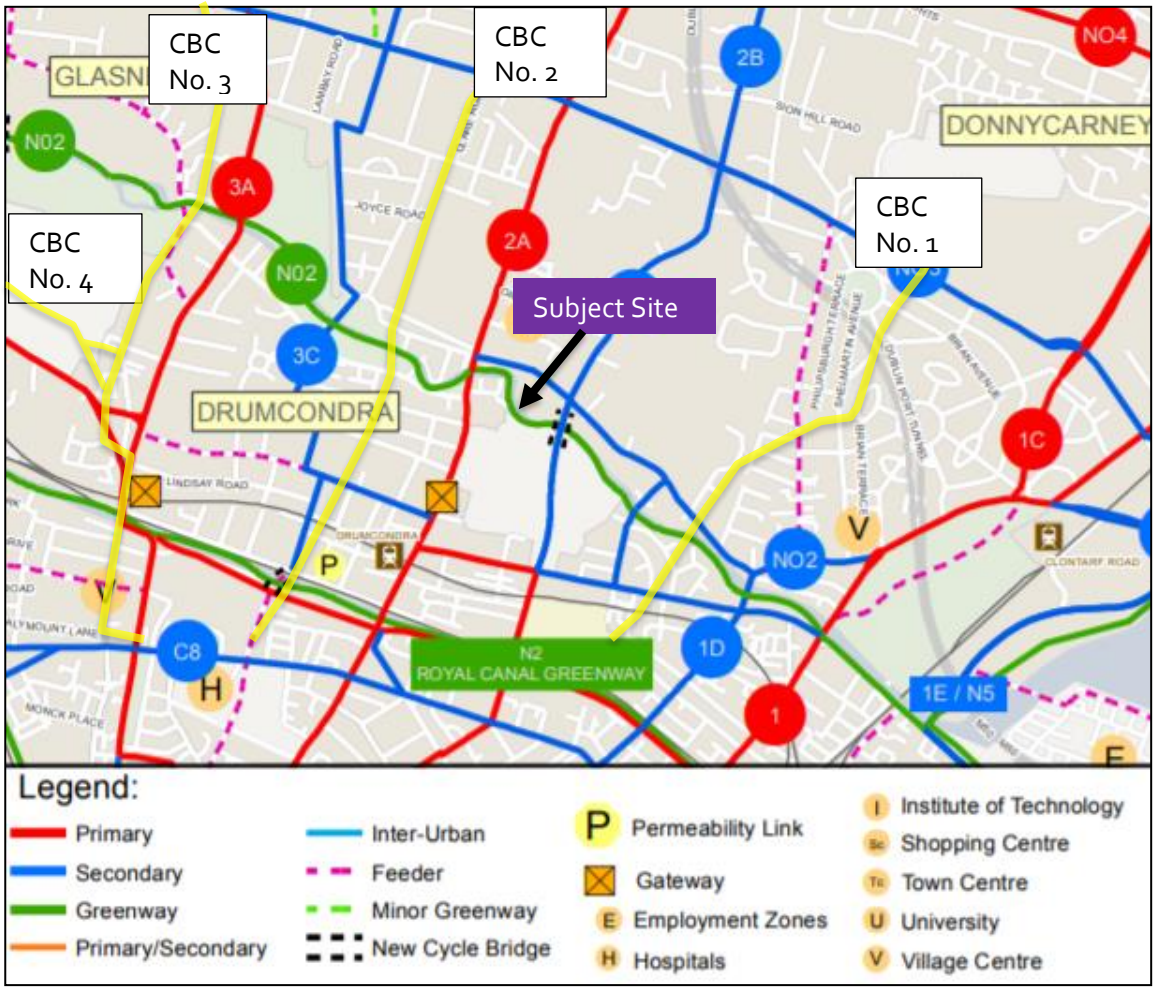

Figure 3.7: Proposed Cycling Network in the Vicinity, Core Bus Corridors Highlighted

(Source: *NTA Greater Dublin Area Cycling Network (2013) and Busconnects.ie*, annotated by Thornton O'Connor Town Planning, 2021)

The proposed cycle network will see the proposed *"Greenway NO2"* pass to the rear of the site. Greenway NO2 is the Tolka Valley Route and is one of four orbital routes proposed, passing through Ballybough, Drumcondra, Glasnevin and Finglas South. A *"secondary route NO2"* is proposed along Richmond Road delivering much needed cycling facilities to complete the cycle route network around the subject site. Both routes will encourage future residents to avail of more sustainable forms of transport, making travelling by bicycle a safe and realistic option.

Another important cycle link in the vicinity is the Royal Canal Greenway which follows the route of the Royal Canal from the Dublin Docklands (beside the convention centre) to the western suburbs around Blanchardstown.

As demonstrated by the examples provided above, the subject site is well connected by public transport and although no services exist within 5 minutes or 400-500 metres walking distance, a Quality Bus Corridor and Train Station are accessible within c. 750 metres and c 1.3 km respectively. There is significant cycling infrastructure nearby which is partially segregated in both directions on Drumcondra Road Lower and Upper. It is clear that there are a range of public transport options available in proximity to the subject site and the site is located within walking and cycling distance of a range of employment locations, services and facilities. It is clear that

the subject scheme is appropriate to provide a reduced car parking provision of 71 No. spaces (0.39 No. spaces per unit) as detailed throughout this Report and the DBFL Consulting Reports.

4.0 RATIONALE FOR THE PROPOSED DEVELOPMENT

4.1 Understanding the Build-to-Rent Typology

Build-to-Rent is a relatively new form of housing development and consists of purpose-built residential units which are managed and maintained and include communal spaces, which will contribute to the residential amenity and sustainable development of apartment stock.

It is well documented in the media there is a critical shortage of affordable housing in the Country. This Build-to-Rent typology was introduced in the *Sustainable Urban Housing Design Standards for New Apartments* (March 2018) ("*Apartment Guidelines, 2018*") [now updated to the *Sustainable Urban Housing Design Standards for New Apartments* (December 2020) ("*Apartment Guidelines, 2020*") with no changes to Build-to-Rent policies] and seeks to directly address these issues.

The *Apartment Guidelines, 2020* note that:

> *'To date rental only developments at scale in Ireland have been limited. 'Build-to-Rent' (or BTR) can be defined as:*
>
> *Purpose-built residential accommodation and associated amenities built specifically for long-term rental that is managed and serviced in an institutional manner by an institutional landlord.'*

The *Apartment Guidelines, 2020* further note that Build-to-Rent developments:

> *'can provide a viable long term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy'.*

In its analysis of evolving housing need the *Apartment Guidelines, 2020* recognise the changing nature of the underlying demographic and demand factors on the existing housing supply. The policy outlines the underlying shift in demand pressures as follows:

> ***'The 2016 Census indicates that 1-2 person households now comprise a majority of households and this trend is set continue**, yet Ireland has only one-quarter the EU average of apartments as a proportion of housing stock. Dublin as a whole has approximately one-third the rate of apartments as comparable cities in Europe, with which it competes for investment and talent to secure continued growth and prosperity.'* [Our Emphasis]

The *Apartment Guidelines, 2020* note the following at Section 2.12:

> *'... the trend whereby jobs have been increasingly located in and around Ireland's cities larger towns, and notwithstanding improvements in technology and the availability of broadband, it is likely to continue. While the availability of a range of employment is one of the reasons that skilled migrants are more likely to seek to locate in urban areas, **this is also dependent on the availability of a choice of suitable accommodation.**'* [Our Emphasis]

As part of housing need, economic pressure and EU and international competitiveness, Ireland's housing stock needs to adapt to changing circumstances. Family homes are increasingly unaffordable for first time buyers, and more transient high skilled employees are becoming priced out of our meagre rental supply.

4.1.1 Research Supports the Need to Provide an Alternative Housing Model

Deloitte published its pre-budget analysis (2019)[1] and states that *'the decline in the number of residential landlords is compounding supply issues in our property market'* but notes that new residential policies aim to address this issue.

There is a change in the nature of housing demand, not just from a market perspective, but from a demographic shift. We note the following comments from the research completed by Knight Frank in 2019 on the private rental sector entitled 'The Dublin PRS Report'[2] which states:

> '*There has been a cultural shift in attitudes towards renting in recognition of the flexibility it offers, with this demand particularly strong from the young, internationally mobile professionals working in the tech and finance sectors.'*

The *Dublin PRS Report* also notes the demographic shifts underlying these trends:

> '*Ireland is experiencing a population boom, providing a natural long-term source of demand for housing. Over the period 1991-2016 the population grew by 34% compared to a growth rate of 7% for the EU as a whole.'*

This population growth has particularly concentrated itself on Ireland's urban centres, principally in the Greater Dublin Region. Current projections anticipate this growth to continue. The *Dublin PRS Report* notes:

> *'…Dublin is undergoing a population boom with the population set to increase by 292,400 – or 21.7% between 2016 and 2040 according to the ERSI.'*

Multiple factors are contributing to this, such as fertility, inward migration, a mobile workforce and returning emigrants of varying ages. Ireland is currently bucking the trend of current EU member states, which positively contributes towards our economic competitiveness and diversity.

> *'A high fertility rate in conjunction with low mortality rates has resulted in Irelands natural population growth being the highest in Europe at 6.6% in 2017, far ahead of the second highest of Cyprus which had an increase of 3.8%.*
>
> *The high growth rate is set to continue with Eurostat projecting that the population of Ireland will increase by 28.2% to 2080, compared to just 0.6% for the EU 28. [Sic]'* (Knight Frank).

1 https://www2.deloitte.com/ie/en/pages/tax/articles/pre-budget-real-estate.html
2 https://content.knightfrank.com/research/1601/documents/en/the-dublin-prs-report-2018-5830.pdf

However, with the pressures on housing supply and the rental sectors, there is an increasing gap between affordability and appropriate living standards, when it comes to residential supply. To continue to balance the needs of a growing population and maintain sustainable planning practices we must be cognisant of the evolving nature of the rental sector. In their 2019 pre-budget observations Deloitte outlined the current climate as follows:

> *'With FDI remaining crucial to Ireland Inc., it is imperative that action is taken to improve the supply of available stock to ensure Ireland does not lose out due to an inability to house new workers.'*

The Knight Frank research on the Private Rental Sector (*The Dublin PRS Report)* also lays out how the rental market is adapting to provide and service the new housing typology of Build-to-Rent:

> '*The transition from a buy-to-rent to a build-to-rent market will be driven by the drying-up of standing investment opportunities coupled with the positive market fundamentals that BTR investors seek.'*

The publishing of the *National Planning Framework (Ireland 2040)* ("*NPF*"), the results for Census 2016 and the *Urban Development and Building Height Guidelines, December 2018* ("*Building Height Guidelines*") and *Action Plan for Housing and Homelessness, Rebuilding Ireland ("Rebuilding Ireland")* have changed the perspective of how planning and housing delivery must respond to demand. The *NPF* estimates a need to house one million new people by 2040, focusing development on the top five cities, some 50% of that development within Dublin. This new development is to be targeted at brownfield and infill sites first. Sustainable and accessible sites near transport and employment have priority, and new mechanisms such as Build-to-Rent apartments are a means of achieving this densification.

The provision of Build-to-Rent units 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 *NPF*.

To meet current housing demands and contribute to consolidated sustainable growth, Build-to-Rent schemes offer a maintained and high standard accommodation with relative security of a management company. Specific Planning Policy Requirement 7 of the *Apartment Guidelines, 2020* notes that Build-to-Rent developments must remain as a managed accommodation for 15 No. years, and that no individual units are sold or rented separately for this period of time.

4.2 Responding to Policy Set out in the *National Planning Framework ("NPF") and Sustainable Urban Housing: Design Standards for New Apartments* (December, 2020) ("*Apartment Guidelines, 2020*") Relating to Demographic Changes

Section 4.5 of the *NPF* promotes the compact growth of urban areas and acknowledges that Ireland's housing crisis has resulted in:

> '*a time when many people, including those on average incomes, wish to live close to where they work and the services and amenities necessary to enjoy a good quality of life, they struggle to do so because the urban housing market has become constrained.'*

The *NPF* further calculates in Section 6.6 that:

'between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year to meet the needs for well-located and affordable housing, with increasing demand to cater for one and two-person households.'

It is our professional opinion that, as demonstrated in this Planning Report, the subject lands are eminently suitable to provide higher density residential accommodation particularly having regard to the site's proximity to public transport, employment, services and amenities, which can meet the housing needs of a greater number of persons and will address the acute housing shortage and the significant demand that exists in Dublin.

4.2.1 Having Regard to the Intermediate Urban Location of the Subject Site as Defined in the *Apartment Guidelines, 2020*, the Site is Eminently Suitable for the Proposed Residential Development

The *Apartment Guidelines, 2020* identify the location of the application site as an 'Intermediate Urban Location' which are defined as follows:

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

- *Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;*

- *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;*

- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.*

- *The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors'*

As noted in the *Apartment Guidelines, 2020*, *'the range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors'*. The subject site is located on Richmond Road, approximately c. 1.3 km from Drumcondra Railway Station and within a short distance from a number of significant employment locations including but not limited to St Vincent's General Hospital (c. 600 metres / c. 7 minutes walking distance) and DCU St. Patrick's Campus (c. 800 metres / c. 10 minutes walking distance). There are bus stops on the N1 Drumcondra Road Lower within c. 750 metres / c. 9 minutes walking distance from the subject site which serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins).

We note that although there is no bus service within 5 minutes or 400-500 metres walking distance, that the site is appropriately located close to Drumcondra, employment locations,

Drumcondra Train Station is within c 1.3km /c. 16 minutes walking distance and the Drumcondra Quality Bus Corridor is within c. 750 metres/c. 9 minutes walking distance.

Based on the above outlined criteria, in our professional planning opinion the subject site can therefore be considered an Intermediate Urban Location.

In relation to Intermediate Urban Locations, the *Apartment Guidelines, 2020* state that:

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

The *Apartment Guidelines, 2020* recognises the need for alternative types of accommodation to facilitate the societal and economic changes that have affected household formation and housing demand by acknowledging that:

> '*ongoing demographic and societal changes mean that in addition to families with children, the expanding categorises of household that may wish to be accommodated in apartments include:*
>
> - *Young professionals and workers generally;*
> - *Those families with no children and 'downsizers';*
> - *Older people, in both independent and assisted living settings*.'

It is our professional opinion that the subject lands fronting the River Tolka are eminently suitable for a higher density development which can meet the housing needs of a greater number of persons and will address the acute housing shortage and the significant demand that exists in Dublin City. It is considered that the subject lands are capable of absorbing greater height given their intermediate urban location, with significant frontage onto the Tolka River and directly adjacent to Richmond Road which connects to Drumcondra Road Lower, a main arterial route into the Dublin City Centre.

The proposed development includes 183 No. Build-to-Rent apartments on this c. 0.61 Ha developable site, comprising 104 No. one bedroom units and 79 No. two bedroom units and will therefore provide suitable alternative housing accommodation types for people seeking residential accommodation in Dublin. The plot ratio is 2.7 which is within the prescribed limits of the *Development Plan* (2.0-3.0 for lands zoned Z10). It is our professional planning opinion that the density of 300 No. units per hectare proposed is consistent with the guidance set out in national planning policy for intermediate urban locations such as the subject site. It should be noted that the higher proportion of one bedroom units within the subject scheme disproportionately inflates the density figure, but the subject site can absorb the development as discussed above i.e. fronting the River Tolka for example. The plot ratio of 2.7 noted above also demonstrates the overall appropriateness of the proposed development.

4.3 National Housing Crisis

It has been well documented in recent years that Ireland is going through a series of national and localised housing crises relating to affordability, the number of available units and the location of housing. This has been further affected by economic success and downturn, with supply issues

continuing during the recent economic recovery. The Central Bank conducted research into housing demand in December 2019 entitled '*Population Change and Housing Demand in Ireland'*[3]. In the introduction of this document the critical demand for housing is summarised:

> *'Over the last 25-years, the Irish construction sector experienced an unsustainable expansion followed by a severe contraction. From 1998 to 2008, around 660,000 homes were built – more than double what was completed in the preceding decade. During this period housing completions averaged 60,200 per annum. The collapse of the property bubble in 2008 and the onset of the economic and financial crisis was accompanied by a sharp fall in housebuilding. From 2009 to 2018, around 106,000 homes were completed, an average of just over 10,500 per year. The collapse in housebuilding took place despite continued growth in the population. Between Census 2011 and Census 2016, the overall population increased 173,000.* ***This continued growth in the population combined with the fall in residential completions contribute to the reversal of a 50-year trend in Census 2016****. In that Census, the average household size – which had declined continuously in every Census since 1966 – recorded a marginal increase.'* [Our Emphasis]

Since the adoption of the *Rebuilding Ireland – Action Plan for Housing and Homelessness (2016)*, there has been a target of 25,000 No. house completions per year. However, starting from a low level of construction emerging from the financial crises, the development commencement and construction capacity has been rapidly expanding just to approach this level in recent years. According to an article in the Irish Times dated 28th February 2020 entitled '*We have little chance of building enough homes to meet election promises'*, there is a gap between completed houses and demand. The article states:

> *'A recent Central Bank of Ireland study shows that over the coming decade we are going to need nearly 35,000 new homes a year just to cope with population change, compared to the 21,000 built in 2019.* ***Yet if we want adult households to have their own homes and reverse the doubling-up with parents or housemates then we would need to be building closer to 47,000 new homes a year****.'* [Our Emphasis].

Despite a recent recovery in the completion of housing units per year, there remains a long-term undersupply of housing as well as structural inefficiencies, regional disparities and an affordability crisis in relation to faster rates of growth in areas of high demand such as Dublin City and the suburbs. In combination, this undersupply of housing units has further contributed to pressures on rent and mortgage availability and affordability.

Another important contributory factor to the increased demand for housing is the return of Irish diaspora for a number of reasons, including but not limited to the Covid-19 pandemic and Brexit. According to an article in the Financial Times on 27th November 2020 titled '*Expats return to Dublin to find a transformed property market'*[4], this will lead to a significant increase in population:

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[3] https://www.centralbank.ie/docs/default-source/publications/economic-letters/vol-2019-no-14-population-change-and-housing-demand-in-ireland-(conefrey-and-staunton).pdf

[4] https://www.ft.com/content/6f6aaa63-654e-41d0-9462-87320597d9f5

'The latest available figures from the Central Statistics Office (CSO), show that 28,900 Irish nationals returned home to live and work in the year end to April 2020 — the highest number in 13 years. Ireland's population is growing fast, and last year the CSO predicted that Dublin's population will increase by nearly a third before 2036, to 1.76m.'

The return of a significant number of diaspora to Ireland will result in an increase in Ireland's population, leading to a further rise in the demand for housing situated within easy reach of important employment centres.

4.4 Affordability of Rental Property in Dublin

According to a Report published on 12th May 2021 on www.thejournal.ie[5], the average monthly rent in Dublin has increased since the final quarter of 2020.

'In each of Dublin's six main markets, rents rose between December and March - the first time in a year all six rose at the same time'.

The Report found that Rents in Dublin have risen by 1.2% in the first quarter, the strongest gain since Q3 of 2018.

'Rents in Dublin rose by 1.2% in the first quarter of 2021. *While this was modest compared to what happened elsewhere in the country – more of that anon – it marks* ***the strongest quarterly gain in rents in the capital since the third quarter of 2018.*** *(For context, between 2013 and 2018, Dublin had 21 consecutive quarters where rental inflation averaged 2.8%.)'* [Our Emphasis]

In the North City, where the subject site is located, it was found that the average rent is €1,941 which represents a 1.6% increase on the previous quarter.

In relation to the supply of housing, the Report noted that:

'This brings us back to the ultimate issue in the Irish housing system – a shortage of housing. Covid-19 has done many things and wrought changes previously thought unthinkable in many instances. What it cannot do, however, is change ***the simple fact that for close to thirty years, Ireland has built too few homes. This is particularly true for homes for smaller households, homes in urban areas and rental homes.*** *As some semblance of normality resumes, and the worst affected sectors start to hire again, the iron laws of supply and demand will continue to be relevant – just as they have over the last 12 months and throughout the last few decades of the Irish housing system'.* [Our Emphasis]

Although the Covid-19 pandemic previously resulted in a slight decrease in the average monthly rent in Dublin, it appears that as the restrictions begin to ease and people are returning to work, the rental market is beginning to strengthen once more, with demand starting to cause an increase in the average rent.

[5] https://ww1.daft.ie/report/2021-Q1-rental-daftreport.pdf?d_rd=1

The Daft.ie Rental Price Report entitled '*An analysis of recent trends in the Irish rental market 2021 Q3'* documents an increase in rents for housing options over 12 months from Q3 2020 to Q2 2021 in the Dublin 3 area. The average monthly rental cost for a one bedroom unit in Dublin 3 is €1,579, which represents an increase of 0.4% from Q3 2020 to Q3 2021, and to rent a two bedroom unit is €1,894, which represents an increase of 1.1% from Q3 2020 to Q3 2021. There remains sufficient demand to require to the development of Build-to-Rent schemes, such as the proposed development, to continue to address the ongoing housing affordability crisis.

4.7 Responding to Policy set out in the *Dublin City Development Plan 2016-2022* Relating to Demographic Changes

We note that Section 12.3 of the *Dublin City Development Plan 2016-2022* acknowledges that:

> '*one of the challenges facing the city is to successfully accommodate people at different stages in their life cycle, having regard to emerging demographic trends. For example, household size is decreasing and the number of older people is increasing. This indicates that there will be an increasing need for different types of residential accommodation, as an integrated part of a neighbourhood, rather than in spatially segregated areas*.'

The *Dublin City Development Plan 2016-2022* recognises that a wider mix of housing and apartment types are required within its functional stating:

> *'An urban design and quality-led approach to creating urban densities will be promoted, where the focus will be on creating sustainable urban villages and neighbourhoods. A varied typology of residential units will be promoted within neighbourhoods in order to encourage a diverse choice of housing options in terms of tenure, unit size, building design and to ensure demographic balance in residential communities*.'

As result of the acute housing shortage prevailing and the recognised significant demand that exists in the Dublin City area for apartment units, the subject lands have been identified as an eminently suitable location for 'Build-to-Rent' Accommodation, which can provide purpose-built residential development including 1 and 2 No. bedroom units to meet the housing needs of a greater number of persons.

4.6 Commercial Unit

In addition to the 183 No. Build-to-Rent residential units, the subject scheme also includes the provision of 1 No. cafe/retail unit at ground floor level.

The inclusion of the café/retail unit will not only satisfy the stated Z10 zoning objective, which is *'to consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas',* but will also reinvigorate the active street frontage along the Richmond Road with the added benefit of passive surveillance along the street. This will represent a significant planning and community gain for the surrounding environment of the subject site.

It was noted during the Pre-Planning Consultation that commercial units have struggled historically along Richmond Road. In addition, there are a significant number of amenities in the

nearby Drumcondra District Centre as set out in Section 3, which will also serve the subject scheme. As such, the café/retail unit could potentially be adapted to provide an internal resident amenity use or residential accommodation if it transpires that the unit is not commercially viable.

Any such adaption of the unit would be subject to a future planning application. Furthermore, we note that in 2018 under DCC Reg. Ref. 2556/18, planning permission was granted for the change of use of the 2 No. permitted commercial units to provide a residential unit at the adjacent Deakin Court residential development, demonstrating the potential lack of viability for commercial units in this location. In addition, the Applicant now has control of the neighbouring Leyden's site which will provide greater opportunity to provide commercial development as it has large frontage along Richmond Road.

4.7 Conclusion

The proposed Build-to-Rent scheme will provide an accommodation typology for persons seeking to rent close to services, employment opportunities and public transport routes. In addition, the provision of amenities and facilities for social interaction and integration within the site will ensure a high-quality standard of living for the residents of the scheme. The provision of a Build-to-Rent scheme at the subject site will therefore significantly contribute to addressing the acute shortage of residential accommodation within Dublin which has had associated impacts on rental costs and housing affordability.

5.0 PLANNING HISTORY

This section will detail relevant planning history at the subject site and within the vicinity of the subject lands, in addition to any relevant precedents which have informed the design and approach to this proposed development.

5.1 Planning History of the Subject Site

The below table summarises the planning history of the subject site:

DCC Reg. Ref.	Development Overview	Decision	Decision Date
DCC Reg. Ref. 0312/98	New site access, demolition of houses Nos. 146 and 148, construction of 2 No. new houses and replacement of existing builders' providers warehouse with new building.	Grant	18th May 1998
DCC Reg. Ref. 1859/99 [ABP Reg. Ref. PL20N.118004]	4 No. warehouse units.	Grant	21st December 1999
DCC Reg. Ref. 3390/00	Revisions to previously approved 2 No. houses.	Grant	7th March 2001
DCC Reg. Ref. 0946/02	Change of use of Unit 2 from warehouse to retail warehouse at No. 146 Richmond Road.	Refuse	29th May 2002
DCC Reg. Ref. 3060/00	Construction of a covered loading bay to side of existing Cash & Carry warehouse.	Grant	14th March 2001
DCC Reg. Ref. 1800/04	Permission to erect a 20m monopole with associated equipment and fencing for a new 3G broadband network. Condition 5 required the monopole and equipment be removed not later than 26th September 2008.	Grant	4th October 2004
DCC Reg. Ref. 3591/10	Retention permission for a 20m monopole with associated equipment and fencing which forms part of the 3G broadband network and was previously granted under planning reference 1800/04. Condition 2 required the monopole and equipment be removed not later than 14th January 2016.	Grant	11th January 2011

DCC Reg. Ref. 2213/16	Retention permission to retain an existing 20m monopole (previously granted permission under reference 3591/10) carrying antennas and link dishes together with associated equipment units and security fencing. The monopole and equipment be removed not later than June 2021.[6]	Grant	5th April 2016

Other than the above summarised applications, according to the Dublin City Council Online Planning Database, there has been no additional recent planning applications of relevance at the subject site.

5.2 Planning History in the Vicinity of the Subject Site

This section will outline the planning history of relevance in the vicinity of the subject site.

5.2.1 DCC Reg. Ref. 2945/15 – Mixed-use Development of 2 No. Commercial Units and 39 No. Apartments (Deakin Court)

DCC Reg. Ref.:	**2945/15**
Location:	No. 144 Richmond Road, Drumcondra, Dublin 3
Application Date:	5th June 2015
Dev. Description:	Planning permission is sought by NABCO (National Association of Building Co-Operatives Society Ltd.) for development of No. 144 Richmond Road, Drumcondra, Dublin 3, (the former Panelling Centre Site). The development will consist of a 4 No. storey mixed-use development (39 No. apartments and 2 No. commercial units) over basement car parking, i.e. 9 No. one bed apartments (61.34 sq m each), 24 No. two bed apartments (81.55 sq m - 85.24 sq m), 6 No. three bed apartments (106.39 sq m each), 1 No. Commercial Unit (29.94 sq m), 1 No. Commercial Unit (74.87 sq m), a single storey ESB substation and switchroom (20 sq m), bin stores, new pedestrian/vehicular access road from Richmond Road at the north west end of the site and access ramp to the basement car park including 32 No. car parking spaces (including. 3 No. disabled accessible spaces), 3 No. motor bike spaces, 40 No. bicycle spaces, bulk storage areas and cleaners store, new hard and soft landscaping to the front (Richmond Road) and rear (River Tolka) of the proposed development enclosed by 1.8m high double/single metal gates and railings on plinth walls, and all associated site development works.
DCC Decision Date:	19th November 2015
DCC Decision:	Grant Permission
Final Grant Date:	11th January 2016

[6] The current proposed development includes changes to the telecommunications infrastructure on site as detailed in the enclosed Telecommunications Report prepared by Independent Site Management.

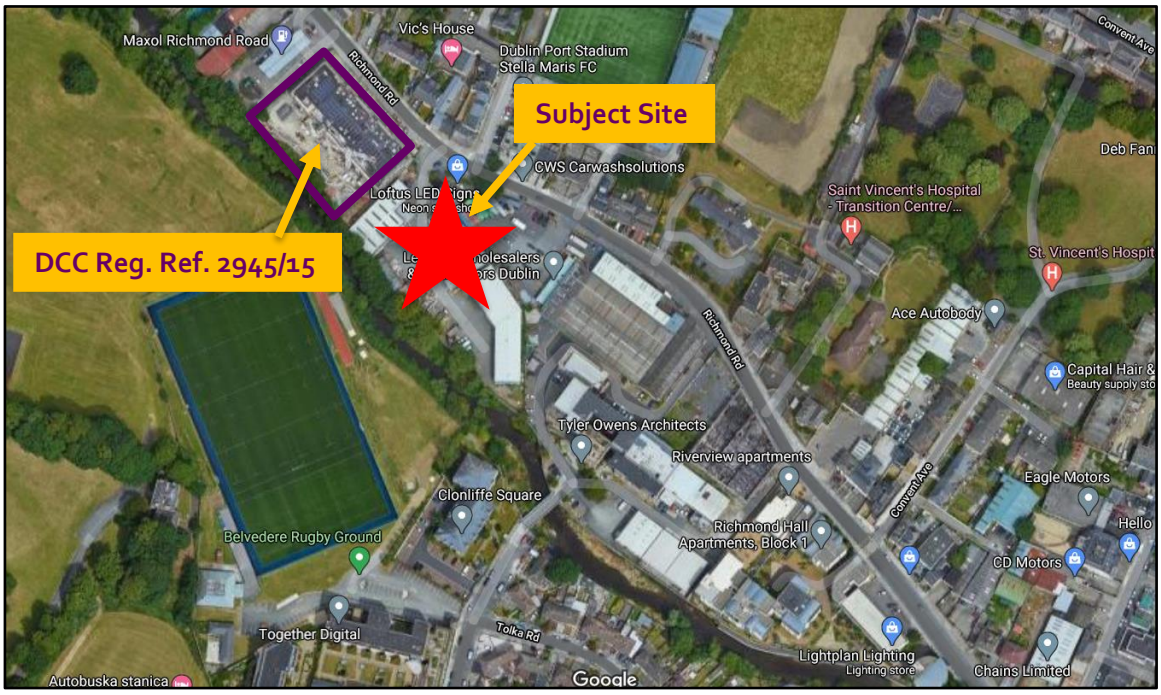

Figure 5.1: Location of Reg. Ref. 2945/15 to the North-West of the Subject Site

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

Under DCC Reg. Ref. 2945/15, planning permission was sought for a 4 No. storey mixed use development comprising 39 No. apartments and 2 No. commercial units at the adjacent site to the north-west (see Figure 5.1 above).

In assessing the design and urban context of the proposed development, the Dublin City Council Planning Officer noted that:

> *'The proposed development would represent a significant infill development on a long standing vacant site. The scale of the proposal would accord with the requirements of the development plan. It would be situated along a section of the street which lacks a coherent street frontage. The site would have a frontage of c.68m and would, by virtue of its scale and length, provide definition to the streetscape. The set back would allow for the provision of a defensible space thereby facilitating the provision of residential, family sized units at ground level and reflecting the elements of residential character on the street. The development would also cater for a more commercial element with the provision of two units, the frontage treatment of the site would be adjusted with the removal of the railed defensible space to provide a hard surface plaza. This would help to enhance the visual presence of these units on the street. The elevational treatment proposed would provide varied panels of brick, a glazed curtain wall system and rendered finishes. This would serve to break up the massing and give some variety to the streetscape.*
>
> *The South Western elevation would provide substantial inset balconies which would avail of the orientation and views over the open space and river. This would render a good quality of amenity to the residents'.*

In relation to the Tolka River, the Planning Officer noted the following in their assessment:

> *'**An 8m strip would be provided along the Tolka River in accordance with the recommendation of the Richmond Road Area Action Plan, and in order to facilitate the provision of a cycle and walking route on the river bank**. It is also a policy of the plan, GC9 **to develop linear parks particularly along waterways, and it is a policy in any private development to secure public access along the waterway.** This would provide a public open space provision of 25.7% of the site area. Access would be achieved via a pedestrian gate on the north western boundary. The public space would be separated from the semi private open space by a 1.8m high fence, which would ensure adequate privacy and security for the residents while maintaining a visual connection with the river bank'.* [Our Emphasis]

The Roads Department also noted the following in relation to the *Action Area Plan for Richmond Road:*

> *'**Richmond Road is on the list of roads to be improved within the lifetime of the current development plan. A road widening proposal for Richmond Road was included for in the draft Action Area Plan for Richmond Road.** The widening of the road and provision of improved footpaths will include resurfacing works and overall environmental improvements. The submission document notes that the proposed access to the site has taken into account the proposed realignment works that are to be undertaken to Richmond Road and the location of the proposed realignment works have been shown on all planning drawings. An 8 metre set back is proposed along the Tolka to allow for a future pathway/cycleway'.* [Our Emphasis]

In designing the subject scheme of the subject planning application, an 8 metre setback has also been provided from the Tolka River to the south of the subject site to allow for a riparian buffer and walking/cycle route along the river. In addition, a 2 metre strip has been provided along the Richmond Road frontage to allow for the future planned realignment of Richmond Road.

On 19th November 2015, Dublin City Council decided to Grant Permission for the proposed development, subject to 22 No. conditions.

Key Point: We note that in 2018 under DCC Reg. Ref. 2556/18, planning permission was granted for the change of use of the 2 No. permitted commercial units to provide a residential unit, demonstrating the potential lack of viability for commercial units in this location. Please see details below.

5.2.2 DCC Reg. Ref. 2556/18 – Change of Use of 2 No. Commercial Units to a Residential Unit (Deakin Court)

DCC Reg. Ref.:	**2556/18**
Location:	No. 144 Richmond Road, Drumcondra, Dublin 3
Application Date:	5th June 2015
Dev. Description:	Chagne of use from 2 No. ground floor commercial units (2.94 sq m and 74.87 sq m each), as approved under Reg. Ref. 2945/15 to 1 No. 3 bed apartment (115.32 sq m) and all associated site development works.
DCC Decision Date:	7th September 2018
DCC Decision:	Grant Permission
Final Grant Date:	11th October 2018

Key Point:

Dublin City Council stated the following in their assessment:

> *'**In terms of the omission of the approved commercial units the Planning Authority has no strong opposition to this taking place. The viability of such units at this location on Richmond Road would be questioned given the presence of the service station adjacent with an existing small convenience retail element**. In light of housing demand the addition of a further large family size apartment would be welcome. The elevational changes proposed would not affect the form and character of the overall building and generally the principle of amending the ground floor layout is reasonable.*
>
> *With regard to the Z10 zoning objective of the site, and while the Planning Authority has no strong opposition to such a change, the applicant should be requested to demonstrate how the change of use complies with the zoning objective for the site in an inner suburban location where a mix of uses is preferred.*

Dublin City Council requested the following information as part of a Request for Further Information:

> *'The site is located in an area with a Z10 zoning objective, the purpose of which is to consolidate and facilitate the development of inner city and inner suburban sites for mixed uses with residential the predominant use in suburban locations and office/retail/residential the predominant uses in inner city areas. In this context, where the site is located on the outside edge of inner city and the inside edge of inner suburban, and with the change of use of a commercial unit to residential, the applicant is requested to demonstrate how the intended change of use complies with this zoning objective.'*

The Applicant set out in response that their main focus was to provide much needed social housing on the site.

Dublin City Council in assessing this response noted:

> *'In response to Request Item 3 the applicant provides a letter from Co-operative Housing Ireland which states the belief that the change of use to residential is better suited to the provision of housing for a family requiring universal access and the size of the proposed unit lends itself to this use. It is further stated that the housing body does not have the resources, time or skills to effectively run commercial units and **there is a risk that the units, even if provided, will sit vacant**.*
>
> *With regard to compliance with the Z10 zoning objectives the letter cites the presence of both residential and open space as demonstrating mixed use. The letter also states the belief that the site is inner suburban and not inner city and that the primary use as residential is appropriate.*
>
> *...While the applicant has made a poor attempt to justify the change of use from commercial to residential – open space is in no way considered to contribute to a mixed use development, commercial units can be easily operated and managed by well qualified individuals or companies – **the fact remains that the site is perhaps not best suited to having commercial activity at ground floor given location and this is a factor present for most such development in the Richmond Road area**. In making their argument the*

*applicant has hit on a central concern in general which is that **any required commercial units may lie idle for a considerable period of time and this has been borne out by examples in the immediate area such as on Richmond Avenue and on Richmond Road itself**. In this context changing the use to residential, a use which will likely be immediately taken up, given the nature of the development, would be appropriate and consistent with overall Development Plan policy.*

Therefore, it would appear that the viability for commercial units in this location is questionable as acknowledged by Dublin City Council under DCC Reg. Ref. 2556/18. These concerns were echoed by the Dublin City Council Planner at the Pre-Planning meeting for the subject scheme of this planning application. During the meeting, the Planner acknowledged that Richmond Road is a difficult area for viable retail/commercial uses. As noted previously, a café/retail unit is provided, and if the unit is deemed unviable in the future, the unit could potentially be adapted to provide an internal resident amenity use or residential accommodation (subject to a planning application).

5.2.3 DCC Reg. Ref. 4323/17 / ABP Ref. PL29N.301859 – 18 No. Unit Residential Development

DCC Reg. Ref.:	**4323/17**
Location:	Nos. 118 and 120 Richmond Road, Drumcondra, Dublin 3
Application Date:	21st November 2017
Dev. Description:	The development will consist of (i) the demolition of: two storey over-basement dwelling at No. 120 Richmond Road; and two storey dwelling at No. 118 Richmond Road; (ii) Construction of 18 No. apartments in 2 No. four storey blocks over ground floor / under croft level car-parking (five storey in total), comprising: (Block A) fronting onto Richmond Road, consisting of 11 No. apartment units (3 No. one bed; 6 No. two bed; 2 No. one bed penthouse units); and (Block B) to the rear of the site comprising of 7 No. apartment units (6 No. two bed units; 1 No. three bed penthouse unit); (iii) Other works as part of the development include: all apartments with private terraces / balconies; communal landscaped open space area at the centre of the site at first floor level; under croft car and bicycle parking at ground level accessible from Richmond Road; new and upgrade to existing boundary walls and vehicular entrance along Richmond Road to include pedestrian entrance. The development will also include: boundary treatments; landscaping; SuDS drainage; and all associated site works necessary to facilitate the development.
DCC Decision Date:	23rd May 2018
DCC Decision:	Refuse Permission
ABP Ref:	PL29N.301859
ABP Decision:	Refuse Permission

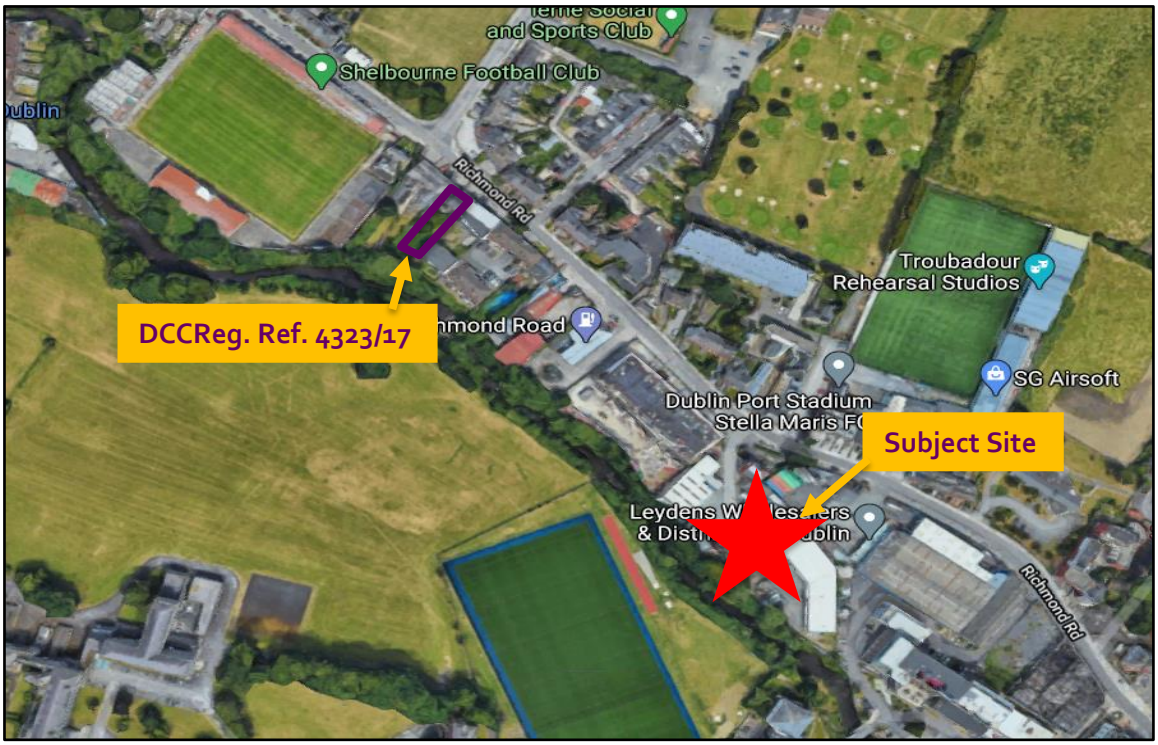

Figure 5.2: Location of the Subject Site Adjacent to Reg. Ref. 4323/17

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

Under DCC Reg. Ref. 4323/17, a planning application was lodged on 21st November 2017 for the demolition of: a 2 No. storey over-basement dwelling at No. 120 Richmond Road and a 2 No. storey dwelling at No. 118 Richmond Road and the construction of 18 No. apartments in 2 No. four storey blocks over ground floor / under croft level car-parking (five storey in total).

Dublin City Council Decided to Refuse Permission for the development for the following reason:

> *'The proposed development would require the demolition of two domestic dwellings, No's 118 & 120 Richmond Road. No. 118 forms part of a coherent terrace of dwellings to the west while No. 120 has considerable merit as a Victorian townhouse in its form, scale and materials and both dwellings contribute to the streetscape of this portion of Richmond Road.* ***The loss of these dwellings and their replacement by an apartment building of five storeys would have a detrimental impact on the visual character and form of the streetscape while the new block would constitute incoherent and piecemeal development which would continue an undesirable trend of individual sites being unilaterally redeveloped with no reference to context or an overall vision where there is considerable potential for backland development and delivery in an integrated manner.*** *The loss of these dwellings would have a detrimental impact on the visual character and amenities of the area and would cause serious injury to the residential amenities of the remaining houses in the terrace. The proposed unilateral development of this site and loss of existing buildings would be contrary to the policies and objectives of the current Dublin City Development Plan, in particular Section 16.10.17, and the proper planning and sustainable development of the area'*. [Our Emphasis]

The Decision was appealed to An Bord Pleanála by the Applicant however the Board agreed with the assessment of the Planning Authority and refused permission for the following reason:

'The proposed development would require the demolition of two domestic dwellings, numbers 118 and 120 Richmond Road, which contribute to the streetscape at this location. Number 118 forms part of a coherent terrace of dwellings to the west, while number 120 has considerable merit as a Victorian townhouse in its form, scale and materials. ***The loss of these dwellings and their replacement by an apartment building of five storeys in height, would constitute incoherent and piecemeal development, would have a detrimental impact on the visual character and form of the streetscape and would seriously injure the visual and residential amenities of property in the vicinity.*** *In addition, it is considered that the proposed development would be contrary to the provisions of the Dublin City Development Plan 2016-2022, specifically paragraph 16.10.17 (retention and re-use of older buildings of significance which are not protected) and Policy QH23 (to* ***discourage the demolition of habitable housing unless streetscape, environmental and amenity considerations are satisfied****). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area'.* [Our Emphasis]

The only non-warehouse building on the subject site of this planning application is a red-brick building (see Figure 5.3 below), which is not of any architectural merit which would preclude its demolition.

Figure 5.3: Streetview Image of the Red Brick Residential Building at the Subject Site

(Source: Google Maps, 2021)

In our professional planning opinion, the subject scheme of this planning application respects the surrounding context of the subject site, in particular the existing residential dwellings on the opposite side of Richmond Road and to the north-west of the subject site. The subject scheme has been designed to step down in height towards the northern boundary, addressing Richmond Road, with the higher portions of the scheme located towards the centre of the site and fronting the Tolka River which has the greatest capacity to absorb increased height.

5.2.4 DCC Reg. Ref. 2935/20 – 7 No. Storey Hotel at Holy Cross College Lands

DCC Reg Ref.:	**2935/20**
Location:	Lands off Clonliffe Road (formerly part of the Holy Cross College Lands), Clonliffe Road, Drumcondra, Dublin 3
Application Date:	29th June 2020
Dev. Description:	The development will consist of: the construction of a 8.55m - 24.05m (above ground level) part -2 to part -7 storey 8,485 sq m hotel building comprising: (i) a lobby, bar/restaurant, kitchen and staff facilities at ground floor level; (ii) ancillary meeting room facilities including a breakout area and office, at first floor level and a gym; (iii) 200 No. bedrooms arranged over floors 1-6; and (iv) plant room, lift overrun, green roof and 19 No. photovoltaic panels enclosed by 3m screen at roof level. The hotel is served by 38 No. car parking spaces (including 2 No. universally accessible spaces), 2 No. motorcycle spaces and 28 No. bicycle spaces accessed via a new vehicular and pedestrian entrance from within the Clonliffe College lands to the northern boundary of the site which includes a turning circle for coaches. The development also includes the demolition of the existing boundary wall, repositioning of the gate piers and widening of the entrance on Clonliffe Road to facilitate two-way traffic, the creation of 2 No. pedestrian accesses off Clonliffe Road, and the construction of a replacement plinth boundary wall with railings along Clonliffe Road, landscaping, boundary treatments, street lighting, SuDS drainage, piped and other services, and all ancillary site development works necessary to facilitate the development (including the alteration of site levels and the upgrade of the proposed entrance from Clonliffe Road to include a pedestrian crossing and traffic lights). The development to be applied for is within the Holy Cross College landholding which includes a number of buildings on the Dublin City Council record of protected structures, including the following: the main College Building (1863): Holy Cross Church; the South Link Building; the Ambulatory; the Assembly Hall and the Red House, ref. 1901 and 1902 respectively, all at the Clonliffe College lands, Clonliffe Road, Drumcondra, Dublin 3.
DCC Decision Date:	21st August 2020
DCC Decision:	Grant Permission subject to 24 No. conditions
ABP Ref.:	ABP-308193-20
ABP Decision Date:	8th April 2021
ABP Decision:	Grant Permission subject to 23 No. conditions.

Figure 5.4: Location of the Subject Site in relation to DCC Reg. Ref. 2935/20

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

Under DCC Reg. Ref. 2935/20 permission was sought for a hotel development on a site approximately 350 metres to the south west of the subject site. The proposed hotel primarily consisted of 200 No. bedrooms in a part 2 No. to part 7 No. storey block.

The Dublin City Council Planning Officer's Report concluded their assessment of the proposed development as follows:

> *'Having reviewed the subject application, it is considered that the scale of the development is acceptable and would not seriously injure amenities the neighbouring properties which surround the application site. The proposed development would provide of high-quality modern hotel accommodation as well as an active ground floor uses, which is in compliance with the policies and objectives set out in Dublin City Development Plan 2016- 2022. Accordingly, it is considered that there are no other material considerations to outweigh a recommendation for grant of approval'.*

On 21st August 2020, Dublin City Council decided to Grant Permission for the proposed development, subject to 24 No. conditions.

The decision of the Planning Authority was subject to a Third Party Appeal to An Bord Pleanála.

The Inspector's Report concluded that:

'Having regard to the Z12 Zoning Objective for the area under which hotel is a permitted use and the provisions of the Dublin City Development Plan together with the pattern, character and appearance of development in the area and the proximity to significant public transport facilities it is considered that, subject to compliance with conditions set out below, the proposed development would constitute an appropriate development in this location and would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of urban design and surrounding residential amenity. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.'

On 8th April 2021, An Bord Pleanála decided to Grant Permission for the proposed hotel development, subject to 23 No. conditions.

5.2.5 ABP Ref. ABP-310860-21 – Strategic Housing Development for 1,000+ No. Build-To-Rent Apartments at Holy Cross College (www.holycrosscollegeshd.ie)

ABP Reg. Ref.:	**ABP-310860-21**
Location:	Holy Cross College, Clonliffe Road, Dublin 3 and Drumcondra Road Lower, Drumcondra, Dublin 9
Application Date:	16th July 2021
Dev. Description:	1,614 No. Build to Rent apartments, and associated site works comprising: The development will primarily consist of the demolition of a number of existing office/former college buildings on site, (c. 6,130 sq m) and the construction of a residential development with a gross floor area of c. 119,459 sq m (excluding basement parking areas) set out in 12 No. residential blocks, ranging in height from 2 No. to 18 No. storeys to accommodate 1,614 No. Build to Rent apartments with associated residential tenant amenity, 1 No. retail unit, 1 No. café, and a crèche.
ABP Decision Date:	4th November 2021
ABP Decision:	Grant Permission subject to 36 No. conditions

Figure 5.5: Location of the Subject Site in relation to ABP Ref. ABP-310860-21 (Indicative Only)

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

Under ABP-310860-21, permission was sought for a Build-to-Rent Strategic Housing Development set out in 12 No. residential blocks ranging in height from 2 to 18 No. storeys at Holy Cross College, Clonliffe Road.

The An Bord Pleanála Inspector concluded that:

> *'…the proposed development would constitute an acceptable residential density at this inner suburban location and would respect the character of the area and the architectural heritage of the site, would not seriously injure residential or visual amenities if the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety.'*

Figure 5.6: View of the Proposed Development from Richmond Road, Dublin 3

(Source: ABP Reg. Ref. ABP-310860-21, www.holycrosscollegeshd.ie)

Figure 5.7: CGI of the Proposed Development at the Holy Cross College Site

(Source: ABP Reg. Ref. ABP-310860-21, www.holycrosscollegeshd.ie)

Figure 5.8: CGI of the Proposed Development at the Holy Cross College Site

(Source: ABP Ref. ABP-310860-21, www.holycrosscollegeshd.ie)

Figure 5.9: CGI of the Proposed Development at the Holy Cross College Site

(Source: ABP Reg. Ref. ABP-310860-21, www.holycrosscollegeshd.ie)

Regarding a potential material contravention of the *Development Plan* in terms of overall height, the Inspector stated:

> *'The proposed development is considered to be of strategic or national importance by reason of its potential to contribute to the achievement of the Governments policy to increase delivery of housing set out in the Rebuilding Ireland Action Plan for Housing and Homelessness 2016, and to facilitate the achievement of greater density and height in residential development in an urban centre close to public transport and centres of employment.'*

The Bord concluded that the development would, therefore be in accordance with the proper planning and sustainable development of the area, subject to compliance with the 36 No. conditions set out with their decision.

Permission was granted by An Bord Pleanála for the development under ABP-310860-21 on the 4th November 2021, subject to 36 No. conditions. Having regard to large increase in height recently considered acceptable by An Bord Pleanála on this neighbouring site, it is our professional planning opinion that the proposed part 6 to part 10 No. storey development can be accommodated at this core urban location with large frontage onto the River Tolka, which will assist in absorbing the development into the surrounding environment.

5.2.6 DCC Reg. Ref. 2957/02 – Neighbouring Site to the East/South-East

DCC Reg. Ref.:	**2957/02**
Location:	Unit 1.1,1.2,1.3,1.4,2,3,4a Richmond Rd., Unit 4A,4B,5B,5C Richmond Rd. Ind. Est., Richmond Road, Dublin 3
Application Date:	6th September 2002
Dev. Description:	Planning permission is sought for the change of use and material alteration including new structures to existing protected structures at Richmond Road Industrial Estate. Alterations and change of use comprise the following: Block A: Refurbishment of first, second and third floor of existing four storey office building including new window openings and new penthouse level to provide new office accommodation. Refurbishment also includes removal of existing roof and extension to the existing stair and lift tower with new external cladding and window openings. Block B Change of use to residential and refurbishment to provide 6 No. two bed apartment and 5 No. one bed apartments at first, second, third, fourth and fifth floor, including the refurbishment of the water tank to provide new penthouse level. New openings to be provided along with a new atrium space to provide new lift and stair access into Block B. Block C: Change of use to residential and refurbishment to provide two bed apartments at first, second, third floor and new office accommodation at ground floor. Refurbishment of the water tank to provide new roof garden with access from new staircase via new extension to existing stair. Refurbishment also includes new window openings. Block D: Change of use to and refurbishment to provide new office accommodation within new ground, first and second floors, removal of existing roof and provision of new penthouse level office accommodation. New

	atrium to be provided, housing new lift and stair access, along with new emergency stair. New window openings to be provided. Block E: Change of use to and refurbishment to provide 12 No. two bed apartments and 4 No. one bed apartments within new ground, first, two second, third, fourth and new penthouse level, provision of new stair and lift tower and new door access and window openings. Provision of new ramped access to new atrium area and removal of existing roof to entrance porchway to provide for new lift access. Improvement to external works to provide 38 No. carparking spaces and refurbishment of existing access bridge and all associated external site works.
DCC Decision Date:	12th March 2003
DCC Decision:	Grant Permission subject to 12 No. conditions.

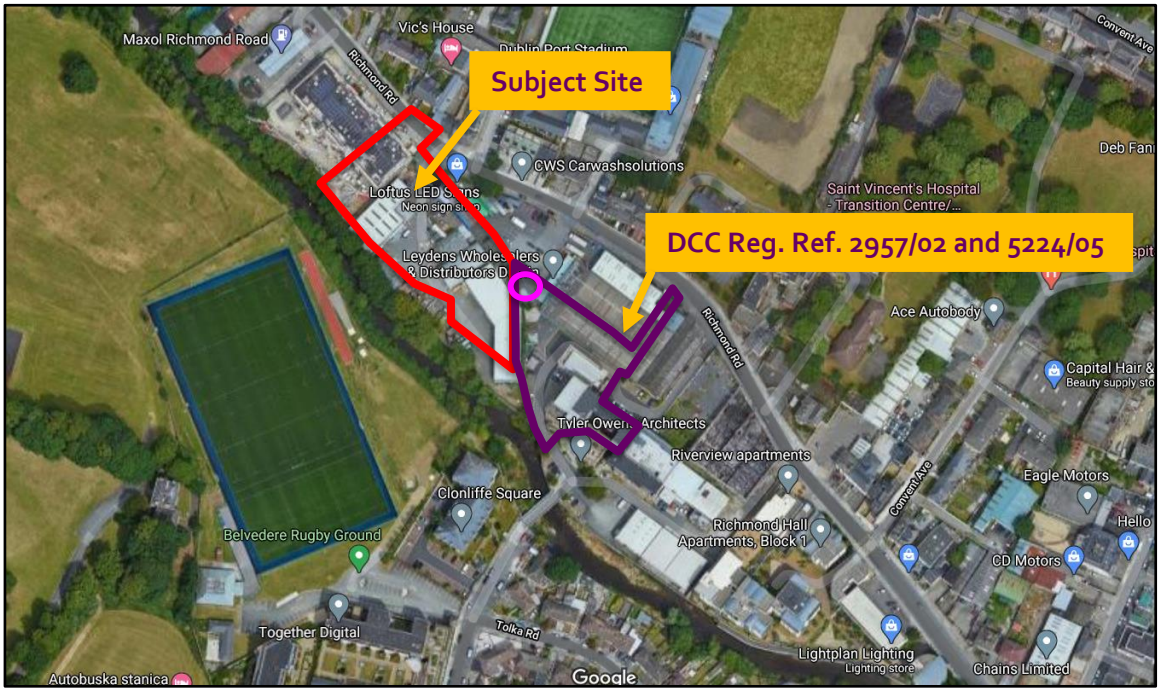

Figure 5.10: Location of the Subject Site Adjacent to Reg. Ref. 2957/02

(Source: Google Maps and Dublin City Council Online Planning Database, annotated by Thornton O'Connor Town Planning, 2021)

Permission was originally granted for a part 4 No. to 5 No. storey residential and commercial development under DCC Reg. Ref. 2957/02 at the site to the south-east of the subject lands.

Under DCC Reg. Ref. 5224/05, permission was granted for amendments to the scheme including the change of use of commercial units to live/work units, redesign of some residential units and in addition, a new 7 No. storey building was granted permission at the site.

As annotated by the pink circle in Figure 5.10 above it appears from Google Maps that the permitted 7 No. storey structure was never constructed at the lands however this decision demonstrates the potential for increased height in the area.

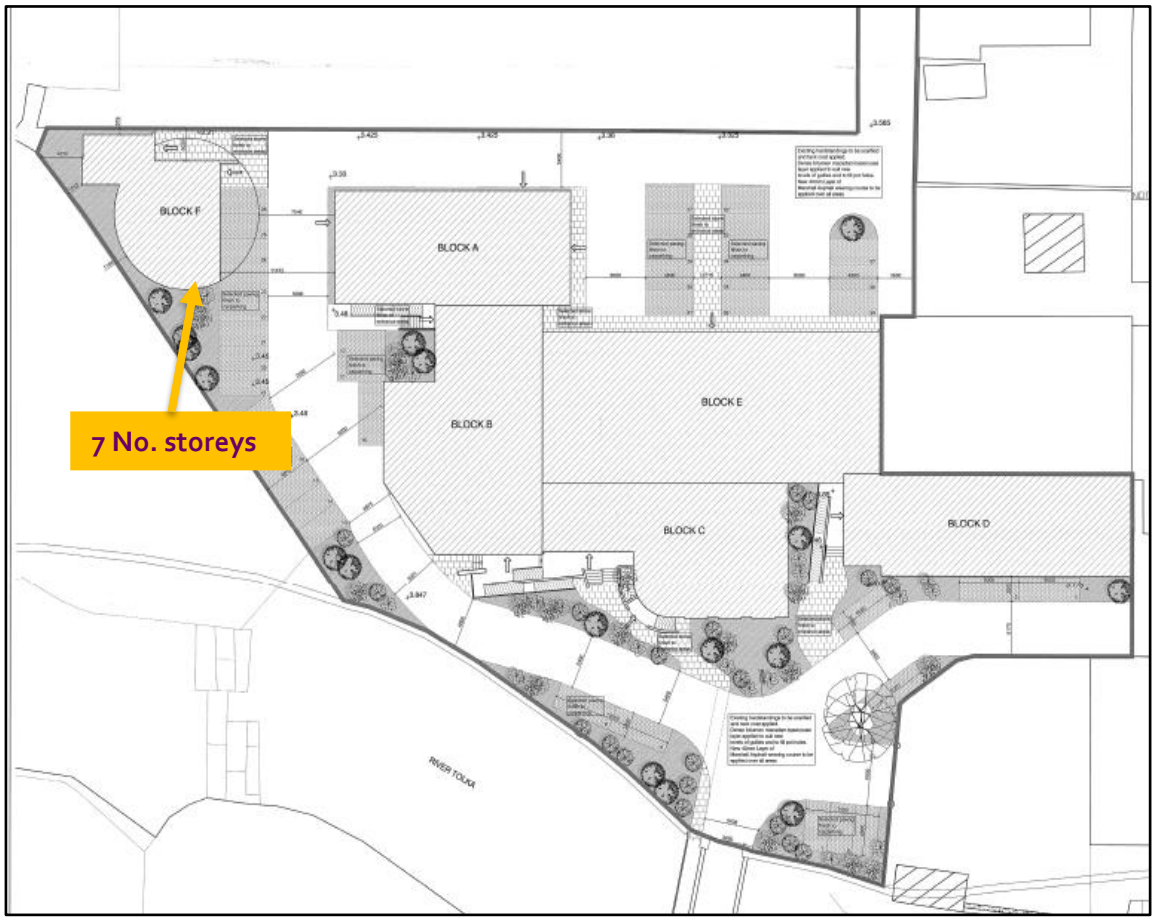

Figure 5.11: Site Layout Plan of DCC Reg. Ref. 5224/05

(Source: Dublin City Council Online Planning Database, annotated by Thornton O'Connor Town Planning, 2021)

The Planning Officer noted the following in relation to the 7 No. storey building:

> *'The proposed new building would also I consider be an addition to the site and because of it's cylindrical shape and slim design it would not detract from the protected structures and would harmonise with the overall site.'*

In this regard, we note that this 7 No. storey structure was positioned directly adjacent to the subject site boundary however the potential for overlooking towards the subject site was negated due to the design of the elevations. Please see Figure 5.12 below for images of the neighbouring site with and without the permitted structure:

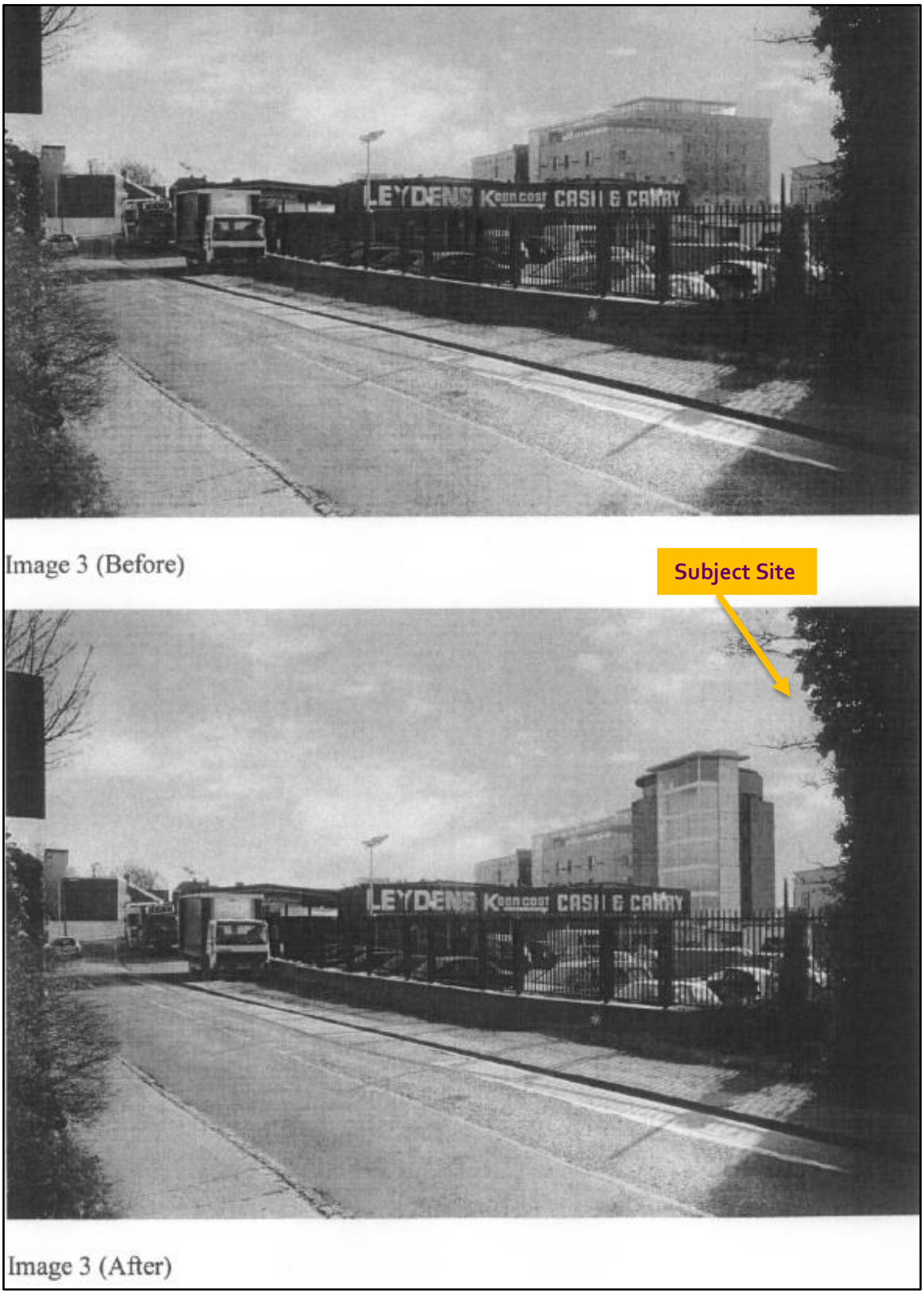

Figure 5.12: **Photomontage of the Permitted New 7 No. Storey Building Adjacent to the Site Boundary**

(Source: **Dublin City Council Online Planning Database, annotated by Thornton O'Connor Town Planning, 2021)**

Under DCC Reg. Ref. 3151/13, planning permission was granted to retain amendments made to the permitted DCC Reg. Reg. 2957/02 including the reconfiguration of the ground floor to incorporate storeroom, gym and pool and reconfiguration of the upper-level apartments. Under DCC Reg. Ref. 2607/14, planning permission was granted for the change of use of a ground floor office unit to a residential unit.

The Planning Officer in their report noted the following:

> *'In the context of the majority of the Corn House building being in residential use and given the office unit is self-contained with its own entrance, but also at a remove from any other office accommodation in the immediate area, permitting the change of use from office to residential, in this specific instance, would not contradict the zoning objective for the area. This application would not set a precedent for the change of use of any other unit in the development given the site-specific circumstances'.*

Key Point: Having regard to the comment of the Planning Officer extracted above and given the Z10 mixed-use zoning pertaining to the subject site, a café/retail unit has been provided within the subject scheme of this planning application.

Under DCC Reg. Ref. 4913/07, planning permission was granted for the redevelopment of a derelict building (Protected Structure) at the site shown in Figure 5.13 below, which involved the renovation of the building into a 30 No. bedroom short-term respite/convalescent day-care facility (7 No. storeys in total).

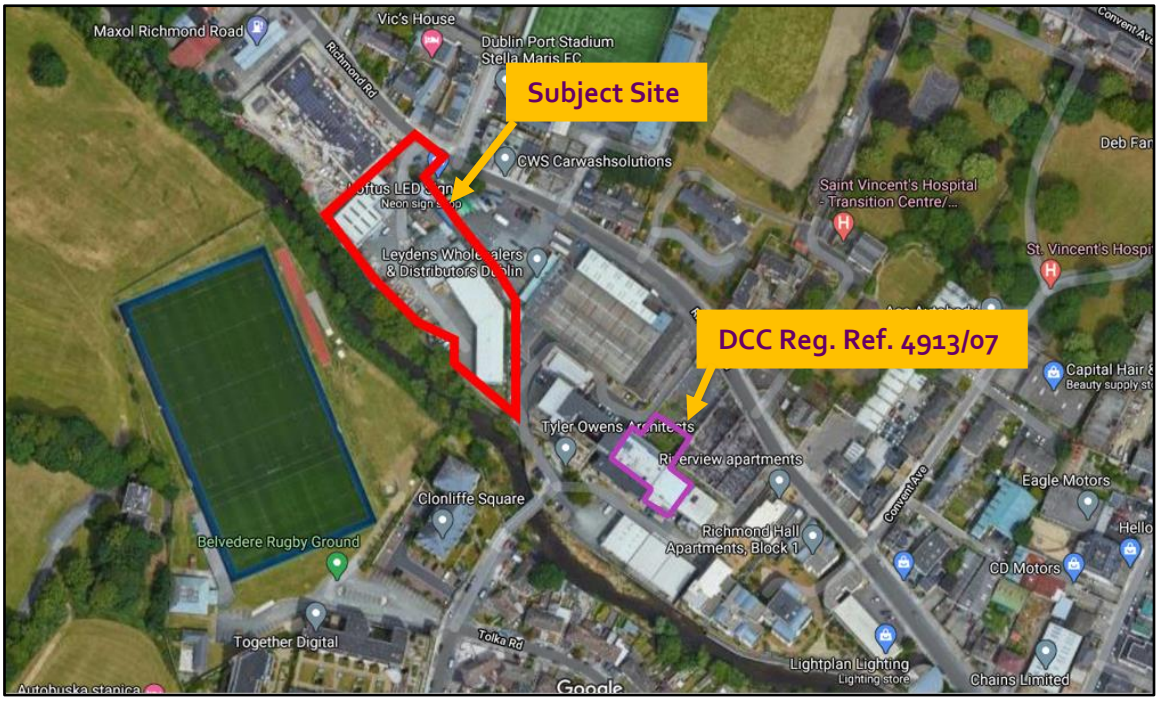

Figure 5.13: Location of the Subject Site Adjacent to DCC Reg. Ref. 4913/07

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

5.3 Summary of Planning History

In summary, it is our opinion from reviewing the surrounding planning history of the area, that increased eight can be absorbed into the receiving environment. As noted previously, the site's large frontage onto the River Tolka has allowed the Applicant to explore the potential for increased height at the subject lands.

The subject scheme of this planning application seeks to appropriately densify this key underutilised site in an intermediate urban location. The proposed development comprises 1 No. café/retail unit and 183 No. Build-to-Rent residential units, which will provide for a mix of uses, maintaining an active street frontage along Richmond Road, whilst also providing much needed residential units to contribute positively towards addressing the national housing crisis. We reiterate the challenges associated with provided commercial development along Richmond Road. However it is our opinion that the scheme has taken the opportunity to activate the streetscape as much as possible given the limited street frontage whilst providing a commercial unit that has some opportunity for viability, in accordance with the Z10 zoning objective.

6.0 PROPOSED DEVELOPMENT IN DETAIL

6.1 Overview of the Proposed Development

The proposed development will principally consist of: the demolition of all existing structures on site (c. 2,346 sq m) including warehouses and 2 No. dwellings; and the construction of a part 6 No. to part 10 No. storey over basement development (with roof level telecommunications infrastructure over), comprising 1 No. café/retail unit (157 sq m) at ground floor level and 183 No. Build-to-Rent apartments (104 No. one bedroom units and 79 No. two bedroom units). The proposed development has a gross floor area of c. 16,366 sq m over a basement of c. 2,729 sq m. The proposed development has a gross floor space of c. 15,689 sq m.

The development also includes the construction of a new c. 126 No. metre long section of flood wall to the River Tolka along the site's southern boundary. The new flood wall is positioned at the top of the existing river bank and will connect to existing constructed sections of flood wall upstream and downstream of the site. The top of the wall will be set at the required flood defence level resulting in typical wall heights of c. 1.2 to 2 metres above existing ground levels. The development will also include the repair and maintenance of the existing river wall on site adjacent to the River Tolka.

The development also provides ancillary residential amenities and facilities; 71 No. car parking spaces including 8 No. electric vehicle spaces, 4 No. mobility impaired spaces and 1 No. car share space; 5 No. motorcycle parking spaces; bicycle parking; electric scooter storage; a drop off space; the decommissioning of the existing telecommunications mast at ground level and provision of new telecommunications infrastructure at roof level including shrouds, antennas and microwave link dishes; balconies facing all directions; public and communal open space; a pedestrian/bicycle connection along the north-western boundary of the site from Richmond Road to the proposed pedestrian/bicycle route to the south-west of the site adjoining the River Tolka; roof gardens; hard and soft landscaping; boundary treatments; green roofs; ESB Substation; switchroom; comms rooms; generator; lift overruns; stores; plant; and all associated works above and below ground.

Figure 6.1: CGI of the Proposed Development

(Source: 3D Design Bureau, 2021)

The Design Statement by RKD Architects and Landscape Planning Report by Mitchell + Associates Landscape Architecture are enclosed as separate documents, which set out the high-quality design of the scheme which has comprehensively considered the surrounding context while appropriately densifying this underutilised accessible site.

6.2 Key Site Statistics

Key Site Statistics	
Site Area	Total Red Line Application Boundary: **c. 0.69 Ha (c. 6,829 sq m) broken down as follows:** • 'Developable' Site Area: **c. 0.61 Ha (c. 6,067 sq m)** • Road Works to Richmond Road **c. 0.08 Ha (c. 762 sq m)**
Existing / Demolition Gross Floor Area	c. 2,346 sq m
Proposed Gross Floor Area	16,366 sq m over a basement of c. 2,729 sq m
Proposed Gross Floor Space	15,689 sq m

No. of Units Proposed	183 No. Build-to-Rent units (104 No. 1 beds and 79 No. 2 beds)
Dual Aspect Units	92 No. units (50%)
Plot Ratio	2.7
Site Coverage	32%
Proposed Density	300 No. units per hectare
Proposed Height	<table><tr><td>Top of Roof</td><td>c. 33.5 metres</td></tr><tr><td>Top of Parapet</td><td>c. 34.6 metres</td></tr><tr><td>Top of Lift Overrun</td><td>c. 34.8 metres</td></tr><tr><td>Top of Equipment Cabinet</td><td>c. 35.9 metres</td></tr><tr><td>Top of Dishes</td><td>c. 36.5 metres</td></tr><tr><td>Top of Antenna Ballast Mount</td><td>c. 37.5 metres</td></tr></table>
Public Open Space	1,501 sq m (25%)
External Communal Open Space	2,074 sq m + 209 sq m in roof gardens
Internal Communal Amenity Space	545 sq m
Car Parking	71 No. spaces (ratio of 0.39 No. spaces per unit) (Includes 4 No. mobility impaired spaces, 8 No. electric vehicle parking spaces and 1 No. car share space)
Bicycle Parking	388 No. spaces
Cargo Bike Spaces	2 No. spaces
Electric Bicycle Storage	10 No. spaces
Motorcycle Parking	5 No. spaces
Drop off Space	1 No. space

6.3 Demolition

The proposed development includes the demolition of all existing structures on the subject site. The existing structures on the subject site include a number of warehouse structures and 2 No. dwellings, which are not Protected Structures and do not have any particular architectural merit.

6.4 Residential Units

The proposed 183 No. Build-to-Rent units have been provided as follows:

Apartment Schedule:			
Floor Level:	**1 No. Bedroom Apartment**	**2 No. Bedroom Apartment**	**Total**
Ground Floor	N/A	N/A	
First Floor	11	11	22
Second Floor	11	11	22
Third Floor	11	11	22
Fourth Floor	11	11	22
Fifth Floor	11	11	22
Sixth Floor	11	9	20
Seventh Floor	11	9	20
Eighth Floor	14	3	17
Ninth Floor	13	3	16
Total	**104 (57%)**	**79 (43%)**	**183 No.**

6.5 Café/Retail Unit

In addition to the 183 No. Build-to-Rent residential units, the subject scheme also includes the provision of 1 No. café/retail unit at ground floor level. The inclusion of the café/retail unit will not only satisfy the stated Z10 zoning objective, which is *'to consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas'*, but will also enliven the streetscape as much as possible along the site's limited street frontage.

It was noted during the Pre-Planning Consultation that historically commercial units have struggled along Richmond Road and any further commercial floorspace is unlikely to be viable. If it transpires in the future that the unit is not commercially viable, a future planning application could be lodged to change the use to residential amenity space or additional residential accommodation (as per the neighbouring Deakin Court development).

Figure 6.2 Image of the Café/Retail Unit

(Source: RKD Architects, 2021)

6.6 Internal Resident Amenity and Support Facilities

The development will provide 545 sq m of dedicated internal resident amenity space (2.98 sq m per unit). The communal amenity spaces will include the following:

- Gym, lounges, games room, kitchen space, co-working hub/office and meeting rooms.

The internal amenity spaces have been located at ground floor level to maximise opportunities for social interaction for the future occupants of the scheme. Theses spaces will also host regular events which will encourage integration amongst residents, which will assist in creating a community within the scheme. Most of the spaces open onto the area of communal open space to the south, which will provide an attractive outlook from the amenity spaces.

Figure 6.3: Illustrations of Internal Amenity Spaces to be Provided

(Source: RKD Architects Design Statement, 2021)

Figure 6.4: CGI of the Proposed Development

(Source: Mitchell + Associates, 2021)

The scheme will also provide residential facilities including management/concierge, post room, bicycle storage, refuse stores, plant and services.

It should be noted that the Build-to-Rent development will be supported by a management team that will ensure that common areas are maintained. A detailed Property Management Strategy Report has been prepared by Aramark and is enclosed with this planning application. A key element of successful Build-to-Rent offerings in particular is to provide useable and well managed tenant amenities that ultimately contribute to providing high-quality residential accommodation and a successful and integrated community setting. It is clear that a wide range of high-quality amenities and facilities are proposed of the subject scheme.

6.7 Building Height

The height of the subject scheme is modulated throughout the site and includes the following maximum heights:

Top of Roof	c. 33.5 metres
Top of Parapet	c. 34.6 metres
Top of Lift Overrun	c. 34.8 metres
Top of Equipment Cabinet	c. 35.9 metres
Top of Dishes	c. 36.5 metres
Top of Antenna Ballast Mount	c. 37.5 metres

The height of the subject scheme modulates throughout the site with a lower scale street edge created by the proposed part 6 No. storey element presenting a human scale element having regard to the receiving context of Richmond Road. The height rises to part 10 No. storey towards the middle of the site, where the capacity to absorb increased height is greatest with large frontage onto the River Tolka. The height is modulated throughout the site and a variety of materials are utilised, which provides varied and interesting facades.

We note that a Material Contravention Statement has been prepared by Thornton O'Connor Town Planning, which provides a comprehensive justification for increased height at this location, having regard to the high quality architectural composition of the scheme and the site's receiving context. The *National Planning Framework* ("*NPF*") and the *Urban Development and Building Height Guidelines for Planning Authorities, December 2018 ("Building Height Guidelines")*, both encourage the provision of increased height and increased density in appropriate core urban locations in order to create a more consolidated urban form and counteract urban sprawl.

6.8 Landscape Strategy

Public Open Space

The landscape strategy provides for the future Greenway along the River Tolka to the south-west of the site, and includes a public pedestrian and bicycle route. The scheme includes a public route along the north-west of the site from Richmond Road to the new Greenway and the scheme allows for future connections into the adjoining sites, in order for the future Greenway to link up with all neighbouring lands. This public open space strategy is a significant planning gain for the area, as it will enhance permeability and legibility in the area and connections to the wider Dublin area. The provision of this high-quality landscaped area along the riverbank represents a significant improvement to the existing public realm, which is also a significant planning gain for the surrounding area and community.

The provision of 1,501 sq m of public open space equates to 25% of the overall site area, which is significantly in excess of the minimum requirement for 10% public open space outlined in the *Development Plan*. The proposed development also includes a public plaza area of 77 sq m fronting Richmond Road, which is not included in the 25% public open space provision.

Figure 6.5: **Landscaping Masterplan**

(Source: **Mitchell + Associates, 2021)**

Figure 6.6: View of Public Route

(Source: RKD Architects, 2021)

Figure 6.7: CGI of the Scheme with Public Open Space and River Tolka in the Foreground

(Source: 3D Design Bureau, 2021)

Figure 6.8: Visualisation of the Public Route with Scheme's Communal Open Space to the Right

(Source: Mitchell + Associates, 2021)

Figure 6.9: Visualisation of the Public Route (Left) with Scheme's Communal Open Space to the Right (including Children's Play Space)

(Source: Mitchell + Associates, 2021)

Communal Open Space

In addition to the public open space provision, the development proposes to provide 2,074 sq m outdoor high-quality landscaped communal amenity space at surface level. In addition, 2 No. communal roof terraces will be provided, totalling 209 sq m, and thus the total communal open space provision is 2,283 sq m. The communal open space also includes a 89 sq m children's play space.

Figure 6.10: View of an Upper Level Roof Garden

(Source: RKD Architects, 2021)

6.9 Materials

The Architect's Design Statement prepared by RKD Architects, sets out a full description of the materials proposed for the subject scheme. The Design Statement notes:

> *'A sequence of varied façade materials creates a rich and 'unfolding architectural story'. The building form and massing are broken down into smaller entities with the choice of different brick materials.*
>
> *The façade of each part of the building has been considered in detail to deliver an overall visual variety but with façade modules designed with detail, colour and textural variety. The buildings form and façades are designed to create a playful and exciting interface with neighbouring buildings. The choice of materials complements the existing context. Brick clads the majority of levels with dark stone on the two upper setback floors to create emphasis and to 'cap' the building*
> *…The rich masonry finish to the façades represents the industrial character of the site and its surrounding area. The façade composition and materiality offer a visual coherence which directly arises from the residential layouts within (form follows function).'*

The front façade facing onto Richmond Road is described as follows:

'The Richmond Road street side of the building is the main entry point with a public realm and café/retail space. The materiality is expressed as lightest to the front and darkest to the back. As the building has a large mass, the façade is broken up into vertical components. These have a variety of different treatments and colours to help emphasise the verticality.

B-01
The light brick has a grid like 'urban' symmetry. It has dark metal features to accent the light brick.

B-02 The taller blocks have a medium tone brick with a slight red colour and brown metal features.

B-03 The setback in between the blocks has a dark brick with a copper-coloured stone panels and Corten features. This block marks the entry point in the building and public walkway to the River Tolka corridor.

... The choice of brick as a material responds to the immediate context, particular inspiration is taken from The Stables, located in the old Jones Road Dublin Whiskey Distillery built in the 1890's. The building has since been converted into offices and loft apartments. The character of the industrial red brick has been retained.'

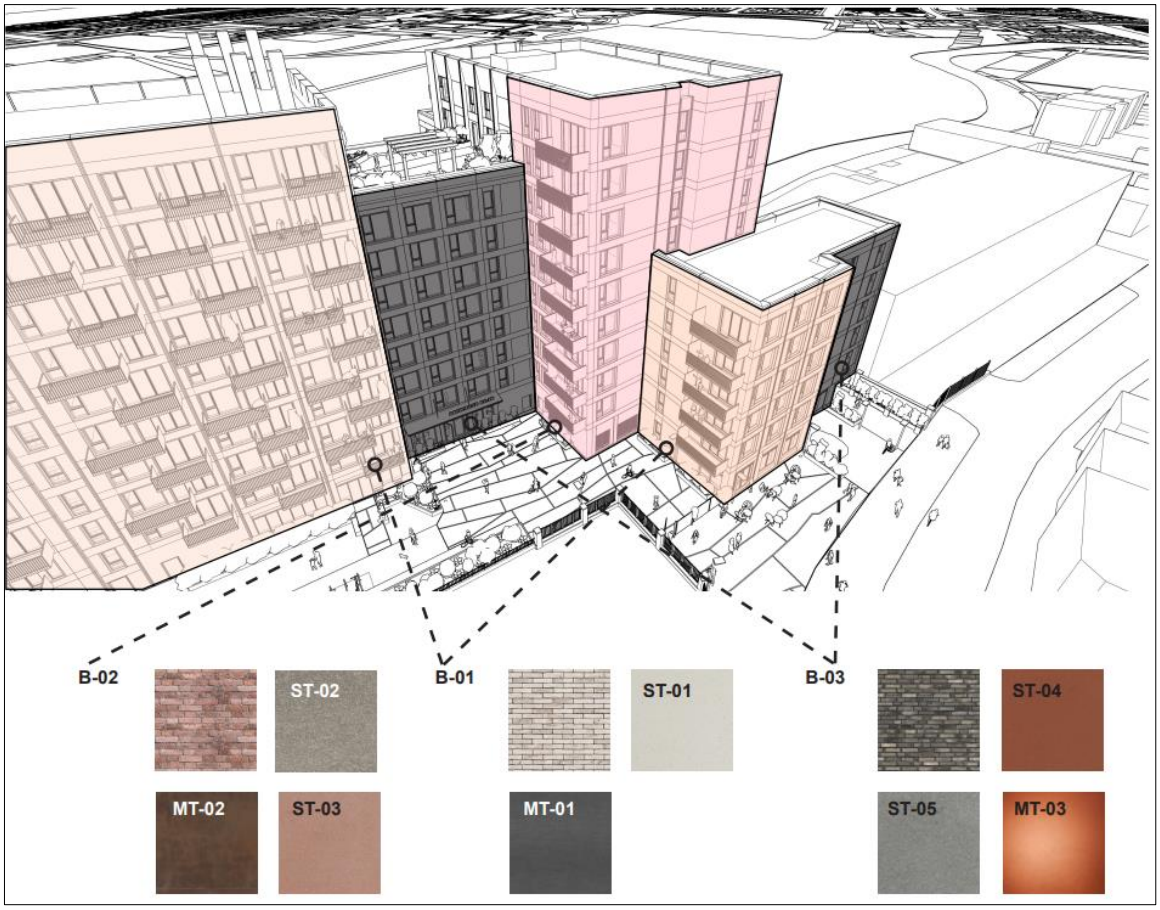

Figure 6.11: Materials Proposed For Front Facade

(Source: RKD Architects, 2021)

The river side of the building facing the River Tolka is described as follows:

'The river side of the building uses the same palette of materials and composes them in different ways. From this elevation, the 2 upper setback floors can be seen. These are treated in a dark brown stone façade, and act as a 'cap' to the building.

B-01
This façade also has the light brick treatment, with light stone panels and dark metal features.

B-03
The setback in between the blocks has a dark brick with a copper-coloured stone panels and Corten features.

B-04
The light brick has dark brown metal features. The light brick frames the end profile of the building towards the south and west aspect. These end profiles have dark brown stone panels.

ST-02
The setback floors are clad in a coloured stone with dark brown metal features.

... Brick is offered as the primary façade material whilst the introduction of stone spandrel panels and metal balconies creates a fine grain modulation within the overall composition. Three brick colours are introduced to the sequence of masses to create a richness and variety to the overall architectural composition.

The two upper floors that face the River Tolka have a brown stone treatment applied, to create emphasis on these floors and to 'cap' the proposal. These stone panels are splayed inwards to create depth and variety on the upper floors. The appearance of the panels will change throughout the day as the sun passes overhead to create unique moments in the façade.

The brick façades of this elevation are broken into three visually distinct colours in order to create richness & variety and to help break up the horizontality of the proposal.'

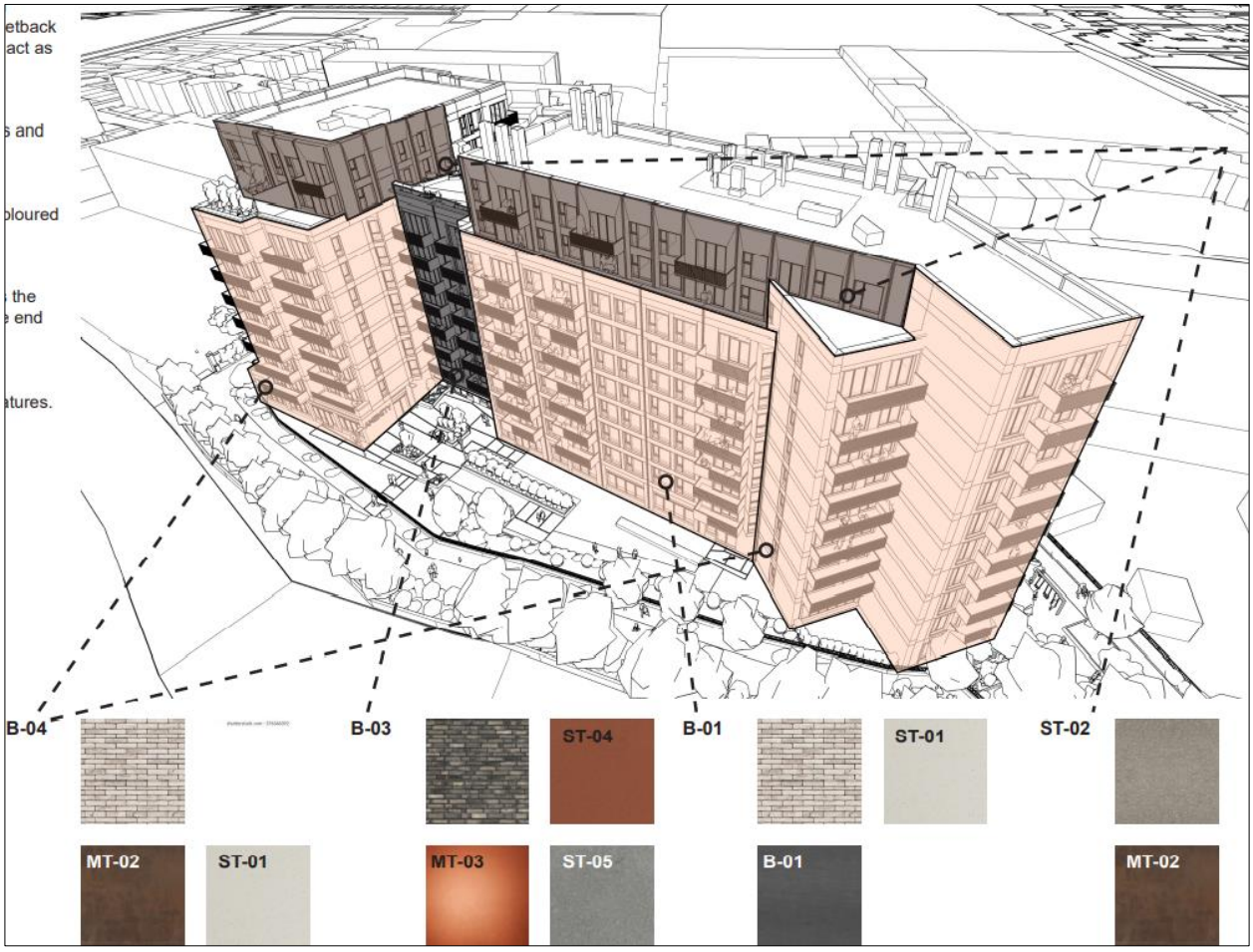

Figure 6.12: Materials Proposed For Rear Facade

(Source: RKD Architects, 2021)

In relation to the side elevation facing the north-west boundary, the Design Statement notes:

> *'A strong modular façade design is adopted which responds to the rigour of the internal residential layouts and creates a visual legibility for this façade. Variety and articulation are introduced in the varying use of brick colour and detailed use of stone façade spandrel panels. Brick is offered as the primary façade material whilst the introduction of stone spandrel panels and metal balconies creates a fine grain modulation within the overall composition. Three differing brick colours are introduced to the sequence of masses to create a richness and variety to the overall architectural composition. Stone shadow gaps are used throughout the proposal to create visual variety to the elevations and to emphasise the verticality in the façade…1.8m high translucent screens have been added to each balcony on the Western elevation up to and including 6th floor level to mitigate overlooking into the communal open space area of Deakin Court.*
>
> *Angled box windows have also been added to the bedrooms on each floor up to and including 6th floor level. These windows are orientated to frame views of the River Tolka and minimise overlooking onto the neighbouring site by directing views out to the south-west.'*

It is clear from the detailed Architectural Design Statement submitted with this planning application that high-quality materials have been proposed for the subject scheme.

Figure 6.13: Side Elevation Facing Deakin Court

(Source: RKD Architects, 2021)

6.10 Car Parking

The subject scheme includes the provision of 71 No. car parking spaces, which equates to a ratio of 0.39 No. spaces per unit. An additional drop off space is provided fronting Richmond Road to the front of the café/retail unit.

In relation to car parking provision for development in Intermediate Urban locations the *Apartment Guidelines, 2020*, state:

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

Having regard to the locational characteristics of the site in proximity to public transport, employment, services and facilities, the subject scheme includes a reduced level of car parking provision, which encourages sustainable modes of transport. The café/retail unit is intended to serve the local community therefore the scheme does not require dedicated spaces for the café/retail unit.

The 71 No. car parking spaces include:

- 4 No. mobility impaired spaces,
- 1 No. car share space; and
- 8 No. electric vehicle parking spaces.

By providing a reduced level of car parking provision, the subject scheme seeks to encourage future residents to either walk or cycle to the city centre and all or the amenities contained therein or avail of the high-quality public transport in close proximity to the subject site. Therefore, the reduced provision of car parking for the subject scheme will contribute to consolidated growth and the reduction in carbon emissions.

The car parking spaces are provided in the basement with access provided from Richmond Road. Therefore, there will be limited vehicular access in the subject site, which prioritises pedestrian and cyclist movements. Some services such as plant, and sprinkler room and a landscaping store are also provided the basement (see extract below).

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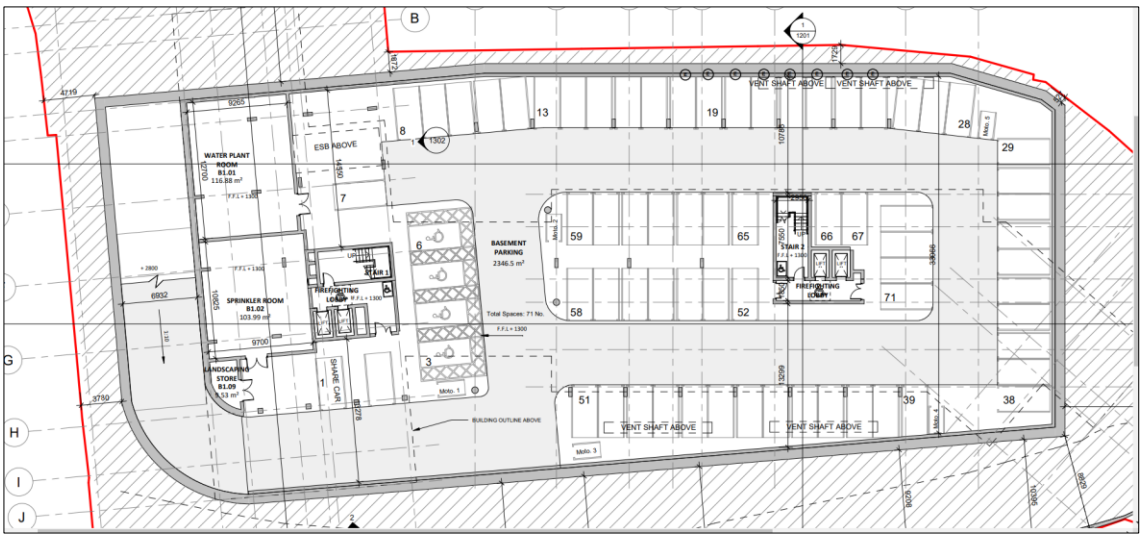

Figure 6.14: Proposed Basement Plan

(Source: RKD Architects, 2021)

6.11 Bicycle Parking

The subject scheme requires 185 No. bicycle parking spaces according to the *Development Plan*. The subject scheme includes the provision of 388 No. bicycle parking spaces (336 No. resident and 52 No. visitor) in addition to 2 No. cargo bicycle parking spaces (and 10 No. electric scooter storage spaces), which is significantly in excess of the standards outlined in the *Development Plan.*

The *Apartment Guidelines, 2020* outlined a standard of 1 No. cycle parking space per bedroom and 1 No. visitor space per two units, which would result in 354 No. cycle parking spaces. Therefore, the proposal exceeds the standards outlined in the *Apartment Guidelines, 2020.*

6.12 Flood Wall Works

A new flood wall is proposed along the site's southern boundary with the River Tolka. DBFL Consulting Engineers have advised that the flood wall works will involve:

Construction of a new c. 126 metre long section of flood wall to the River Tolka along the site's southern boundary. The flood wall is required to complete a missing section of the Tolka River Flood Defence Scheme and is required by Dublin City Council. The new flood wall is positioned at the top of the existing river bank and will connect to existing constructed sections of flood wall upstream and downstream of the site. The form of construction will comprise a stone wall over sheet pile construction. The top of the wall will be set at the required flood defence level resulting in typical wall heights of approximately 1.2 to 2 No. metres above existing ground levels. Existing trees along the river bank will be removed to facilitate the flood wall construction and repair of existing river banks and river walls. Replacement planting will be provided as outlined on the landscaping plan.

Since the tri-partite meeting, it has been confirmed that the Applicant owns the River Wall, which as shown at the meeting and set out below contains a number of trees growing out of it.

Figure 6.15: Images of Existing River Wall

(Source: The Tree File, 2021)

In the context of the requirement to provide a flood wall and the general development of the site, we note the following constraints and rationale which informed the design and location of the

floodwall which resulted in the loss of the existing trees along the River Tolka to the south of the development.

1. The demolition of the existing warehouses will disturb the trees. The Sycamores are restricted to a particularly narrow strip between the shed footings and the flood wall and will suffer exposure, shelter-loss and disturbance as the structures are removed. Additionally, the young age and small current stature of the trees cannot be ignored. Already, substantial damage and dislodgement of flood wall masonry has occurred. Therefore and appreciating that being the subject species, Sycamore, has the capacity to increase in size more than five-fold times, then it is inevitable that the wall will suffer far greater damage if the trees are retained.

2. The existing river wall is in poor condition. Extensive repairs and removal of existing trees (which are currently destabilising it and causing damage) is proposed. Depending on the extent of the damage, it may be necessary to replace parts of the existing river wall. The existing river wall is proposed to be repaired and retained, which will result in the loss of trees.

3. DCC Drainage Department require completion of this missing section of the Tolka flood defence scheme to provide for the proper level of protection of the Richmond Road area. The proposed wall position at the river edge is consistent with the DCC / RPS flood defence position as extracted on the adjacent figure.

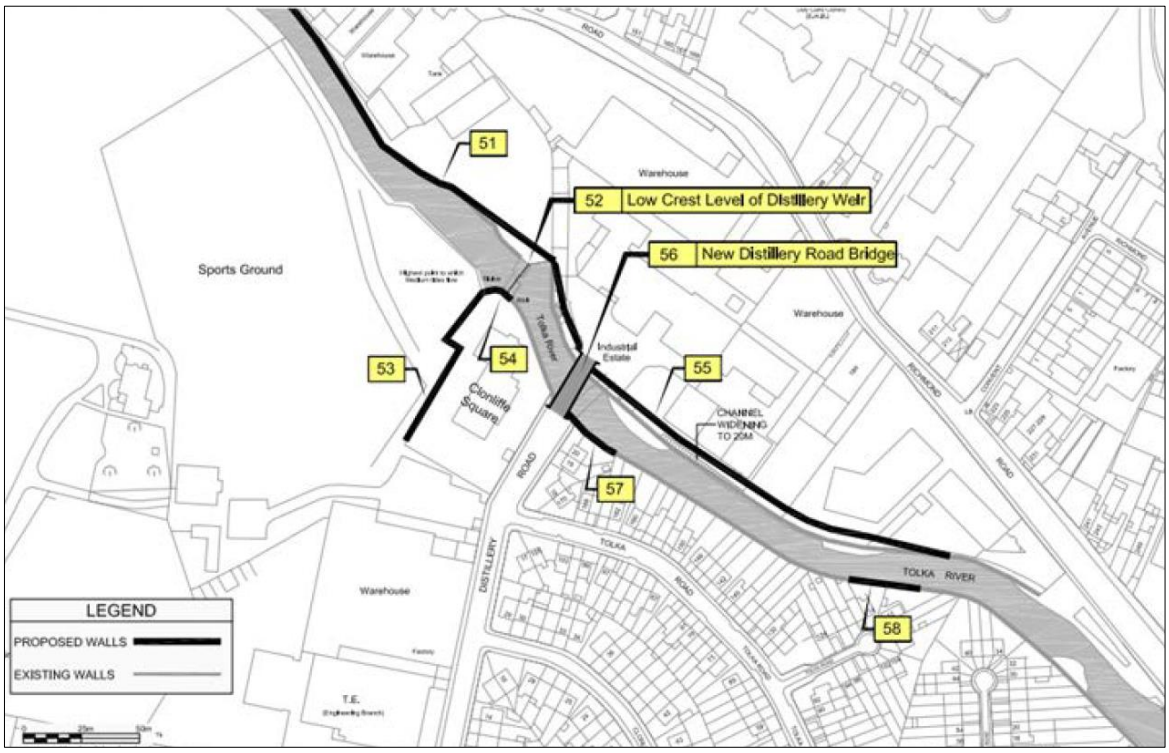

Figure 6.16: Proposed Wall Position

(Source: River Tolka Flooding Study)

As is shown on the diagram below, an 8 metre wide public corridor is designated on our site in the *Richmond Road Area Action Plan*, which states:

'In all redevelopment, there will be the provision of a public corridor, including walkway on the banks of the river, it shall not be provided in the form of a boardwalk. The boardwalk will be 8m wide and be contained within the boundaries of the sites'.

The tree survey is overlaid on this diagram for reference. As can be seen from the diagram, the cycle and pedestrian walkway land on top of the existing trees and therefore in order to comply with the requirements set out in the *Richmond Road Area Action Plan 2007*, the trees will need to be removed.

Figure 6.17: Tree Survey Overlaid on Map 13 of the *Richmond Road Area Action Plan*

(Source: *Richmond Road Area Action Plan*, 2007, Overlaid by Mitchell+Associates, 2021)

We refer below to Map 13 of the *Richmond Road Area Action Plan 2007* indicating the proposed corridor within the subject site outlined in red. Thus, even if there was no development on the site and only the required cycle/pedestrian route was to be provided, the trees growing on and out of the wall could not be retained.

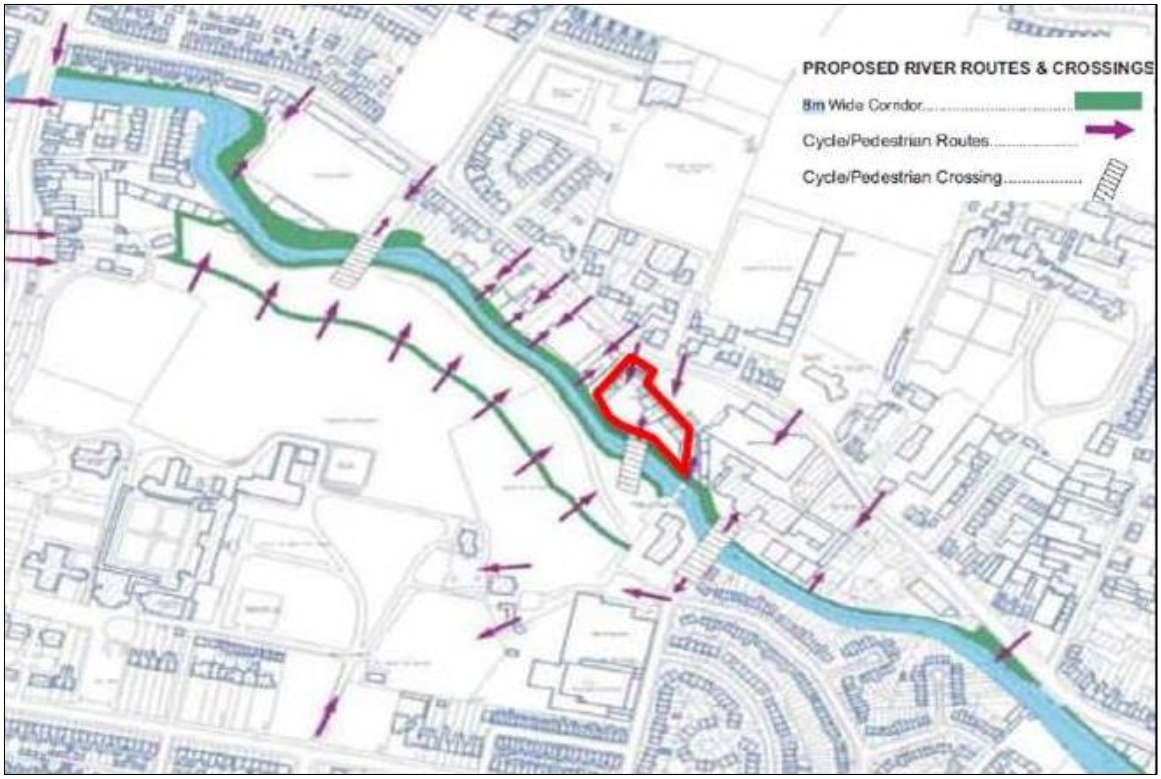

Figure 6.18: Map 13 of the *Richmond Road Area Action Plan*

(Source: *Richmond Road Area Action Plan*, annotated by Thornton O'Connor Town Planning, 2021)

There are a number of setback requirements on the subject site as follows:

(a) The 8-metre setback along the river corridor as outlined above. In the context of the required 8-metre setback, we note that the massing of the building is setback a minimum distance of 8 metres to comply with this requirement and to allow for enough space for the corridor.

(b) There is also a requirement to set the building back from Richmond Road to facilitate a road reservation. This is outlined in both the *Richmond Road Area Action Plan* and the zoning map of the *Dublin City Council Development Plan 2016-2022*.

(c) The boundaries on the north-east side of the site onto Richmond Road require appropriate setbacks to residential facing windows.

The proposed building comes close to the 8 metre corridor route at two points. The rest of the building line is stepped as far from the route as possible. Due to the awkward nature and non-rectilinear shape of the site the developable area left after incorporating the setbacks required in (a-c) above, is just feasible for a residential mixed-use development. If there were any further setbacks incorporated to extend the 8-metre set-back along the riverbank, the site becomes unfeasible for any reasonable development that is suitable for the zoned land.

We note that the flood wall is set back further into the site on the adjoining Deakin Court development. However, the tight constraints of the site as outlined above compared to the adjacent site to the north-west mean that a flood wall is more suitable at the river edge rather setback from the river edge. This allows the river route corridor to be incorporated within the

landscape design and the flood protection zone. The adjacent site to the south-east (Distillery Buildings) is more comparable to the Applicant's development site as it has similar restricted access and street frontage. The existing flood defence wall to the southeast is set at the river edge and continues northwest partly into the Applicant's site.

Having regard to the points above which along with numerous other factors outline that the provision of the cycle/pedestrian link in isolation or the demolition of the existing warehouses will result in the loss of the trees even without any development on the site, it is not possible to retain the existing trees growing out of the wall. Although the trees are category "C" trees, the loss in relation to biodiversity along the River Tolka is acknowledged and in mitigation, we are seeking to implement a native hedge along the new flood wall complemented with native tree planting and riparian type planting structures and species as part of the semi-private planting strategy and approach, therefore mitigating and reducing the immediate loss and impact but in return providing for a long term solution that would restore and enhance the river's biodiversity whilst allowing the implementation of the *Richmond Road Area Action Plan*. It is also our opinion that the proposed development will have a positive impact on the Conservation Area, by providing a high-quality development with an 8 No. metre river corridor / walkway along the River Tolka, which will animate and enliven the surrounding environment.

We note that the loss of trees was raised by the Parks Department at the tripartite meeting and in this regard Enviroguide Consulting have advised the following:

> *'The requirement to provide both an appropriate flood defence wall and a cycle track/pedestrian green way along the Site's riverside boundary places considerable spatial constraints on the landscaping options available to the Proposed Development.*
>
> *That the stability of much of the existing tree growth along the boundary is somewhat reliant on the existing warehouse structures onsite, makes their retention in the design of the Proposed Development largely unfeasible. The removal and demolition of these structures is likely to undermine parts of this treeline, raising health and safety issues regarding their long-term viability along what will be a pedestrian greenway.*
>
> *The loss of this tree line is therefore considered unavoidable for a number of reasons highlighted in the various consultant reports that accompany this application e.g., the Arborist Report, Landscaping Report etc., and no viable alternative arrangement has been found despite lengthy discussions between relevant Design Team members.*
>
> *It is noted that the treelines, due to their established nature, provide a habitat corridor for wildlife along this part of the Tolka River. However, these trees are also non-native species for the most part, with Sycamore (a medium impact invasive flora species) and Cypress making up a large component of the species present.*
>
> *The proposed landscape design for the Site's boundary with the Tolka has therefore been prepared with the aim of offsetting the impact of the loss of the existing treeline as much as is possible given the inherent constraints in terms of space, requirement for cycle track and pedestrian walkway, and requirement for sufficient flood wall.*
>
> *As such, the landscaping will provide native Hawthorn hedgerow along the boundary with the Tolka, which is to be maintained in a semi-natural condition with a low interference management regime; to maximise the ecological value of this vegetation. Along with this native hedgerow, a series of native/established tree species (including Hazel, Birch and Field*

Maple) have been selected to provide a novel native treeline along this greenway, to compliment the hedgerow and provide a habitat corridor along this part of the Tolka into the future. The shrub/grass and floral planting along this corridor will also be native and pollinator friendly in nature to add further value to its understorey.

Although it is accepted that there will be a loss of an existing treeline at the Site, it is noted that this is structurally unavoidable in the context of the requirements placed on the Proposed Development. The proposed planting and landscaping approach to this riverside greenway has been designed to minimise the impact of this loss and provide as robust a replacement in terms of vegetative structure as can be achieved given the constraints of the Site.'

6.13 Road Works

The following description of the road works has been provided by DBFL Consulting Engineers:

'The extent of the external road enhancement works on Richmond Road have been influenced by requests made by the local roads authority and the recommendations of the independent Quality Audit. The works include (i) the widening of the road carriageway southwards onto the site with the objective of providing a consistent 5.5m wide carriageway across the entire site frontage, (ii) the provision of a signal controlled pedestrian crossing, (iii) the implementation of tactile paving, dropped kerbs and traffic management bollards, (iv) amendments to existing kerb lines, verges and footpaths including the necessary tie-in works to the existing retained sections of Richmond Road, and (v) the reinstatement of all pedestrian footpath areas with the extents of the works area. a Quality Audit including Road Safety Audit, Access Audit, Cycle Audit and Walking Audit has been prepared by Bruton Consulting Engineers and is enclosed separately.'

7.0 STATEMENT OF CONSISTENCY - NATIONAL POLICY

This section will demonstrate that the proposed development has been brought forward with due consideration of National Policy and is consistent with the objectives and guidance as set out within each of the respective policy documents. Within this section the development will be assessed against:

1. *Project Ireland 2040 – National Development Plan 2021-2030;*
2. *Project Ireland 2040 – The National Planning Framework;*
3. *National Spatial Strategy 2002-2020;*
4. *Action Plan for Housing and Homelessness; Rebuilding Ireland;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (December 2020);*
7. *Urban Design Manual – A Best Practice Guide (2009);*
8. *Design Manual for Urban Roads and Streets; and*
9. *The Planning System and Flood Risk Management.*

7.1 *Project Ireland 2040 – The National Development Plan 2018-2027*

The *National Development Plan 2021 – 2030, ("NDP") document was* published in 2021 as an updated version of the previous *National Development Plan 2018 – 2027.*

As part of *Project Ireland 2040*, the *NDP* sets out the Government's over-arching investment strategy and budget for the period 2021-2030. It is an ambitious plan that balances the significant demand for public investment across all sectors and regions of Ireland with a major focus on improving the delivery of infrastructure projects to ensure speed of delivery and value for money.

The *NDP* sets out funding to underpin key Government priorities. Specifically, allocations will support the realisation of critical goals laid out in *Housing for All* and will enable a step-change in investment to ameliorate the effects of climate change. The *NDP* underpins the overarching message of the *National Planning Framework ("NPF").*

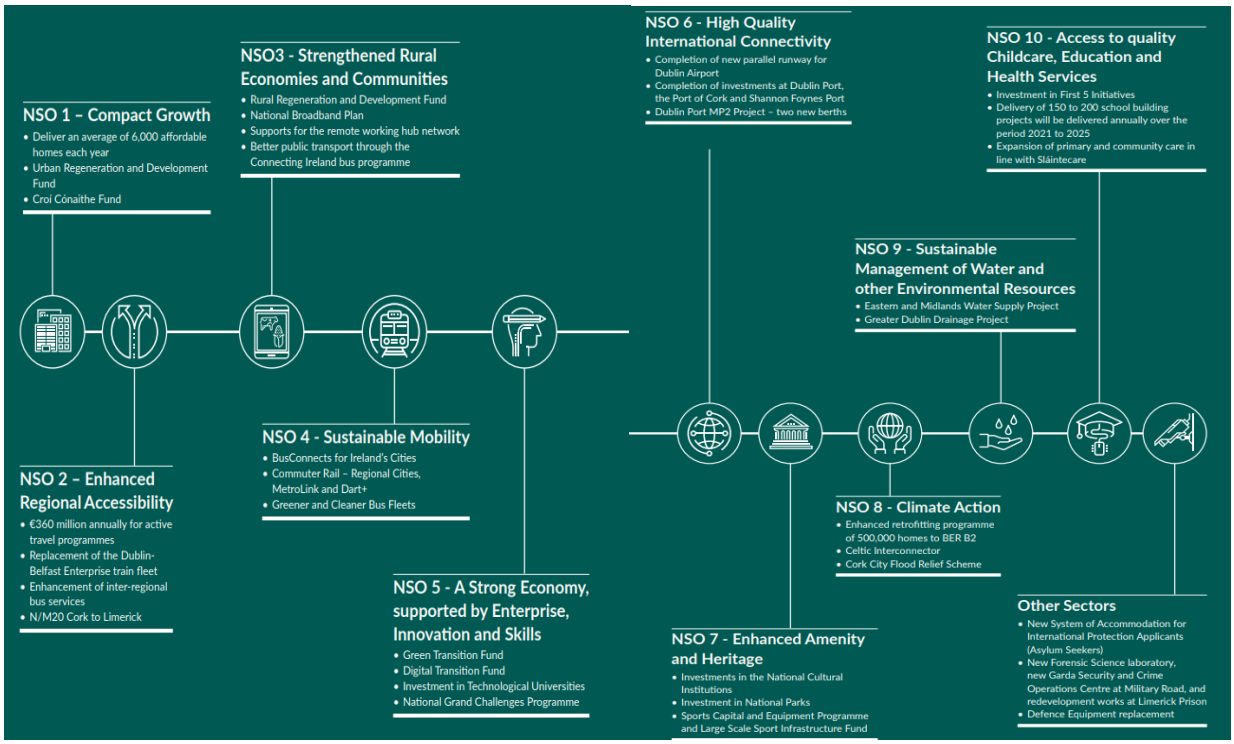

Figure 7.1: Major Investments – National Strategic Outcomes

Source: *National Development Plan 2021 -2030*

The *NPF* has 10 No. National Strategic Outcomes, which are referenced in the *NDP*. The relevant strategic outcomes and objectives are discussed below at Section 7.2 of this report.

7.2 *Project Ireland 2040: National Planning Framework*

7.2.1 Introduction

Project Ireland 2040: National Planning Framework ("*NPF*") is the Government's high-level overarching strategic plan that aims to shape the future growth and development of the country. The *NPF* is a long-term Framework that sets out how Ireland can move away from the current 'business as usual' pattern of development.

As set out in Section 6.6 of the *NPF*, a core principle of the *NPF* is to:

> '*Allow for choice in housing location, type, tenure and accommodation in responding to need*', in addition to tailoring '*the scale and nature of future housing provision to the size and type of settlement where it is planned to be located'*.

Therefore, we submit that the provision of high-quality residential units comprising a mix of 1 and 2 No. bedroom Build-to-Rent apartments at the subject site will contribute to achieving this core principle of the *NPF*.

Section 6.6 of the *NPF* states that:

> *'while apartments made up 12% of all occupied households in Ireland and 35% of occupied households in the Dublin City Council area in 2016 (Census data), we are a long way behind European averages in terms of the numbers and proportion of households living in apartments, especially in our cities and larger towns. In many European countries, it is normal to see 40%-60% of households living in apartments.'*

The *NPF* further calculates that:

> *'between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year to meet the needs for well-located and affordable housing,* ***with increasing demand to cater for one and two-person households'.*** [Our Emphasis]

Furthermore, it is noted that *'achieving this level of supply will require increased housing output into the 2020s to deal with a deficit that has built up since 2010.'*

The *NPF* highlights in Section 6.6 that 7 No. out of 10 No. households in the state consist of three people or less. In terms of changing family size, *'in Dublin city, one, two and three-person households comprise 80 percent of all households.'* It is also noted in a more general context that the *'household sizes in urban areas tend to be smaller than in suburbs or rural parts of the country'*. The policy document denotes that *'…**meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it'.*** [Our Emphasis]

The proposed development is a direct response to the national housing shortage that is readily reported and identified in recent planning policy. The proposed development is consistent with the policy objectives as set out throughout this section, as it provides 1 and 2 No. bedroom Build-to-Rent units with a range of supplementary resident facilities that will meet the needs of the future residents.

Section 2.2 of the *NPF* sets out an overview of the *NPF* Strategy which includes reference to 'Compact Growth' as follows:

- *Targeting a greater proportion (40%) of future housing development to be* ***within and close to the existing 'footprint' of built-up areas****.* [Our Emphasis]

- ***Making better use of under-utilised land and buildings, including 'infill', 'brownfield'*** *and publicly owned sites and* ***vacant and under-occupied buildings****, with* ***higher housing*** *and jobs* ***densities****, better serviced by existing facilities and public transport'.* [Our Emphasis]

The *NPF* expressly seeks the densification of brownfield, infill sites close to public transport and services and facilities such as the subject site. National Policy Objective 35 states that it is an objective to:

> *'Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and* ***increased building heights****.'* [Our Emphasis]

The *NPF* also sets out the following regarding future growth needs in Section 6.6:

*'**Increased residential densities are required in our urban areas…to more effectively address the challenge of meeting the housing needs of a growing population in our key urban areas**, it is clear that **we need to build inwards and upwards, rather than outwards**. This means that apartments will need to become a more prevalent form of housing, particularly in Irelands cities.'* [Our Emphasis]

The *NPF* recognises that building inwards and upwards is important to effectively address the housing crisis. Therefore, we consider that there is a significant importance placed in the National Planning Framework to develop high quality accommodation by increasing building heights in existing urban areas.

It is our opinion that the *NPF* supports the provision of the proposed residential development through increased density and height at the subject site having regard to the brownfield, underutilised status of the site in close proximity to public transport, employment, services and facilities. The subject site is ideally positioned to absorb the heights proposed as part of the subject scheme especially due to the site's large frontage onto the River Tolka, as detailed in the appropriate technical assessments including Daylight/Sunlight, Wind Assessment and a Landscape Impact Assessment which are enclosed as part of the Environmental Impact Assessment Report.

7.2.2 National Strategic Outcomes and Objectives

Section 10.3 of the *NPF* identifies a list of 10 No. National Strategic Outcomes which sets out the vision of the *NPF* (to create a shared set of goals for every community across the country) as follows:

1. *Compact Growth;*
2. *Enhanced Regional Accessibility;*
3. *Strengthened Rural Economies and Communities;*
4. *Sustainable Mobility;*
5. *A Strong Economy supported by Enterprise, Innovation and Skills;*
6. *High Quality International Connectivity;*
7. *Enhanced Amenity and Heritage;*
8. *Transition to a Low Carbon and Climate Resilient Society;*
9. *Sustainable Management of Water, Waste and other Environmental Resources; and*
10. *Access to Quality Childcare, Education and Health Services.*

A number of key National Policy Objectives ("*NPOs*") have been identified throughout the *NPF* in order to successfully deliver the 10 No. Strategic Outcomes.

The **National Policy Objective 74** states that proposals should '*secure the alignment of the National Planning Framework and the National Development Plan through delivery of the National Strategic Outcomes*.'

The table below sets out how the proposed development will contribute towards achieving the 10 No. National Strategic Outcomes identified in the *NPF* as follows:

Consistency with National Strategic Outcomes			
No.	**Objective?**	**How it is Addressed by this development?**	**Meet criteria?**
1:	Compact Growth;	Sustainable and efficient redevelopment of a key underutilised, brownfield site in an existing urban area	Yes
2:	Enhanced Regional Accessibility;	Proximity to Drumcondra Train Station (c. 1.3km /c. 16 minutes walking distance), frequent bus services run along the Drumcondra Road Lower Quality Bus Corridor (c. 750 metres/c. 9 minutes walking distance).	Yes
3:	Strengthened Rural Economies and Communities;	N/A – Urban Area	N/A
4:	Sustainable Mobility;	Promoting active and sustainable transport due to proximity of high-quality public transport, provision of bicycle parking spaces, and inclusion of 10 No. electric scooter spaces, 2 No. cargo bike parking spaces and 8 No. electric vehicle parking spaces. A reduced provision of car parking has been provided to promote sustainable modes of transport (0.39 spaces per unit)	Yes
5:	A Strong Economy supported by Enterprise, Innovation, and Skills;	Dublin City Centre is easily accessible from the subject site and therefore the proposed development is in close proximity to significant Employers/Higher Education Institutions such as Dublin City University, providing access to much sought-after residential accommodation for employees/students. The commercial unit will also contribute towards strengthening the local economy and the regeneration of the surrounding area.	Yes
6:	High Quality International Connectivity;	N/A –Relates to Ports and Airports	N/A
7:	Enhanced Amenity and Heritage;	The scheme provides a high level of amenity space for future residents with the provision of internal communal amenity space (545 sq m), external communal open space at surface level (2,074 sq m), communal roof gardens (209 sq m) and 1,501 sq m of public open space. In addition, the site is partially located within a Conservation Area adjacent to the River Tolka according to the zoning map. The proposed scheme will complement the Conservation Area and will have	Yes

		a positive impact on the character of the area, by providing a high-quality scheme with active frontage onto the River Tolka including provision for a new greenway link.	
8:	Transition to a Low Carbon and Climate Resilient Society;	The proposed development, by virtue of the strong public transport links and short bicycle journey time to many areas around the City, will encourage the use of sustainable modes of transport. The provision of bicycle parking spaces, electric scooter storage, electric vehicle parking spaces will also promote sustainable modes of transport. Green Roofs and SUDS infrastructure have been included within the design of the subject scheme to achieve a high energy rating and compliance with building standards.	Yes
9:	Sustainable Management of Water, Waste and other Environmental Resources; and	Sustainable modes of transport encouraged, and sustainable management of water use and waste output, as detailed in accompanying reports.	Yes
10:	Access to Quality Childcare, Education, and Health Services;	The subject site is located a short distance from Drumcondra District Centre and within easy reach of Dublin City Centre via public transport, walking or cycling. There are therefore a wide range of Childcare, Education, Hospitals and Healthcare facilities within a short distance from the subject site as set out in the Social Infrastructure Audit prepared by KPMG Future Analytics.	Yes

A number of key NPOs have also been identified throughout the *NPF* in order to successfully deliver the 10 No. Strategic Outcomes outlined above.

We have carried out an assessment of the *NPOs* identified in the *NPF* and have identified the relevant objectives that are applicable to the proposed residential development. The relevant *NPOs* that are applicable to the proposed development are discussed under the following headings:

- *Population Growth and Employment;*
- *Current Trends in Tenure and Household Formation in Ireland;*
- *Sustainable Modes of Transport;*
- *Scale, Massing and Design;*
- *Justification and Housing Need;*
- *Waste and Environmental Issues; and*
- *Implementing the National Planning Framework.*

7.2.3 Population Growth and Employment

The *NPF* sets out a number of planning policy objectives that specifically relate to the population growth in Ireland and in particular the 5 No. main cities. The following objectives are considered to be the most relevant to the subject scheme of this planning application:

- **National Policy Objective 1b -** projects that the population of the Eastern and Midland Region will increase by 490,000 – 540,000 additional people.
- **National Policy Objective 1c -** projects an additional 320,000 No. people in employment in the Eastern and Midland Region.
- **National Policy Objective 2a** – A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- **National Policy Objective 3a** – Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- **National Policy Objective 3b** – Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- **National Policy Objective 4 -** Ensure the creation of attractive liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- **National Policy Objective 5 –** Develop cities, towns and villages of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.
- **National Policy Objective 8** aims to ensure the targeted pattern of population growth of Ireland's cities to 2040 is in accordance with the targets. The targeted population growth for Dublin (city and suburbs) is a 20-25% increase from 1,173,000 No. (2016) to 1,408,000 No. (2040).
- **National Policy Objective 11** – In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

The development will facilitate the projected growth in population and persons in employment in the Eastern and Midland Region as identified in NPO 1b and 1c. A core principle of the *NPF* set out in Section 6.6 states that proposals should:

> '***Prioritise the location of new housing provision in existing settlements*** *as a means to maximizing a better quality of life for people through accessing services; ensuring a more efficient use of land and allowing for greater integration of existing infrastructure.*' [Our Emphasis

Section 2.5 of the *NPF* outlines that compact development is the preferred approach which would focus on:

> *'Reusing previously developed, 'brownfield' land,* ***building up infill sites****, which may not have been built on before and either* ***reusing or redeveloping existing sites*** *and buildings.'* [Our Emphasis]

The proposed development is located on brownfield infill land in a core urban location that is built-up, well served by public transport and is within easy cycling distance of the city centre.

As such the proposed development is consistent with NPOs 2a, 3a and 3b which aim to provide 50% of future population and employment growth within the existing five main cities, 40% of new homes within the build-up of existing settlements and 50% of all new homes within the existing built-up footprints. The *NPF* recognises that to achieve the targets set out in NPOs 3a and 3b of the framework which relate to the delivery of new homes, housing outputs will undoubtably necessitate a significant increase of apartment type developments. NPO 8 requires targeted population growth for Dublin city and suburbs and the proposed development will contribute towards increasing the population of this area of Dublin.

Furthermore, it is noted in Section 6.6 that '*achieving this level of supply will require increased housing output into the 2020's to deal with a deficit that has built up since 2010.*'

The site is strategically located in close proximity to public transport which provides access to a number of employment locations, services and facilities and is within walking distance of Drumcondra District Centre.

The communal areas are high quality, attractive and liveable spaces where the residents will have the opportunity to interact with each other ensuring an integrated community within the scheme. In addition, high-quality public open space is provided. Therefore, it is considered that the proposal will contribute to creating well designed and high-quality urban place as set out in NPO 4 and will ensure the site is sustainably developed contributing towards achieving NPO 5 which aims to develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

The proposed scheme involves the redevelopment of an underutilised, infill site in an existing built-up area and therefore is fully in accordance with the preferred approach of the *NPF*. The development will encourage social interaction between the residents of the scheme particularly by providing high-quality attractive public and communal spaces, creating a strong sense of community. The provision of a permeable link through the site to the newly proposed pedestrian and bicycle landscape area that will form the future Greenway, is also a significant planning gain for the wider area. The proposed development is consistent with the NPOs set out within this Section.

7.2.4 Current Trends in Tenure and Household Formation in Ireland

The *NPF* acknowledges at Section 4.5 that Irelands housing crisis has resulted in:

> *'a time when many people, including those on average incomes, wish to live close to where they work and the services and amenities necessary to enjoy a good quality of life, they struggle to do so because the urban housing market has become constrained'.*

The following National Policy Objectives response to the changing nature of Household Formation and trends in tenure in current planning discourse.

- **National Policy Objective 6 –** Regeneration and rejuvenate cities, towns and villages of all types of 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.

- **National Policy Objective 11 –** outlines that 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.

- **National Policy Objective 32 –** Details the target of delivering 550,000 No. additional households to 2040.

In accordance with NPOs 6,11 and 32, the development will rejuvenate this site and is a direct response to current trends in tenure and household formation in Ireland by providing much needed housing for Dublin. This will encourage more people to live in the existing urban footprint whilst also contributing towards generating more jobs and activity within the existing urban area and will contribute towards the target of delivering 550,000 No. additional households to 2040.

The *NPF* highlights at Section 6.6 that 7 No. out of 10 No. households in the State consist of three people or less. In terms of changing family size, *'in Dublin city, one, two and three-person households comprise 80 percent of all households.'* The document denotes that '*...**meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it.'*** [Our Emphasis]

The proposed development is a direct response to current trends in tenure and household formation in Ireland by providing an alternative type of accommodation.

The proposed development provides 183 No. residential units which will positively contribute towards addressing the deficit in housing supply within Dublin. The development offers high quality accommodation at a time when the *NPF* acknowledges the constrained urban housing market. The scheme represents sustainable development as the site is situated in an existing residential area and the future residents of the scheme will benefit from the site's close proximity to public transport, employment, services and facilities. The provision of a café/retail unit will also benefit the residents and the surrounding area.

7.2.5 Sustainable Modes of Transport

The *NPF* sets out a number of planning policy objectives that specifically relate to Sustainable Modes of Transport. The following objectives are considered to be the most applicable to the proposed mixed-use development at the subject site.

- **National Policy Objective 26 –** Outlines the objectives of integrating Public Health Policy such as Healthy Ireland and the National Physical Activity Plan with Planning Policy.

- **National Policy Objective 27 –** Aims 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 the existing and proposed developments and integrating physical activity facilities for all ages.

The subject site is well served by public transport within c. 1.3 km / 16 No. minutes walking distance from the Drumcondra Rail Station and c. 750 metres / c. 9 No. minutes walking distance from a Quality Bus Corridor running along Drumcondra Road Lower.

The proximity of the subject site to the city centre, which is easily accessible by foot, by bicycle and by public transport, will encourage future residents of the subject scheme to avail of more sustainable modes of transport.

The proposed development provides for 71 No. car parking spaces on site providing a ratio of 0.39 No. spaces per unit (excluding drop off space). The parking spaces includes 1 No. car share space, 4 No. mobility impaired spaces, 8 No. electric vehicle parking spaces and 1 No. drop-off space. The scheme includes 388 No. bicycle parking spaces, in addition to 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces. The proposal actively encourages the use of sustainable modes of transport such as public transport through the discouragement of car ownership. The development also includes attractive open spaces, which will encourage occupants to engage in regular physical activity.

The proposed development is consistent with NPOs 26 and 27 as set out above.

7.2.6 Scale, Massing and Design

The *NPF* sets out a number of planning policy objectives that specifically relate to the Scale, Massing and Design of developments. The following objectives are considered to be most applicable to the mixed-use development at the subject site.

- **National Policy Objective 13** outlines that to achieve well-designed high-quality outcomes performance-based standards will be put in place such as building height and car parking.

- **National Policy Objective 33** states residential development at appropriate scales within sustainable locations will be prioritised.

- **National Policy Objective 35** outlines the requirement to *'increase residential density in settlements, though a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.'*

The proposed scheme has been subject to a high quality standard of design, siting and layout, at an appropriate scale within the surrounding context of the Richmond Road area and represents the appropriate densification of this key underutilised site, contributing positively to the regeneration of the surrounding area. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a significantly scaled, strategically positioned and underutilised plot is maximised and appropriately densified in accordance with the objectives of the *NPF*.

The Landscape and Visual Impact Assessment and Daylight/Sunlight Assessment both demonstrate that no significant material impacts will occur as a result of the proposed development. The layout of the development has been thoroughly considered and greater heights are positioned away from nearby residential dwellings. The subject development will also provide much needed animation to the street level along Richmond Road, with the inclusion of a café/retail unit at ground floor level.

Having regard to the new policy context and increased housing demand, the subject scheme appropriately addresses criteria as set out in the *Apartment Guidelines, 2020*. In line with NPO 13, the *Apartment Guidelines, 2020* set out the specific standards for apartment developments, as discussed in Section 7.6 of this report. The proposed development is also appropriate in terms of scale, mass and height in responding to NPO 33. In addition, the proposed development provides increased height and density in an existing settlement, which is therefore in accordance with NPO 35.

7.2.7 Waste and Environmental Issues

The *NPF* sets out a number of planning policy objectives that specifically relate to Waste and Environmental issues. The following objectives are considered to be most applicable to the proposed development of this planning application:

- **National Policy Objective 52** sets out the planning systems must respond to the environmental challenges and have regard to relevant environmental legislation.
- **National Policy Objective 53** is concerned with supporting greater land efficiency and use of renewable resources by reducing the rate of urban sprawl and new development.
- **National Policy Objective 54** aims to reduce the carbon footprint by integrating climate action into the planning system.
- **National Policy Objective 56** sets out the intentions to sustainably manage waste generation.
- **National Policy Objective 58** states that Green Infrastructure and ecosystem services will be incorporated into the preparation of statutory land use plans.

- **National Policy Objective 63** aims to ensure that efficient and sustainable management and conservation of water resources and water services infrastructure.

- **National Policy Objective 64** aims to improve air quality through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport.

- **National Policy Objective 65** supports the aims of the Environmental Noise Regulations.

- **National Policy Objective 75** stipulates that *'all plans, projects and activities requiring consent arising from the National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate'.*

The subject site is a key underutilised infill site ideally located for residential development given its proximity to Dublin city centre, key employment generators and the level of public transport service available.

The proposed scheme has had regard to relevant environmental legislation as set out in the enclosed reports in accordance with NPO 52. The development will support the efficient use of core urban land and will contribute towards reducing the rate of urban sprawl in accordance with NPO 53. The redevelopment of the subject site will provide a population in close proximity to public transport and encourage walking and cycling, in accordance with NPO 54 and NPO 64 which sets out to improve air quality through promoting development that facilitates sustainable modes of transport. The proposed development will positively contribute to the surrounding area as it will enhance permeability and wider connectivity for the wider area and will contribute to the green infrastructure network (NPO 58).

The proposed scheme provides 71 No. car parking spaces (including 8 No. electric vehicle spaces and 4 No. mobility impaired spaces) and 388 No. bicycle parking spaces (plus 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces). By providing a reduced level of car parking provision, the subject scheme seeks to encourage future residents to either walk or cycle to the city centre and all of the amenities contained therein or avail of the high-quality public transport in close proximity to the subject site. Therefore, the reduced provision of car parking for the subject scheme will contribute to consolidated growth and the reduction in carbon emissions. The proposed scheme will promote sustainable modes of transport resulting in a lower carbon footprint and will be consistent with NPO 54.

The proposed development is supported by the following reports/drawings which detail the measures which have been taken in order to meet the above policy objectives relating to waste and environmental issues, particularly in accordance with NPO 63, 65 and 75:

- Landscape Planning Report by Mitchell + Associates Landscape Architecture;
- Environmental Impact Assessment Screening Report prepared by Enviroguide Consulting;
- Ecological Impact Assessment Report prepared by Enviroguide Consulting;
- Appropriate Assessment Screening Report prepared by Enviroguide Consulting;
- Traffic and Transportation Assessment Report prepared by DBFL Consulting Engineers;

- Infrastructure Design Report prepared by DBFL Consulting Engineers;
- Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers;
- Arboricultural Report and Drawings by The Tree File;
- Noise and Vibration Impact Assessment by AWN Consulting;
- Construction and Demolition Waste Management Plan by AWN Consulting; and
- Operational Waste Management Report prepared by AWN Consulting.

It is considered that the proposed development is consistent with the environmental objectives as set out in the *NPF*.

7.3 *National Spatial Strategy 2002-2020*

The *National Spatial Strategy 2002-2020* ("*NSS*") is a twenty-year planning framework which aims to sustain the following through informing the spatial development of the country as a whole:

- a better quality of life for people;
- a strong, competitive economic position; and
- an environment of the highest quality.

It is noted that Dublin City forms part of the Greater Dublin Area (GDA). The *NSS* notes in relation to the GDA that:

> '*Population growth within and in many areas adjoining the GDA is being driven primarily by the investment dynamics of natural increase and high migration combined with* ***a very high proportion of new jobs and investment continuing to be attracted to the Dublin area.***' [Our Emphasis]

It is widely recognised that the GDA has experienced a rapid rate of growth in recent years that has been primarily accentuated by the country's economic successes. The NSS acknowledges that strong growth results in a '*particularly heavy burden of development pressures, such as housing supply difficulties and traffic congestion, on the city and its surrounding area*.'

As result, the *NSS* states that

> '*up to four-fifths of the population growth in the State could take place in or in areas adjoining the Greater Dublin Area over the next twenty years.*' In doing so, '*Dublin will continue to grow in population and output terms. However, it is not desirable for the city to continue to spread physically into surrounding counties. The physical consolidation of Dublin, supported by effective land use policies for the urban area itself, is an essential requirement for a competitive Dublin'.*

As the proposed higher density development is located on an underutilised infill site in a core urban location, the scheme is in accordance with the aim of the *NSS* to restrict the sprawl of the city outwards into surrounding counties. The development will increase the supply of housing at a time of acute demand and aims to reduce traffic congestion by encouraging sustainable modes of transport.

The *NSS* reiterates NPO 32 of the *NPF* stating that:

> *'it has been estimated that it will be necessary to provide some 500,000 additional dwellings to meet likely demand in the period up to 2010. Ireland's housing stock per thousand of population is the lowest in the EU at 327 housing units per thousand population as compared to 435 per thousand in the UK and a European average of 450 per thousand'.*

Whilst outdated, the critical demand for housing still exists in the current housing crisis and therefore a significant quantum of additional housing is required to contribute towards alleviating the housing crisis.

The proposed development comprising 104 No. one bedroom units and 79 No. two bedroom units will contribute positively towards addressing the deficit in housing supply in Dublin.

The *NSS* sets out a number of criteria for the location of housing within urban areas, the most relevant of which are set out below:

- The Asset Test - Are there existing community resources, such as schools etc., with spare capacity?

The application lands are located in an accessible location with many services and facilities in close proximity which will be supplemented by the amenity spaces for the provided within the proposed scheme for the residents including gym, lounges, games room, kitchen space, co-working hub/office and meeting rooms. A café/retail unit has also been provided fronting Richmond Road.

The Social Infrastructure Audit prepared by KPMG Future Analytics concludes that the existing social infrastructure provision within close proximity to the subject site is capable of serving the population at the subject site and the Childcare Demand Assessment prepared by KPMG Future Analytics concludes that the development does not generate demand for a childcare facility and the existing facilities in the area can accommodate the limited demand arising from the scheme. It should be noted that there is an expected lower frequency of children to be catered for in Build-to-Rent developments compared to a similar Build-to-Sell development, particularly having regard to the provision of 1 and 2 No. bedroom units.

- The Carrying Capacity Test – Is the environmental setting capable of absorbing development in terms of drainage etc.?

Please find enclosed an Infrastructure Design Report and Drawings prepared by DBFL Consulting Engineers which details the proposed foul drainage arrangements, surface water drainage arrangements and water supply arrangements demonstrating that the development can be appropriately absorbed.

- The Transport Test - Is there potential for reinforcing usage of public transport, walking and cycling?

The proposed development will promote and encourage sustainable modes of transport. The subject site is well serviced by public transport, in addition to this the future residents will have the option to walk and cycle to many locations throughout the city. Due to the site's core urban location and the proximity to public transport, the subject scheme proposes a reduced level of car parking provision. The scheme encourages walking and cycling from the site, with several connections provided throughout the site and in addition some 388 No. bicycle parking spaces, 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces are proposed. The scheme also allows for future connections into the adjoining sites, in order for the future Greenway to link up with all neighbouring lands

Therefore, it is clear that the development will encourage use of public transport, walking and cycling.

- The Economic Development Test - Is there potential to ensure integration between the location of housing and employment?

The proposed development is a direct response to the housing shortage of suitable accommodation within Dublin, an area of high demand as evidenced by the demographic, economic and societal changes in recent years. The site is located in proximity to public transport which can be utilised employment locations and there are also employment locations within walking and cycling distance of the site. Therefore, it is clear that the subject brownfield site is suitable for housing development within an existing built-up area in close proximity to employment.

- The Character Test – Will the proposal reinforce a sense of place and character?

The proposal will result in the sustainable development of an underutilised brownfield site within an existing built-up area.

The layout of the proposed development comprising of 1 No. café/retail unit and 183 No. Build-to-Rent apartments will contribute positively towards the vibrancy of the surrounding area, which will help to create a sense of place and character, especially as the site will be opened up and enhanced fronting onto Richmond Road and the River Tolka, which will improve legibility for the area. The scheme will improve the views of the site from the surrounding area, but will particularly improve the aesthetic of the site, partially located within and adjoining a Conservation Area.

- The Community Test - Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?

The proposal will result in the redevelopment of an underutilised core urban site. The positioning of the development will provide active surveillance of the outdoor spaces. We note that communal residential amenities such as gym, lounge, games room and co-working spaces for example are provided, which will instil a community ethos.

- The Integration Test - Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

As previously noted, there is an acute housing shortage currently present in Ireland and a significant demand existing for accommodation. Now more than ever there appears to be a shortage of urban residential development, especially in light of the restrictions placed on construction works throughout the Covid-19 pandemic. The proposed application is considered to respond to the local need for high quality and suitable accommodation.

In relation to the Build-to-Rent element of the scheme, we note that the *Apartment Guidelines, 2020* states that Build-to-Rent developments:

> *'can provide a viable long term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.'*

The Build-to-Rent typology will provide alternative and affordable purpose-built accommodation to meet the housing needs of a greater number of persons.

We highlight that the scheme will provide 10% social and affordable housing in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

The proposed scheme provides high quality public and communal external amenity areas in addition to extensive internal communal amenity areas which meet the housing needs of a greater number of persons.

Furthermore, the *NSS* states that:

> '*efficient use of land by* ***consolidating existing settlements****, focusing in particular on development capacity within* ***central urban areas*** *through* ***re-use of under-utilised land*** *and buildings as a priority****, rather than extending green field development***.' [Our Emphasis]

The subject development proposes the reuse of an underutilised, brownfield site within an existing built-up area of Dublin. Therefore, the proposed development represents the proper planning and sustainable development of the area.

There is continued pressure and demand for accommodation in Dublin. Therefore, the proposed development can simultaneously assist in addressing this demand and represents the proper planning and sustainable development of the area as the proposed mix of units will cater for a wide cohort of persons.

The development is consistent with the policy guidance as set out within the *National Spatial Strategy 2002 – 2020.*

7.4 *Action Plan for Housing and Homelessness, Rebuilding Ireland (2016)*

The Action Plan for Housing and Homelessness – Rebuilding Ireland recognises that a significant increase in new homes is needed and is referenced in the long title to the *Planning and Development (Residential Tenancies) act 2016, as amended*. The Action Plan outlines a five-pillar approach:

- Pillar 1 – Address Homelessness;
- Pillar 2 – Accelerate Social Housing;
- Pillar 3 – Build More Homes;
- Pillar 4 – Improve the Rental Sector; and
- Pillar 5 – Utilise Existing Housing.

It is noted that a number of these pillars are inter-related and therefore the proposal will to an extent have a positive impact on each of the abovementioned pillars. It is considered that the proposed development directly addresses the objectives set out within Pillar 2, Pillar 3 and Pillar 4.

- Pillar 2: 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.

The publication outlines that the affordability of property in the current economic climate is the basis for the decline in home ownership. As a result, there is a growing number of households paying a greater proportion of their incomes on accommodation which has subsequent impacts on their quality of life and their ability to save. In an attempt to manage this societal and economic shift, the document encourages development in the Build-to-Rent sector as follows:

> *'Our current stock of housing, however, was not built with the needs of long-term renters in mind. A growing trend in other countries is homes built specifically for the rental market. Build-to-rent is larger scale, with on-site amenities, and targeted at institutional owners rather than individual buy-to-let landlords. Build-to-rent developments are designed with the occupants in mind – equal sized bedrooms clustered around a central shared space, or the inclusion of amenities such as gyms and creches and shared entertainment facilities'.*

The document also identifies that:

> *'Rising rents have made accommodation more and more expensive for many families and individuals. This is particularly so for those who are on low to moderate incomes and do not qualify for social housing but who need some level of support to meet their housing cost.'*

The publication stipulates in relation to the delivery of housing that:

> *'the housing challenge is not simply about providing more homes – it is also about moving away from cycles of volatility in supply and affordability. Ireland needs to move towards a more stable, cost effective, affordable housing provision model that also delivers the right level of housing, in the right places and at the right time.'*

As discussed throughout this document, the proposed development will comprise 183 No. Build-to-Rent units (104 No. one bedroom units and 79 No. two bed units). The development will directly address the evident housing need by significantly increasing housing accommodation in this highly attractive and sought-after location and responds proportionately to the pillars as set out above, with particular emphasis on Pillars 2, 3 and 4.

The proposed Build-to-Rent accommodation will provide alternative, affordable residential accommodation for the area. Some 18 No. leased social housing units will also be provided as part of the development, which represents 10% of the proposed units in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

It has been demonstrated that the proposal subject of this statement is consistent with the policy guidance of the *Action Plan for Housing and Homelessness, Rebuilding Ireland.*

7.5 *Urban Development and Building- Heights Guidelines for Planning Authorities (December, 2018)*

The *Urban Development and Building Heights Guidelines for Planning Authorities* ("*Building Height Guidelines*") were adopted in December 2018 under Section 28 of the 2000 Act, some two and a half years after the adoption of the *Dublin City Development Plan 2016-2022*. It is our professional opinion that the Development Plan does not align with and support the objectives and policies of the *NPF* in relation to the provision of increased height as detailed below. This is significant in the context of the third "broad principle" under Section 3.1 of the *Building Height Guidelines*, which is considered further below. An Bord Pleanála and Planning Authorities must have regard to these Guidelines and, in particular, compliance with the Specific Planning Policy Requirements (SPPRs) is mandatory.

The Guidelines state that a key objective of the *NPF* is to significantly increase the building heights and overall density of developments.

The Minister's foreword to the *Building Height Guidelines* acknowledges that Ireland's classic development models for city and town cores has tended to be dominated by employment and retail uses, surrounded by extensive and constantly expanding low-rise suburban residential areas which is an unsustainable model. There is an opportunity for our cities and towns to be developed differently. Urban centres could have much better use of land, facilitating well located and taller buildings, meeting the highest architectural and planning standards. The Guidelines are intended to set a new and more responsive policy and regulatory framework for planning the growth and development of cities and towns upwards rather than outwards.

The *Building Height Guidelines* state that the:

> '*Government considers that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes,* ***by building up and consolidating the development of our existing urban areas.***' [Our Emphasis]

The *Building Height Guidelines* further note that:

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

The *Building Height Guidelines* also emphasise that increasing prevailing building heights have a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly our cities and large towns through enhancing both the scale and density of development and it notes that the planning process must actively address how this objective will be secured.

The *Building Height Guidelines* expressly seek increased building heights in urban locations:

> *'In relation to the assessment of individual planning applications and appeals, it is Government policy that* ***building heights must be generally increased in appropriate urban locations.*** *There is therefore a presumption in favour of buildings of* ***increased height in our town/city cores and in other urban locations with good public transport accessibility****.'* [Our Emphasis].

The *Building Height Guidelines* also advise that taller buildings can assist in contributing to a sense of place and can indicate important street junctions:

> *'Furthermore, while* ***taller buildings*** *will bring much needed additional housing and economic development to well-located urban areas, they* ***can also assist in reinforcing and contributing to a sense of place*** *within a city or town centre, such as indicating the main centres of activity,* ***important street junctions****, public spaces and transport interchanges. In this manner,* ***increased building height is a key factor in assisting modern placemaking*** *and improving the overall quality of our urban environments'.* [Our Emphasis]

The layout of the proposed development has comprehensively considered the position of the proposed block on site and the modulation in height provided across the site. For example, the development provides the greater heights towards the centre of the site and fronting the River Tolka, with lower heights fronting Richmond Road, opposite lower density dwellings. The layout of the development allows high-quality open spaces to be provided including a public route along the western boundary of the site which will connect to a pedestrian/bicycle path along the south of the site adjacent to the River Tolka. This will form part of the future Greenway. In addition, large areas of communal open space solely for the use of the residents have been provided. The scheme provides active frontage onto Richmond Road and the River Tolka (and future greenway) which will activate the streetscape. Therefore, it is considered that the scheme as proposed is the optimal solution for the lands.

It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a significantly scaled, strategically positioned and underutilised plot is maximised, with frontage onto the Tolka River, which allows additional height on the subject site to be absorbed.

A Visual Impact Assessment and Daylight/Sunlight Analysis have been carried out in conjunction with the design of the subject development. These assessments demonstrate that the proposed development will not have an undue negative impact on its receiving environment. It is our professional planning opinion that the site has the capacity and

capability to accommodate increased height that is actively sought in National policy guidance, particularly given the strategic location of the subject site in proximity to public transport, employment locations and services and facilities.

Chapter 3 of the *Building Height Guidelines* expressly seeks increased building heights in urban locations:

> *'In relation to the assessment of individual planning applications and appeals, it is Government policy that* ***building heights must be generally increased in appropriate urban locations.*** *There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.'* [Our Emphasis]

Under the heading, Development Management Principles, the *Building Height Guidelines* state (at paragraph 3.1) that it is Government policy that building heights must generally be increased, and that Planning Authorities must apply certain broad principles when considering development proposals for buildings taller than prevailing building heights in pursuit of the *Building Height Guidelines*. The third bullet point or "*broad principle*" in paragraph 3.1 requires consideration to whether the implementation of the pre-existing policies of a plan that predates the *Building Height Guidelines* align with and support the objectives and policies of the *NPF*. The *NPF* is considered above. As the *Development Plan* was made before the *NPF* and *Building Height Guidelines* were published, it is not surprising that the pre-existing policies of the *Development Plan* in relation to height do not fully align. There is no doubt, therefore, that the Specific Planning Policy Requirements in the *Building Height Guidelines* are relevant to the assessment of this proposed development.

Section 3.1 of the *Building Height Guidelines* states that *'Planning Authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines':*

Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?

The proposed scheme involves the development of an underutilised, brownfield, infill site, in a core, urban location. The subject development will contribute towards delivering compact growth in Dublin City. The scheme is therefore fully in accordance with the preferred approach of the *National Planning Framework*

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

Other than as set out in the Material Contravention Statement, the proposal is in line with the *Development Plan*. The *Development Plan* has not yet been updated in light of the *Building Height Guidelines*. However, as discussed further below, the proposal is consistent with the Guidelines, and in our professional opinion the *Development Plan* should be read in conjunction with the *Building Height Guidelines*.

It is considered that the heights proposed principally ranging from part 6 No. storeys to part 10 No. storeys are appropriate at the subject lands especially having regard to the site's frontage onto the River Tolka and the overall modulation of the scheme, in order to accord with Government policy to increase building heights in sustainable locations. The variation in proposed heights across the site provides visual interest and is appropriate in this location in order to accord with Government policy to increase building heights in sustainable locations. The Daylight and Sunlight Assessment and Landscape Visual Impact Assessment demonstrate that these design measures have been successful in reducing any potential adverse impact on the surrounding area.

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

The prescriptive heights of the *Dublin City Development Plan 2016 – 2022* are now incompatible with the developments in National Policy, which have occurred since the Plan's adoption.

We note in particular National Policy Objective 35 of the *National Planning Framework*, which seeks an increase in residential density in settlements, through a range of measures including infill development schemes, area or site-based regeneration and increased building heights. Insisting on the application of the height requirements in the *Development Plan* of a maximum of 16 No. metres would not align with NPO 35.

It is our opinion that the subject site has the potential for increased heights to sustainably densify this strategic site having regard to the high quality architectural composition of the scheme, the open spaces provided and the site's location with prominent frontage onto the River Tolka, which will all contribute towards absorbing the proposed building heights.

We note that a Landscape and Visual Impact Assessment and Daylight/Sunlight Analysis have been carried out in conjunction with the design of the subject development and demonstrate that the proposed development will not have an undue negative impact on its receiving environment.

Specific Planning Policy Requirement 3

SPPR3 of the Building Height Guidelines sets out that:

> *'It is a specific planning policy requirement that where;*
>
> *(A)* *1. an applicant for planning permission sets out how a development proposal complies with the criteria [below]; and*
> *2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*
>
> *then the planning authority* ***may approve such development, even where specific objectives of the relevant development plan*** *or local area plan* ***may indicate otherwise****.'* [Our Emphasis]

Section 9(3) of the SHD Act provides as follows:

> *'(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.*
>
> *(b)* ***Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan***.' [Our Emphasis]

We now wish to consider how the proposed development complies with the specified criteria under Section 3.2 of the *Building Height Guidelines*, which are referred to in SPPR3 as follows:

Development Management Criteria	
At the Scale of the Relevant City/ Town	
Assessment Criteria	**Comment**
• *The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.*	• A Mobility Management Strategy prepared by DBFL Consulting Engineers and enclosed with this planning application provides further detail in relation to the existing and proposed high-quality public transport facilities serving the subject site. • The subject site is considered eminently suitable for the proposed development given the availability of sustainable modes of transport such as Drumcondra Railway Station (c. 1.3 km / c. 16 minutes walking distance) and bus stops on Drumcondra Road (c. 750 metres / c. 9 minutes walking distance). These bus stops serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins).The site is also linked with other modes of public transport. For example, bus route No. 1 provides a connection to the LUAS at Abbey Street.
• *Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having*	• It is our professional opinion that the proposed scheme will successfully assimilate into the surrounding context, regenerating the subject site through the replacement of under-utilised industrial units and 2 No. dwellings, with much

regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake landscape and visual assessment (LVIA), by a suitably qualified practitioner such as a chartered landscape architect.	needed higher density residential units, which will contribute positively towards addressing the national housing crisis. • The subject scheme includes the provision of 1,501 sq m public open space along the banks of the Tolka River and includes a public route from Richmond Road to this space along the river. The provision of this high-quality landscaped area along the riverbank, which will contribute to the Tolka Greenway, represents a significant improvement to the existing public realm and therefore a significant planning gain for the surrounding area and community. • The subject scheme will result in the appropriate densification of a key infill site which has a generally flat topography, providing much needed residential units which will contribute towards addressing the national housing crisis. • We note that the subject site fronts the River Tolka, a large water body, which has the capacity to absorb increased height. It is considered that the proposed development takes the opportunity to enhance the Conservation Area that incorporates part of the subject site, particularly due to the active frontage and high quality design that will be provided. The proposed scheme will complement the Conservation Area and will have a positive impact on the character of the area, by providing a high-quality scheme with active frontage onto the River Tolka including provision for a new greenway link. • A Daylight / Sunlight Analysis has been carried out by 3D Design Bureau, which demonstrates that no significant material impacts will occur to the surrounding properties. • A Landscape Visual Impact Assessment has been carried out by Mitchell and Associates Landscape Architecture,

	which assess key views of the site. The Assessment, a copy of which is enclosed with this planning application, clearly demonstrates that there will be no adverse visual impact as a result of the proposed development. Views towards the site will also be significantly improved, removing the existing unsightly industrial nature of the site, and replacing it with a high-quality development.
• *On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.*	• The proposed scheme will make a positive contribution to the surrounding area by developing a key underutilised site and providing a high-quality residential development which will contribute positively towards addressing the national housing crisis. In addition, a café/retail unit will be provided at ground floor fronting Richmond Road which will enliven the streetscape and create visual interest in the streetscape and thus will positively contribute to place-making. • As noted by RKD Architects in the Design Statement, the proposal encompasses a variety of heights & mass and is an 'assembly' of architectural volumes articulated by differing heights and brick façade materiality. This approach generates a stepped roof profile and offers a visual richness/variety when approaching the site. • The subject scheme provides connectivity from Richmond Road to the banks of the Tolka River, which will be a pedestrian/bicycle pathway. This will significantly enhance recreational amenity available to the existing community in the area and will incorporates new public spaces for the community. The scheme also allows for the future extension of Richmond Road into the site, which will allow new streets to be incorporated. • The subject scheme also includes a café/retail unit at the ground floor along Richmond Road which will introduce

	animation to the streetscape. The height of the subject scheme steps down at Richmond Road to a more human scale and to harmonise with the buildings opposite. The site's frontage onto the River Tolka will allow the greater heights at the rear portion of the site to be absorbed and assimilated into the receiving environment.

Development Management Criteria	
At the scale of District/ Neighbourhood / Street	
Assessment Criteria	**Comment**
• *The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.*	• The high quality design and strategic layout of the proposed development will allow the development to be readily absorbed into the surrounding area and will positively enhance the permeability of area, and will make a positive contribution to the urban neighbourhood and streetscape. The layout also allows high-quality public and communal open space to be provided. The high-quality materials utilised in the scheme, the provision of new pedestrian linkages and open spaces and the provision of a café/retail space fronting Richmond Road, will also ensure that the development will make a positive contribution to the streetscape. The development has regard to clear guidance provided in National Planning Policy which seeks the densification of brownfield sites in sustainable locations such as the subject site. • The development will respond to its natural environment by contributing to the green infrastructure of the city and by providing large areas of public and communal open spaces. The provision of public open space fronting the River Tolka, which will be part of the future Greenway, will enhance the natural environment and demonstrates that the natural and built environment have been comprehensively considered. A

	public link is provided through the public open space from Richmond Road to this public open space along the River Tolka. This will also encourage connectivity and permeability for the wider public, will enhance legibility and will create a vibrant sense of place. • The height of the subject scheme modulates throughout the site with a lower scale street edge created by the proposed part 6 No. storey element presenting a human scale element having regard to the receiving context of Richmond Road. Elsewhere the height rises to part 10 No. storey towards the middle of the site, where the capacity to absorb increased height is greatest with large frontage onto the River Tolka. The height is modulated throughout the site and a variety of materials are utilised, which provides varied and interesting facades. • We submit that no material impacts on surrounding residential dwellings will occur as a result of the proposed development, having regard to the positive results of the Daylight/Sunlight assessment and the Visual Impact Assessment. The proposal therefore responds well to its overall built environment. In addition, the Applicant now has control of the neighbouring Leyden's site and a scheme is being prepared that will complement the scheme proposed. • The proximity of the site to the Conservation Area and Protected Structures has also been duly considered as part of the design process of the subject scheme. The high-quality scheme provided which will principally replace the existing unsightly industrial units will enhance the surrounding environment and thus will have a positive impact on the Conservation Area and Protected Structures.

• *The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.*	• The Design Statement prepared by RKD Architects, a copy of which is enclosed with this Planning Application, details the use of materials, the elevational treatment and modulated height arrangement which break up the massing of the proposed development. The scheme has been designed to ensure interesting and relieved facades which reduce the perceived mass and scale of the block. As discussed, the height varies across the site, which demonstrates that the block has been broken down to ensure that the scheme will not represent a monolithic form. • As set out in the Design Statement, the building form and massing are broken down into smaller entities with the choice of different brick materials and the modulation of heights. The façade of each part of the building has been considered in detail to deliver an overall visual variety but with façade modules designed with detail, colour and textural variety. • Furthermore, the high-quality open spaces and the permeable link provide visual relief throughout the scheme. • It is clear that a significant effort has been made to provide a well-considered and interesting building form which enhances legibility, wayfinding and connectivity within the site for future residents and the existing wider area.
• *The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)".*	• The subject scheme will enhance the public realm, particularly due to the high-quality design proposed with café/retail fronting onto Richmond Road, in addition to the public open space, the residents' amenity space at ground floor and the communal open space within the scheme all fronting the River Tolka. The scheme represents a planning gain for the wider neighbourhood and legibility and permeability will be enhanced.

	• The Flood Risk Assessment prepared by DBFL Consulting Engineers and enclosed with this application concludes that *'as per the OPW Guidelines, the sequential approach has been applied, the proposed development has passed the necessary justification tests, the development does not increase flood risk elsewhere and the development's design incorporates measures to address flood risk.'*
• *The proposal makes a positive contribution to the improvements of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.*	• The high-quality design of the scheme will ensure the development will be a legible and attractive addition to the area. As previously noted, the scheme will provide a permeable link through the site and will provide active frontage onto the River Tolka and Richmond Road with the provision of a café/retail unit, ancillary residents' amenity space and public and communal open space. • The design of the public open space includes a public access route through the subject scheme to the banks of the River Tolka, ensuring the legibility, permeability and quality of the public realm in the vicinity of the subject site is enhanced.
• *The proposal positively contributes to the mix of uses and/ or building / dwelling typologies available in the neighbourhood.*	• The *Dublin City Development Plan 2016 -2022* recognises the need to provide appropriately sized households. Policy SC14 stipulates that a variety of adaptable housing types must be provided as follows: *'It is the policy of Dublin City Council…to promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.'* • Furthermore, the *NPF* states that: *'the 2016 Census indicates that if the number of 1-2-person dwellings is compared to the number of 1-2-person households,*

	there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2- person households as there are 1-2 person homes.' • Therefore, it is clear that the mix of 1 and 2 No. bed apartments proposed are required in order to provide an appropriate mix of dwelling typologies in the area, as recognised in the *Dublin City Development Plan 2016 – 2022* and the *NPF*, due to the predominately larger house types in the area. • The commercial element of the scheme fronting Richmond Road and ancillary residents' amenity space fronting the River Tolka, will provide an active frontage and passive surveillance of the open spaces. In addition, the creation of public open space will enhance the amenity of the overall site for the community and the provision of communal internal and external amenities will provide a high quality living environment for future residents.

Development Management Criteria	
Site Specific Assessments	
Assessment Criteria	**Comment**
• *Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measurements to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.*	• A Wind and Microclimate Impact Assessment has been prepared by AWN Consulting, a copy of which is enclosed with this Planning Application. The Assessment clearly demonstrates that there will be no adverse impacts on the existing microclimate as a result of the proposed development.
• *In development locations in proximity to sensitive bird and/ or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and/ or collision.*	• The Natura Impact Statement prepared by Enviroguide Consulting has concluded that: *'Where potentially significant adverse impacts were identified, a range of mitigation and avoidance measures have been proposed to negate them. Therefore, as a result of the complete, precise and definitive findings of this Appropriate*

	Assessment; it has been concluded beyond any reasonable scientific doubt, that the Proposed Development will not have any significant adverse impact on the above European Sites.' • The scheme has considered the potential interaction of the building location, materials, artificial lighting to potentially impact on flight lines and/or collisions. The Ecological Impact Assessment by Enviroguide Consulting notes the following: *'Birds that fly over the Site to commute across the city or in order to reach feeding grounds at various locations would fly lower than this, as can be seen in the results of the flight-line surveys. However, even at these lower flight heights, all of the recorded species are capable of flying, and were noted flying, above the maximum height of the proposed buildings (see Table 3), and once said structures are made of visible materials i.e., not entirely comprised of reflective materials such as glass, the birds would simply fly around or over them…* *The overall façades of the proposed buildings are well broken up, with a varied material composition which breaks up any reflective areas. These architectural design features provide important visible cues as to the presence and extent of the proposed structures to any commuting/foraging bird species should they be in the vicinity of the Site. This overall visual heterogeneity of the building façades will be sufficient to further ensure that the risk of bird collisions as a result of the Proposed Development is negligible…* *As such, based on the heights of the proposed structures, the physical appearance of these structures, and as supported by the results of focused*

	flightline surveys, it is deemed that birds including SCI [Special Conservation Interests] *species such as Brent Geese and any other 'at-risk' bird species, do not have the potential to be impacted by the Proposed Development; through collisions or obstructions to flight-lines over the Site, and the collision risk is therefore deemed to be negligible in the absence of any mitigation.'* • In relation to bats, the Ecological Impact Assessment by Enviroguide Consulting notes that there was no evidence of bats in any of the buildings in the site but there was some bat activity along the River Tolka. The Report also states: *'Based on an assessment of the presence or absence of crevices, ivy cover and accessibility to bats in flight, the trees on the site perimeter have nil to very low roost potential… Regarding collisions with proposed structures at the Site, it is noted that bats commute and forage largely using echolocation and as such are capable of navigating buildings unless largely made of smooth reflective metal or glass. In this regard, due to the heterogenous composition of the proposed building façades, collisions are not deemed to represent a significant risk, and light spill is the more likely obstruction to bat movements in the absence of mitigation.'*
• *An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.*	• It is proposed to relocate the existing Telecommunications equipment from ground level to roof level of the proposed building. • A Telecommunications Report has been prepared for the subject scheme by Independent Site Management (ISM), which concludes the following: *'ISM can therefore conclude that the proposal being made by the Applicant*

	within its submission to An Bord Pleanála allows for the retention of important Telecommunication Channels, such as Microwave links, to satisfy the criteria of Section 3.2 of the Building Height Guidelines (2018).'
• *An assessment that the proposal maintains safe air navigation.*	• The *Dublin City Development Plan 2016-2022* does not identify the subject site to be located within close proximity of any air safety zones. Having regard to the location of the proposed development and the proposed height, no specific Aviation Assessment is considered necessary.
• *An urban design statement including, as appropriate, impact on the historic built environment.*	• An Architect's Design Statement has been prepared by RKD and is submitted with this planning application. It is considered that the proposed development takes the opportunity to enhance the Conservation Area on part of the site and Protected Structures in the vicinity, by replacing the existing underutilised structures on site with a high-quality development. In addition, the site incorporates public open space along the River Tolka which will form part a future Greenway, which will enliven the designated Conservation Area. • This Planning Application is also accompanied by an Architectural Heritage Assessment prepared by Historic Building Consultants which concludes that the development '*would have little or no adverse impact on the character of any of the protected structures in the vicinity. It would also result in an improvement in the character of the site itself adjacent to the conservation area, in that it would replace a series of commercial buildings and an open yard that could be seen as conflicting with the conservation area objective'.*
• *Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.*	• An AA Screening Report, a Natura Impact Statement, an Ecological Impact Assessment, an Environmental Impact Assessment Screening Report and Article 299B Statement prepared by Enviroguide Consulting are also submitted with this planning application.

Development Management Criteria	
At the Scale of the Site/ Building	
Assessment Criteria	**Comment**
• *The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.*	• The Design Team have comprehensively considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context. This has been achieved by providing a range of heights throughout the site and by breaking down the massing provided in addition to the open space and permeable links proposed. • The results of the enclosed Daylight and Sunlight Assessment demonstrate that the proposed scheme will not have an unacceptable or adverse impact on itself or on the surrounding properties with regard to daylight and sunlight. The proposed development would not result in a significant reduction to the level of daylight and sunlight received by the surrounding existing properties. Future occupants will enjoy good levels of daylight within the vast majority of the proposed units (c. 97% meeting the ADF targets when the 2% ADF target is utilised for living/kitchen/dining rooms and c. 99% meeting the ADF targets when the 1.5% ADF target is utilised for living/kitchen/dining rooms) and the units will have access to internal and external amenity areas and that are capable of receiving excellent levels of sunlight. The Applicant also now has control of the neighbouring Leyden's site and any scheme will have to ensure it works in conjunction with the subject site and will be required to ensure that the scheme does not materially affect the amenity of the Richmond Road dwellings. • The design of the subject scheme has evolved through a creative process, in conjunction with the results of the Daylight, Sunlight and Shadow Analysis

	to ensure an attractive living environment for future residents which has a limited impact on the amenity of surrounding properties.
• *Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guidelines. Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and an effective urban design and streetscape solution.*	• As noted above, the Daylight/Sunlight Assessment and the Landscape Visual Impact Assessment are favourable in relation to the proposed development. • The Daylight and Sunlight study has assessed the Average Daylight Factor (ADF) received in all habitable rooms across the two lowest habitable floors (the first and second floor) of the proposed development. As noted in the report, '*this has ensured that where unit types differ by way of layout and/or floor to ceiling heights, a clear understanding has been obtained of the performance of the scheme with regard to ADF'*. • A total of 118 No. spaces was analysed. Should a target value of 2.0% for LKDs be upheld, 106 No. spaces would be compliant. Should a target value of 1.5% be deemed appropriate, 112 No. spaces would be compliant. Only two LKDs have an ADF value of below 1.5%. These spaces are located in units L1.07 and L2.07, which are situated in a corner of the development, which is a compromised location. • As part of a compensatory design solution for the rooms that do not meet the recommended minimum average daylight factor, the proposed development includes communal amenity areas, all of which have been assessed and will have adequate levels of daylight. Some 1 No. meeting room will not meet the ADF but this is provided in addition to the co-working space which is well-lit. The meeting room has no external window but will only be used occasionally on for short periods of time. Furthermore, the scheme has incorporated a number of localised compensatory design measures. The rooms that do not meet the ADF target

	have been provided with either some or all of the following compensatory measures: • Balcony space, some of which exceed the minimum requirement. • Windows that face public open space and/or the River Tolka in the development. • Larger apartment floor areas. We have included a list of the rooms that fall short of the daylight provisions and demonstrated the compensatory design measures provided in Section 3.5 of the Material Contravention Statement.

Conclusion on compliance with criteria under Section 3.2 of the *Building Height Guidelines*

Having regard to the response to each element of the Development Management Criteria outlined above, it is our considered opinion that the proposed development meets the criteria under Section 3.2 of the *Building Height Guidelines*. The application proposes a mixed-use development principally ranging from part 6 No. storeys to part 10 No. storeys. The development can be appropriately assimilated within the surrounding context having regard to the location of the subject site within an existing built-up area with large frontage onto the Tolka River with the opportunity to also open up the site to the public by providing access from Richmond Road to the banks of the River. The site is well served by public transport and in proximity to employment locations, services and facilities.

It is our professional planning opinion that the subject site is capable of achieving additional height and density having regard to the introduction of the *National Planning Framework* and the *Building Height Guidelines* which encourages increased height and density on appropriate sites. It is considered that the design response ensures that the development potential of a strategically positioned underutilised plot is maximised without impacting adversely on the amenity of adjacent properties and the surrounding area.

7.6 *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020*

The Department of Housing, Planning and Local Government published the updated *Sustainable Urban Housing: Design Standards for New Apartments* in December 2020 (*"Apartment Guidelines, 2020").*

The purpose of the *Apartment Guidelines, 2020* published in December 2020 as an update to the *Apartment Guidelines* published in March 2018 ("*Apartment Guidelines, 2018*") (only change related to Shared Living policies), is to reiterate ministerial guidance, setting out standards for apartment developments, mainly in response to circumstances that had arisen whereby some local authority standards were at odds with national guidance. The *Apartment Guidelines, 2020 and 2018* build on the content of the *Apartment Guidelines* published in 2015 ("*Apartment Guidelines, 2015*") particularly in relation to design quality safeguards such as internal space

standards for 1, 2 and 3 No. bedroom apartments, floor to ceiling height, internal storage and amenity space.

The *Apartment Guidelines, 2020 and 2018* update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply and projected need for additional housing supply. The Government's *Rebuilding Ireland – Action Plan for Homelessness, 2016* ("*Rebuilding Ireland*") and the *National Planning Framework – Ireland 2040* ("*NPF*") have both been published since the *Apartment Guidelines, 2015*. We note that the Development Plan should be read in conjunction with the *Apartment Guidelines, 2020* which were issued after the publication of the Development Plan pursuant to Section 28 of the Planning Acts. The Specific Planning Policy Requirements of the *Apartment Guidelines, 2020* take precedence over any conflicting policies and objectives of development plans, local area plans and strategic development zone planning schemes.

The Build-to-Rent model is a relatively new model of housing delivery within the Irish planning system as defined by policy within the *Apartment Guidelines, 2020* (and 2018). It is defined as the following:

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

It is considered that the subject site is located within a 'Intermediate Urban Location' as set out in the Apartment Guidelines, which states:

> *'Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:*
>
> - *Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;*
>
> - *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;*
>
> - *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services*
>
> *The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors.'*

As noted in the *Apartment Guidelines, 2020*, *'the range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors'*. The subject site is located on Richmond Road, approximately c. 1.3 km from Drumcondra Railway Station and within a short distance from a number of significant employment locations

including but not limited to St Vincent's General Hospital (c. 600 metres / c. 7 minutes walking distance) and DCU St. Patrick's Campus (c. 800 metres / c. 10 minutes walking distance). There are bus stops on the N1 Drumcondra Road Lower within c. 750 metres / c. 9 minutes walking distance from the subject site which serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins).

We note that although there is no bus service within 5 minutes or 400-500 metres walking distance, that the site is appropriately located close to Drumcondra, employment locations, Drumcondra Train Station is within c 1.3km /c. 16 minutes walking distance and the Drumcondra Quality Bus Corridor is within c. 750 metres/c. 9 minutes walking distance.

Based on the above outlined criteria, in our professional planning opinion the subject site can therefore be considered an Intermediate Urban Location. The subject development has therefore been designed with increased building height and density in accordance with National level guidance.

In terms of meeting future housing need, the publication set out that '*demographic trends indicate that two-thirds of households added to those in Ireland since 1996 comprise 1-2- person, yet only 21% of dwellings completed in Ireland since then comprise apartments of any type*'. Furthermore, the 2016 Census indicates that '*if the number of 1-2-person dwellings is compared to the number of 1-2-person households, there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2- person households as there are 1-2- person homes.'*

The *Apartment Guidelines, 2020* recognises the need for alternative types of accommodation to facilitate the societal and economic changes that have affected household formation and housing demand.

The proposed development includes 183 No. Build-to-Rent apartments comprised of 104 No. one bedroom units and 79 No. two bedroom units and will therefore provide suitable alternative housing accommodation types for people seeking residential accommodation in Dublin. In addition, it is highlighted that the development provides 18 No. leased social housing units (10% of the total units), which is in accordance with Part V of the *Planning and Development Act 2000* (as amended).

Specific Planning Policy Requirement 1

In relation to the unit mix of Apartment Development, Specific Planning Policy Requirement 1 of the Apartment Guidelines states that:

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

The subject scheme comprises 183 No. apartments consisting of 104 No. one bedroom units (57%) and 79 No. two bedroom units (43%). This provides a breakdown of 57% one bed units and 43% two bed units. However, it is important to note that as outlined in Specific Planning

Policy Requirement 8(i) of the *Apartment Guidelines, 2020*, no restrictions on dwelling mix shall apply to Build-to-Rent developments.

Overall, it is our professional planning opinion that the proposed development will provide a greater mix of tenure in an area which currently dominated by existing low-density residential dwellings.

Specific Planning Policy Requirement 2

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

- *Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;*
- *Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;*
- *For schemes of 50 or more units, SPPR 1 shall apply to the entire development'*

N/A

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

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

All apartments meet, and in many cases, exceed the minimum apartment floor areas set out in SPPR3 as demonstrated in the Housing Quality Assessment Table prepared by RKD Architects.

Specific Planning Policy Requirement 4

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

(i) *A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*

(ii) ***In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.***

(iii) *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to*

consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.' [Our Emphasis]

The development proposes 50% of the units (92 No.) as dual aspect. This is in accordance with SPPR 4 of the *Apartment Guidelines, 2020*, which demonstrates the high quality design of the subject scheme.

Specific Planning Policy Requirement 5

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

Floor to ceiling heights throughout will exceed 2.4 metres clear internally. Typical floors achieve a 2.6 metre high internal finish. The ground floor has a higher floor to ceiling height (3.95 metre).

The proposal therefore exceeds the minimum requirements of SPPR5 of the *Apartment Guidelines, 2020*.

Specific Planning Policy Requirement 6

'A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha.'

This SPPR relates to Build-to-Sell units as SPPR 8 (v) states *'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.'*

Specific Planning Policy Requirement 7

'Build-to-Rent' development must be:

a. ***Described in the public notices associated with a planning application specifically as a 'Build-to-Rent' housing development*** *that unambiguously categorises the project (or part of thereof) as* ***a long-term rental housing scheme*** *and is to be* ***accompanied by a proposed covenant/ legal agreement*** *further to which appropriate planning conditions may be attached. Planning 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 must 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.*

In response to part (a), the scheme is described as Build-to-Rent in the Statutory Notice and a Legal Covenant is enclosed with the planning application. As per part (a), the 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 will apply to the Build-to-Rent units.

In response to part (b), it is required that satisfactory resident support facilities and amenities are provided in all Build-to-Rent developments. The subject scheme includes 2,283 sq m of communal amenity space (including 209 sq m of roof gardens) designed by Mitchell + Associates Landscape Architects and 545 sq m internal communal amenity space including gym, lounges, games room, kitchen space, co-working hub/office and meeting rooms. It also proposed to provide public open space totalling 1,501 sq m which represents 25% of the developable site area and an additional public plaza to the front of the site (275 sq m). The provision of public open space, communal open space and communal internal amenities will ensure that a high-quality standard of living that encourages social interaction will be provided for the future tenants. The scheme will provide residential facilities including management/concierge, post room, bicycle storage, refuse stores, plant and services.

Specific Planning Policy Requirement 8

For proposals that qualify as specific BTR developments in accordance with SPPR7:

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*** *(3-9 sq m)* ***and private amenity space*** *(4-9 sq m) associated with individual units as set out in Appendix 1 and in relation to the* ***provision of all of the communal amenity space*** *(4-9 sq m) also 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.***

1. **Dwelling Mix -** As previously noted, the proposed 183 No. residential units are comprised of 104 No. one bedroom apartments (57%) and 79 No. two bedroom apartments (43%), however there are no restrictions on dwelling mix for Build-to-Rent developments as outlined in SPPR 8(i).

2. **Storage and Private Amenity Space** - All units meet or exceed the minimum standards for storage and private amenity space.

3. **Car Parking –** The subject scheme includes the provision of 71 No. car parking spaces, which equates to a ratio of 0.39 No. spaces per unit. The site's proximity to public transport, employment, services and facilities supports the provision of a reduced car parking provision for the subject Build-to-Rent scheme.

4. **Minimum Floor Areas –** All of the 183 No. residential units within the subject scheme comply with the minimum standards outlined in Appendix 1 of the *Apartment Guidelines, 2020*. The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% does not apply to Build-to-Rent schemes.

5. **Units per Core –** As noted above, the requirement for a maximum of 12 No. apartments per floor per core does not apply to Build-to-Rent schemes, subject to overall design quality and compliance with building regulations

Minimum Aggregate Area of Living/Dining/Kitchen Area

The *Apartment Guidelines, 2020* outline the requirement for minimum aggregate area of living/dining/kitchen space as follows:

Unit Type	Minimum Living /Kitchen/Dining Area Required
Studio	30 sq m
One Bedroom	23 sq m
Two Bedroom (3 No. person)	28 sq m
Two Bedroom (4 No. person)	30 sq m
Three Bedroom	34 sq m

Each of the 183 No. residential units have been designed in accordance with the standards for the minimum aggregate area of the Living/Dining/Kitchen space outlined in the *Apartment Guidelines, 2020*)., except for 8 No. units which utilise the 5% variation allowed by the *Apartment Guidelines, 2020.*

Private Open Space

The *Apartment Guidelines, 2020* outline the private open space requirement as follows:

Unit Type	Private Open Space Required
Studio	4 sq m
One Bedroom	5 sq m
Two Bedroom	7 sq m
Three Bedroom	9 sq m

Private Open Space has been provided for each of the proposed 183 No. units in line with the requirements outlined in the *Apartment Guidelines, 2020* in the form of balconies and terraces. In many cases the private open space provision for the proposed apartments exceeds the minimum standards outlined in *Apartment Guidelines, 2020.*

Communal Amenity Space

The *Apartment Guidelines, 2020* outline the communal amenity space requirements as follows:

Unit Type	No. of Units	Communal Amenity Space Requirement Per Unit	Total Communal Amenity Space Requirement
Studio	N/A	4 sq m	N/A
One Bedroom	104	5 sq m	520 sq m
Two Bedroom	79	7 sq m	553 sq m
Three Bedroom	N/A	9 sq m	N/A
Total:	**183**		**1,073 sq m**

A noted above, the proposed 183 No. residential units have a communal amenity space requirement of 1,073 sq m to meet the minimum standards outlined in the *Apartment Guidelines, 2020*.

The subject scheme includes 2,074 sq m of external communal amenity space at surface level, 209 sq m of external communal amenity space in roof gardens and 545 sq m internal communal amenity space, therefore significantly exceeding the minimum requirement.

7.7 *Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)*

The *Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)* outline a number of key principles which are of relevance to the subject scheme:

> *'The purpose of these Guidelines is to assist in achieving the objectives of Delivering Homes; Sustaining Communities contained in the Government Statement on Housing Policy which focuses on creating sustainable communities that are socially inclusive by:*

- *Promoting high standards in the design and construction and in the provision of residential amenity and services in new housing schemes;*

- *Encouraging best use of building land and optimal utilisation of services and infrastructure in the provision of new housing;*

- *Pointing the way to cost effective options for housing design that go beyond minimum codes and standards; promoting higher standards of environmental performance and durability in housing construction;*

- *Seeking to ensure that residents of new housing schemes enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and providing homes and communities that may be easily managed and maintained.'*

The subject scheme provides a high-quality designed scheme in accordance with required standards. The scheme has taken the opportunity to explore the increase in building height and density, especially having regard to the site's frontage onto the River, and the scheme makes optimal use of the lands. The scheme will be provided with high quality materials as described throughout the Architect's Design Statement. As set out in the Design Statement, the building form and massing are broken down into smaller entities with the choice of different brick materials and the modulation of heights. The façade of each part of the building has been considered in detail to deliver an overall visual variety but with façade modules designed with detail, colour and textural variety. The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development. The scheme will provide attractive and high-quality apartments, open spaces and internal amenities which ensures that first-rate living conditions will be developed. In addition the design of the subject scheme has evolved through a creative process, in conjunction with the results of the Daylight, Sunlight and Shadow Analysis to ensure an attractive living environment for future residents.

7.8 *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009)*

The aim of *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) ("Sustainable Residential Development Guidelines 2009")* is to set out the key planning principles which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas. The document sets out high level aims that:

> *'Need to be translated into specific planning / design policy and objectives which can be applied at different scales of residential development, ranging from districts or neighbourhoods within large urban centres, to expansion of smaller towns and villages, and finally down to the level of the individual home and its setting.'*

There are 10 No. high-level aims set out in the document, which are set out and responded to below:

1) Prioritise walking, cycling and public transport, and minimise the need to use cars;

The scheme promotes sustainable modes of transport by providing a low car parking ratio and encouraging public transport, walking and cycling.

2) Deliver a quality-of-life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;

The development will provide high-quality units with large areas of public and communal open spaces and residents' amenity space. The scheme provides 50% dual aspect units.

The development promotes safety and facilitates the natural surveillance of adjoining routes and spaces as all open spaces are overlooked by apartments and/or residents' amenity space. The site is located in proximity to public transport, employment, services and facilities, and is thus an ideal and convenient location for residential development.

3) Provide a good range of community and support facilities, where and when they are needed and that are easily accessible;

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed as a separate document. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site '*which contribute to quality of life'*. The Social Infrastructure Audit did not identify a need to provide specific facilities at the subject site. The scheme also provides residents' amenity space for the future residents and a café/retail unit for public use.

4) Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained

As set out in Section 6.6 of this Report, a detailed Architectural Design Statement has been submitted with this planning application that high-quality materials have been proposed for the subject scheme. The materials proposed represents the industrial character of the site and its surrounding area. The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development. The development will provide public open space and will enliven the streetscape onto Richmond Road, which will ensure that the scheme will enhance this area and will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm.

5) Are easy to access for all and to find one's way around;

Public open space is provide along the north-western and south-western boundaries of the scheme, and includes part of the future Greenway. These spaces will be easy to navigate and will enhance permeability for the wider area. The apartment access and communal open space till be gated in order to separate the public from the communal spaces, which will also be easy to navigate.

6) Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;

The proposed development represents the sustainable and efficient development of underutilised, brownfield land in a core urban location, proximate to public transport,

employment, services and facilities. An Part L Planning Compliance Report has been prepared by OCSC Consulting Engineers and is enclosed with this application, which notes that: '*The building services design strategy in the proposed development is to utilise sustainable design options and energy efficient systems that are technically, environmentally, and economically feasible for a project of this kind. The report demonstrates the proposed strategy will meet the energy and sustainability targets for this development*'.

7) Provide a mix of land uses to minimise transport demand;

The development principally provides residential units with residents' amenity space in addition to public and communal open spaces and a cafe/retail unit. The development is a low car usage development and promotes sustainable modes of transport, especially due to the site's location proximate to public transport. The scheme also provides walking and cycling from the site, with several connections provided throughout the site and 388 No. bicycle parking spaces and 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces are proposed. Therefore, the development encourages sustainable modes of transport which will minimise car usage.

8) Promote social integration and provide accommodation for a diverse range of household types and age groups;

The development promotes social integration with the range of public and communal open spaces provided and the residents' amenity space and café/retail unit proposed. The mix of 1 and 2 No. bedroom units will add diversity to the existing unit provision in the area. Some 18 No. Part V units are provided in accordance with Part V of the *Planning and Development Act 2000 (as amended),* which require 10% social and affordable housing.

9) Enhance and protect the green infrastructure and biodiversity; and

The development will enhance and contribute to the green infrastructure and biodiversity of Dublin City. The scheme will provide good quality tree planting and hedging on the site and will act as a green infrastructural link towards other green infrastructure networks in the City along the Greenway.

10) Enhance and protect the built and natural heritage

The proposed scheme will enhance the natural and built heritage of the site, due the high quality design proposed, in addition to the large provision of public and communal open spaces, including provision for the future Greenway along the River Tolka. The site will enhance the visual amenity of the area and will be a positive insertion to the area having regard to the current unsightly industrial units present on site, which represents a significant underutilisation of scarce urban land.

The *Urban Design Manual – A Best Practice Guide (2009)* is a companion document to the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).*

The Urban Design Manual sets out 12 No. key indicators for developments in urban areas:

1) Context – How does the development respond to its surroundings?

The proposed development has been subject to a high-quality design by RKD Architects.

In our opinion, the heights provided in the subject development are appropriate having regard to the expressed requirement in National level policy to achieve compact growth, in addition to the careful modulation of height throughout the site, which responds to the situational context. The height of the subject scheme modulates throughout the site with a lower scale street edge created by the proposed part 6 No. storey element presenting a human scale element having regard to the receiving context of Richmond Road.

Elsewhere the height rises to part 10 No. storey towards the middle of the site, where the capacity to absorb increased height is greatest with large frontage onto the River Tolka. The height is modulated throughout the site and a variety of materials are utilised, which provides varied and interesting facades. As set out in the Design Statement, the building form and massing are broken down into smaller entities with the choice of different brick materials and the modulation of heights. The façade of each part of the building has been considered in detail to deliver an overall visual variety but with façade modules designed with detail, colour and textural variety.

The Design Team have comprehensively considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context.

2) Connections – How well connected is the new neighbourhood?

The subject site is located within walking and cycling distance of many employment locations, services and facilities in addition to being well served by public transport.

As previously noted, the application site is located approximately c. 1.3km from Drumcondra Railway Station and within a short distance form a number of significant employment locations including, but not limited to, St Vincent's General Hospital (c. 600 metres / c. 7 minutes walking distance) and DCU St. Patrick's Campus (c. 800 metres / c. 10 minutes walking distance). There are bus stops on the N1 Drumcondra Road Lower within c. 750 metres / c. 9 minutes walking distance from the subject site which serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins).

We note that although there is no bus service within 5 minutes or 400-500 metres walking distance, that the site is appropriately located close to Drumcondra, employment locations, Drumcondra Train Station is within c 1.3km /c. 16 minutes walking distance and the Drumcondra Quality Bus Corridor is within c. 750 metres/c. 9 minutes walking distance. It is evident that the site is well connected and sustainable modes of transport are encouraged within the proposed scheme. The proposed public open space will include a permeable link through the site, which will improve connections for the entire neighbourhood.

3) Inclusivity – How easily can people use and access the development?

As previously noted, the proposed development has been designed to encourage sustainable modes of transport e.g. walking, cycling and public transport. For example, the scheme includes bicycle parking, cargo bicycle parking and electric scooter parking.

We note that significant efforts have been made to ensure accessible routes have been provided throughout the scheme, with level access provided to the proposed building and with the facilitation of public open space which includes a permeable connection through the subject site to the Tolka River bank, significantly enhancing the connectivity between the subject scheme and the public realm. Residents will have separate access to the apartments and communal open space, which will not be publicly available.

4) Variety – How does the development promote a good mix of activities?

The development provides 183 No. residential units comprised of 104 No. one bedroom units and 79 No. two bedroom units. We note the residential development is supported by the provision of 545 sq m of internal communal amenities spaces such as co-working space, meeting rooms, lounges, games room and a gym. In addition to the internal amenity spaces there is also 2,283 sq m of communal open space, in the form of 2 No. communal roof terraces (totalling 209 sq m) and 2,074 sq m high quality landscaped communal open space at surface level. A café/retail unit is also provided fronting Richmond Road.

The proposed scheme has been designed ensuring that a wide variety of amenities and facilities are available for future residents to utilise within the development. We note that the area surrounding the subject site contains a wide variety of services, facilities and amenities which are all within walking and cycling distance of the subject site, especially within Drumcondra District Centre.

5) Efficiency – How does the development make appropriate use of resources, including land?

National policy expressly seeks the densification of underutilised lands such as the subject site. The 0.61 Ha developable site is located in close proximity to public transport and employment locations. The proposed scheme will provide a density of 300 No. units per hectare disproportionate (the higher proportion of 1 No. bedroom units within the subject scheme disproportionately inflates the density figure). The indicative Plot Ratio for lands zoned Z10 is 2.0 - 3.0. As such, the proposed plot ratio of 2.7 is within the indicative range for the subject site and represents efficient densification of core urban lands.

The proposed development is consistent with the zoning as set out in the *Dublin City Development Plan 2016-2022* which includes residential and cafe/retail as a permissible use. The proposed development represents the appropriate densification of this underutilised site while having regard to the need to protect the amenity of surrounding properties. The proposed scheme provides for large, high quality and valuable landscaped areas which will provide amenity and biodiversity.

6) Distinctiveness – How do the proposals create a sense of place?

The scheme provides large public and communal open spaces, which will allow the public and/or residents to enjoy high-quality landscaped outdoor spaces, which will create a sense of place.

The Landscape Masterplan designed by Mitchell and Associates Landscape Architects includes the provision of public open space along the banks of the Tolka River. The provision of this high-quality landscaped area along the riverbank represents a significant improvement to the

existing public realm and is therefore a significant planning gain for the surrounding area and community. This 'greenway' or 'river park' will be directly linked to Richmond Road via a public route providing permeability and legibility through the subject site.

7) Layout – How does the proposal create people friendly streets and spaces?

There will be limited vehicular activity within the subject scheme which provides a public realm that prioritises ease of movement for pedestrians and bikes, by diverting vehicles to the basement shortly after entering the development site.

The public and communal open spaces will be landscaped at a human scale. A public route from Richmond Road to the River Tolka greenway will be provided to increase legibility through the site. The public open space will be an attractive addition to the area. The communal open space will be solely for the residents which will be an attractive environment to enjoy.

8) Public Realm – How safe, secure and enjoyable are the public areas?

The outdoor spaces will be subject to a high level of passive surveillance as they will be overlooked by the residential units / the café/ retail unit / internal amenity space, ensuring that these areas are safe and secure. The communal open space will include a children's play area for any young families to enjoy.

The proposed development includes a comprehensive Landscape Plan and Landscape Planning Report prepared by Mitchell + Associates Landscape Architects, a copy of which is enclosed with this planning application and which sets out the strategy for the provision of safe, secure and enjoyable public spaces.

9) Adaptability – How will the buildings cope with change?

The ground floor level of the development allow for minimum floor to ceiling heights of 3.95 No. metres which are capable of internal modification where deemed necessary as per SPPR 5 of the *Sustainable Urban Housing: Design Standards for New Apartments* (2020).

It was noted during the Pre-Planning Consultation that historically commercial units have struggled along Richmond Road. As such, the unit has been designed to be in such a way that it could potentially be adapted to provide an internal resident amenity use/residential accommodation if it transpires that the unit is not commercially viable for example (and would be subject to a future planning application).

10) Privacy and Amenity – How does the scheme provide a decent standard of amenity?

The contemporary design provides for versatile private units. Each of the 183 No. residential units within the subject scheme have been provided with private open space in the form of balconies and terraces in compliance with the provisions of the *Apartment Guidelines, 2020.*

The *Dublin City Development Plan 2016-2022* requires 10% of the total site area as public open space on the subject lands. The subject scheme includes the provision of 1,501 sq m of public open space, which equates to 25% of the developable site, which significantly exceeds the 10% requirement.

Furthermore, according to the *Apartment Guidelines 2020* the subject scheme results in a requirement of 1,073 sq m of communal amenity space to meet the minimum standards outlined in the Apartment Guidelines.The subject scheme includes 2,074 sq m of external communal amenity space at surface level and 209 sq m of external communal amenity space in roof gardens. The subject scheme also includes 545 sq m of internal communal amenity space in the form of meeting rooms, shared workspaces, lounges and a gym. Therefore, the communal open space provision significantly exceeds the requirement.

It is clear that the proposed scheme provides for a high-quality residential development in accordance with minimum standards.

11) Parking – How will the parking be secure and attractive?

The scheme proposes 71 No. car parking spaces providing a ratio of 0.39 No. spaces per unit. The scheme includes 4 No. mobility impaired spaces, which equates to 5% of the total parking provision, 1 No. car share space, 8 No. electric vehicle parking spaces and an additional 1 No. drop off space.

Sustainable modes of transport such as cycling and walking are promoted within the scheme, with the provision of 388 No. cycle parking spaces in addition to 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces.

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

A detailed Architectural Design Statement prepared by RKD Architects and Landscape Planning Report by Mitchell + Associates Landscape Architecture are submitted as part of this planning application, which sets out the design rationale of the proposed development providing a high-quality innovative scheme.

The assessment of the proposed development above and in the context of the expert reports referred to demonstrates that the proposal is consistent with the guidance as set out in the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009).*

7.9 *Design Manual for Urban Roads and Streets (2019)*

The *Design Manual for Urban Roads and Streets* (DMURS) sets out an integrated design approach for creating new and redeveloping existing routes to ensure that they are secure, connected and attractive. The guidance document outlines several key objectives and design principles, most notably the promotion of sustainable modes of transport such as; prioritising walking, cycling and use of public transport. DMURS outlines practical guidance for the design of roads and streets which have been taken into consideration during the design process of the proposal at the subject of the report.

7.9.1 Policy Background

The *Design Manual for Urban Roads and Streets* references the *Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020* document which was published

by the Department of Transport. The key goals as set out within the *Smarter Travel* document include:

(i) To reduce overall travel demand;
(ii) To maximise the efficiency of the transport network;
(iii) To reduce reliance on fossil fuels;
(iv) To reduce transport emissions; and
(v) To improve accessibility to public transport.

Given the intermediate urban location of the application site c. 1.3km from Drumcondra Railway Station, c. 750 metres/ c. 9 No. minutes walking distance from bus stops on Drumcondra Road and within a short distance from a number of significant employment locations including, but not limited to, St Vincent's General Hospital (c. 600 metres / c. 7 minutes walking distance) and DCU St. Patrick's Campus (c. 800 metres / c. 10 minutes walking distance), it is anticipated that residents of the scheme would largely rely on walking, cycling or utilising existing public transport routes to reach their place of work.

Due to location of the subject site and the accessibility of high-quality public transport, car parking is limited to 71 No. spaces within the proposed development (including 4 No. accessible spaces). The scheme is considered to be consistent with the key policy goals as set out in *Smarter Travel – A Sustainable Transport Future A New Transport Policy for Ireland 2009 – 2020.*

7.9.2 Site Layout and Legibility

As noted previously, the proposed development promotes permeability and legibility through the site by providing public open space which have been designed to increase the legibility and permeability. Car parking is provided at basement level which is accessed from an entrance that connects to the Richmond Road.

The proposed high-quality designed layout of the scheme by RKD Architects will ensure that the scheme will be legible in the streetscape while also sitting comfortably within its immediate context. We note that the development has been designed in accordance with DMURS, as demonstrated in the enclosed DMURS Statement prepared by DBFL Consulting Engineers.

7.9.3 Sustainable Transport

Drumcondra Train Station is c. 1.3 km (c. 16 minute walking distance) from the site and there are bus stops on the N1 Drumcondra Road Lower within c. 750 metres / c. 9 minutes walking distance which serve the following bus routes (peak frequency): Nos. 1 (every 10 mins), 11 (every 15 mins), 13 (every 10 mins), 16 (every 10-12 mins), 41 (every 20 mins) and 44 (every 60 mins).

The DMURS publication references that the Smart Travel document includes a '*vision to create a strong cycling culture in Ireland and ensure that all cities, towns and villages will be cycling friendly and that cycling will be a preferred way to get about, especially for short trips.*' The proposed scheme provides 388 No. bicycle parking spaces in addition to 2 No. cargo bicycle parking spaces and 10 No. electric scooter parking spaces, ensuring that sustainable modes of transport are encouraged.

As established in the above commentary, it has been demonstrated that the proposed mixed-use scheme is consistent with the guidance as per the *Design Manual for Urban Roads and Streets (2019).*

The DMURS Design Statement prepared by DBFL Consulting Engineers states that '*the design presented has maximise every opportunity to ensure consistency with both the principles and design guidance outlined within the Design Manual for Urban Roads and Streets'*.

This DMURS Design Statement sets out specific attributes of the scheme design which contribute to achieving this DMURS objective.

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

The *Planning System and Flood Risk Management Guidelines (2009)* published by the Government of Ireland includes the following core objectives:

- Avoid inappropriate development in areas at risk of flooding;
- Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- Ensure effective management of residual risks for development permitted in floodplains;
- Avoid unnecessary restriction of national, regional or local economic and social growth;
- Improve the understanding of flood risk among relevant stakeholders; and
- Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

The Flood Risk Assessment prepared by DBFL Consulting Engineers concludes the following:

> *'It is concluded that as per the OPW Guidelines, the sequential approach has been applied, the proposed development has passed the necessary justification tests, the development does not increase flood risk elsewhere and the development's design incorporates measures to address flood risk.'*

Thus, the proposed development is acceptable having regard to the objectives of *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).*

7.11 *Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016*

The *Guidelines for Planning Authorities on Childcare Facilities (2001)* (*"Childcare Guidelines, 2001")* sets outs that:

> *'Access to quality childcare services contribute to the social, emotional and educational development of children. There are clear economic benefits from the provision of childcare. The lack of accessible, affordable and appropriate childcare facilities makes it difficult for many parents/guardians to access employment and employment related opportunities…In relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate.'*

The *Childcare Guidelines, 2001* further state:

> *'The Planning and Development Act, 2000, makes it a mandatory requirement on planning authorities to include in their Development Plan objectives on the provision of services for the community, including creches and other childcare facilities.'*

The objectives of the *Childcare Guidelines, 2001* are to:

- Update and develop baseline data on the quality of existing and prospective childcare needs in association with the County Childcare Committees;
- Promote childcare facilities in the following locations as a key element in the provision of sustainable communities:
  - Residential areas;
  - Places of employment;
  - Educational establishments;
  - City and town centres, neighborhood and district centres;
  - Convenient to public transport nodes.
- Establish a system of monitoring the achievements of the above objectives.

The *Childcare Guidelines, 2001* identify appropriate locations for childcare facilities as identified below:

- New communities/Larger new housing developments - *'Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments.'*
- The vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working – *facilitating safe and efficient journeys to/from the workplace of parents/guardians.*
- In the vicinity of schools – facilitating parents dropping off school-going children and children attending childcare facilities on route to their place of employment;

- Neighbourhood, District and Town Centres – combating competitive pressure from larger commercial areas.

- Adjacent to public transport corridors, park and ride facilities, pedestrian routes and dedicated cycle ways.

The *Childcare Guidelines, 2001* stipulate that Planning Authorities should require one childcare facility (providing for a minimum 20 childcare places) per approximately 75 No. dwellings. However as noted above, a childcare facility does not need to be provided if there are significant reasons relating to the development consisting of single bed apartments or where adequate childcare facilities exist in adjoining developments. It is also noted that the *Apartment Guidelines, 2020* state the following:

> *'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.'*

The Childcare Demand Assessment prepared by KPMG Future Analytics enclosed separately concludes that there is sufficient capacity in the area to easily cater for the proposed development (estimated demand of 2-9 No. children), especially having regard to the higher quantum of 1 No. bedroom units included (104 No.).

Overall, as demonstrated throughout this section, the proposed scheme is consistent with all relevant National Policy Documents.

8.0 STATEMENT OF CONSISTENCY - REGIONAL POLICY

This section will demonstrate that the proposed development has been brought forward with due consideration of Regional Policy and is consistent with the objectives and guidance as set out within each of the respective policy documents. Within this section the development will be assessed against the *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* and the *Regional Spatial and Economic Strategy for the Eastern and Midland Region.*

8.1 *Regional Planning Guidelines for the Greater Dublin Area 2010-2022*

The *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* (RPG's) provides a long term sustainable planning framework for the GDA. The Regional Planning Guidelines (RPGs) is a policy document which aims to direct the future growth of the Greater Dublin Area over the medium to long term.

The RPG's set out that *'quality housing should be reflected equally in terms of the overall layout of the scheme and its urban design characteristics, the internal layout, form and design of housing and the external architectural form of housing which should relate to the wider urban area of which it is part while facilitating the creation of areas of distinct character.'*

In relation to Dublin, the RPG's states that:

> *'A core element of the RPGs is the importance of integration of land use, employment and transport. Within the City, as the national hub of employment and transport, it is critical that the policy of encouraging high quality new housing within the core of the gateway continues. The City, with a large young population inflated by students, migration and a young mobile workforce, has lower occupancy rates, particularly in the inner City which drives higher housing demand per head of new population. The importance of the detailed urban plans and guidelines in setting clearly the template for successful infill and regeneration development needs to continue, taking the long term perspective. New transport hubs at metro stations and along the interconnector route line give these locations high accessibility and mobility and this needs to be capitalised on where possible.'*

The following Strategic Policies are considered relevant and have been assessed in respect to the consistency of the proposed development:

Strategic Policy EP1 outlines the importance of the integration of climate change considerations into Development Plans, Flood Risk Assessments and Biodiversity and Heritage plans.

The proposed development has had due regard to climate change, flood risk and biodiversity. An Environmental Impact Assessment Screening Report prepared by Enviroguide Consulting is submitted with the application, in addition to a number of technical reports on specific environmental issues, such as the Appropriate Assessment Screening Report, Natura Impact Statement and Ecological Impact Assessment also prepared by Enviroguide Consulting and the Flood Risk Assessment prepared by DBFL Consulting Engineers.

The enclosed technical reports clearly demonstrate that the proposed development is consistent with Strategic Policy EP1.

Strategic Policy EP2 refers to the need to facilitate new employment opportunities for existing populations and seek to reduce the volume of unsustainable long-distance commuting.

The proposed development will facilitate new employment opportunities for the local community in the form of staff for the operation and management of the residential units and the 1 No. café/retail unit within the subject scheme.

In addition, the availability of affordable, high quality and a range of tenures close to a number of significant employment nodes will allow employees to live closer to their place of work and reduce commuting distances and will allow new employers to have confidence that adequate residential development is available for their employees.

Therefore, the proposal is consistent with Strategic Policy EP2.

Strategic Policy SP1 stipulates that the delivery of new housing in the GDA shall support the NSS, Smarter Travel and the DoEHLG Guidelines on Sustainable Residential Development. The RPG Settlement Strategy encourages the focusing of new housing development on:

(i) consolidation within existing built footprint with particular focus on the metropolitan area;
(ii) supporting the achievement of sustainable towns;
(iii) supporting national investment in public transport services by focusing new development areas to key locations to achieve the integration of land use and high quality public transport provision, and
(i) build up economics of scale for services in identified growth towns.

The proposed scheme will positively address each of the criteria above where relevant.

The subject development will:

- Provide residential units within Dublin City, which represents the consolidation within the existing urban footprint;
- Represent the sustainable development of this accessible urban area; and
- Provide residential units in a key urban location proximate to high quality public transport.

The subject lands are located in a sustainable location and will promote the increase in population at a location in proximity to public transport and employment locations.

The scheme is considered to be consistent with Strategic Policy SP1.

Strategic Policy PIP5 relates to waste management and aims to ensure environmental, business and public health needs are met. It also sets out to promote and facilitate reuse and recycling.

An Operational Waste Management Plan (OWMP) and Construction and Demolition Waste Management Plan (CDWMP) have been prepared by AWN Consulting, copies of which are included with this planning application. These reports set out the waste management strategy for the subject site.

The proposal is therefore consistent with Strategic Policy PIP5.

Strategic Policy GIP1 is concerned with the protection of built heritage and protected species.

The site is not located within any statutory designated areas and is not comprised of any significant built heritage features. The scheme will enhance the built heritage of the area as the proposed development takes the opportunity to enhance the Conservation Area on part of the site and Protected Structures in the vicinity, by replacing the existing underutilised structures on site with a high-quality development. In addition, the site incorporates public open space along the River Tolka in the form of a greenway link which will enliven the designated Conservation Area.

The Appropriate Assessment Screening Report containing information for the purposes of Stage 1 Screening for AA is presented in a separate document with this application and has been prepared by Enviroguide Consulting. This Report concludes:

> *'In conclusion, upon the examination, analysis, and evaluation of the relevant information, and in 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 any significant effect on the European Sites listed below:*
>
> - *Rockabill to Dalkey Island SAC [003000]*
> - *Baldoyle Bay SAC [000199]*
> - *Ireland's Eye SAC [002193]*
> - *Howth Head SAC [000202]*
> - *Malahide Estuary SAC [000205]*
> - *Wicklow Mountains SAC [002122]*
> - *Glenasmole Valley SAC [001209]*
> - *Dalkey Islands SPA [004172]*
> - *Wicklow Mountains SPA [004040]*
> - *Baldoyle Bay SPA [004016]*
> - *Howth Head Coast SPA [004113]*
> - *Malahide Estuary SPA [004025]*
> - *Ireland's Eye SPA [004117]*
>
> *These complete, precise, and definitive findings, based on the best available scientific evidence, remove all reasonable scientific doubt that the Proposed Development will have any significant impacts on the European Sites detailed above. It is also noted that, pursuant to the judgement in C-323/17 People Over Wind and Peter Sweetman v Coillte, no measures intended to avoid or reduce the potential harmful effects of the project on any European Site have been taken into account in this Appropriate Assessment Screening Report and its conclusions.*

However, upon examination of the relevant information including in particular the nature of the potential impact pathways associated with the Proposed Development, the possibility cannot be excluded that the Proposed Development will have a likely significant effect on the European Sites listed below:

- *South Dublin Bay SAC [000210]*
- *North Dublin Bay SAC [000206]*
- *South Dublin Bay and River Tolka Estuary SPA [004024]*
- *North Bull Island SPA [004006]*

As such, further assessment is required to establish whether any likely significant effects to the above four European Sites may arise as a result of the Proposed Development. A Natura Impact Statement has been prepared and accompanies this application as a separate document.'

The Natura Impact Statement (NIS) prepared by Enviroguide Consulting enclosed details the findings of the Stage 2 Appropriate Assessment conducted to further examine the potential direct and indirect impacts of the proposed development. The NIS concluded that:

'Where potentially significant adverse impacts were identified, a range of mitigation and avoidance measures have been proposed to negate them. Therefore, as a result of the complete, precise and definitive findings of this Appropriate Assessment; it has been concluded beyond any reasonable scientific doubt, that the Proposed Development will not have any significant adverse impact on the above European Sites'.

The proposal is consistent with Strategic Policy GIP1.

Strategic Policy GIP2 aims to protect and conserve the natural environment, in particular EU designated sites.

Sa noted above in GIP1, the Natura Impact Statement, it has been concluded beyond any reasonable scientific doubt, that the proposed development will not have any significant adverse impact on the above European Sites.

The proposal is therefore consistent with Strategic Policy GIP2.

Strategic Policy GIP6 sets out to ensure the protection, enhancement and maintenance of the natural environment with specific emphasis on the value of green spaces.

The proposed scheme has been designed with due regard for the natural environment, the value of green space and the strategic green network. Outdoor public open spaces, communal open spaces, balconies and green roofs have been provided within the development. A comprehensive Landscape Planning Report has been prepared by Mitchell + Associates Landscape Architecture and is submitted in conjunction with the application. The proposed Landscape Plan has due regard for the existing landscape character of the site and surrounding area.

The proposal is consistent with Strategic Policy GIP6.

Strategic Policy SIP1 is in relation to planning for communities and outlines the need to identify and respond to the most vulnerable in planning for growth, for change or regeneration.

The proposed scheme is a direct response to the deficit in housing supply in Dublin and will contribute towards addressing the national housing crisis. The proposed Build-to-Rent units will accommodate those who wish to remain mobile or require flexibility and those who wish to rent a dwelling. It is also noted that the scheme provides 10% social housing as per Part V of the *Planning and Development Act, 2000*.

The proposal is consistent with Strategic Policy SIP1.

Strategic Policy SIP2 acknowledges planning policy as a tool in creating a quality of life.

The subject scheme includes 183 No. residential units, 1 No. café/retail unit, 2,283 sq m of external communal open space and 1,501 sq m public open space. In addition to the 2,283 sq m of external communal amenity space, the subject scheme also includes the provision of 545 sq m of internal communal amenity space which includes gym, lounges, games room, kitchen space, co-working hub/office and meeting rooms. It is therefore considered that the proposal will provide for a high-quality standard of residential amenity/quality of life for the future occupiers.

The sustainable location will reduce commuting times, in addition to the provision of large external public and communal open spaces areas and the promotion of public transport, walking and cycling as main modes of transport which will contribute to the quality of life of residents within the proposed development in proximity to a range of services and facilities. The subject scheme will also benefit the local community through the provision of 1 No. café/retail unit and the public open space.

The proposal is consistent with Strategic Policy SIP2.

Strategic Policy FP1 states that flood risk requires active management throughout the planning process.

The Flood Risk Assessment Report prepared by DBFL Consulting Engineers concludes the following:

> *'It is concluded that as per the OPW Guidelines, the sequential approach has been applied, the proposed development has passed the necessary justification tests, the development does not increase flood risk elsewhere and the development's design incorporates measures to address flood risk.'*

The proposal is consistent with Strategic Policy FP1.

This section has clearly demonstrated that the proposed mixed-use scheme comprising 183 No. Build-to-Rent apartments with ancillary amenities and facilities, 1 No. cafe/retail unit and public and communal open spaces, is consistent with the relevant strategic policies set out the *Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022.*

8.2 *Regional Spatial and Economic Strategy for the Eastern and Midlands Region*

The *Regional Spatial and Economic Strategy* ("*RSES*") for the East and Midlands Regional Assembly comprises a number of core Regional Policy Objectives which coincide with the National Planning Framework ("*NPF*"). The purpose of the guidelines is to direct all Local Authority future plans, projects and activities requiring consent of the Regional Assembly.

Under RPO 4.3 'Consolidation and Re-intensification' the following objective is stated:

> *'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 coordinated with the delivery of key water infrastructure and public transport projects.'*

The subject scheme will provide 183 No. residential units and 1 No. café/retail unit on a brownfield site within the existing built-up area of Dublin, therefore appropriately densifying this key underutilised site in a core urban location, in accordance with RPO 4.3.

The Metropolitan Area Spatial Plan (MASP) for Dublin contained within the *RSES* states the following:

- RPO 5.4: '*Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments Guidelines', and 'Urban Development and Building Heights Guidelines for Planning Authorities'*.

As stated previously in this Statement, the proposed development fully responds to the National Planning Policy, in particular Section 7.6 - *Sustainable Urban Housing; Design*

Standards for New Apartments' Guidelines and Section 7.5 - *Urban Development and Building Heights Guidelines for Planning Authorities.*

MASP Housing and Regeneration:

RPO 5.5 states:

> *'Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.'*

The subject site is contained within an established built-up area, a short distance from public transport and within cycling distance of the city centre.

It is our professional opinion that the proposed development provides an appropriate design response that will consolidate the surrounding residential land uses as per RPO 5.5. The site can absorb a higher density residential development with ancillary residential facilities and amenities and communal open spaces at this location. The proposed development represents consolidated growth on a brownfield site. Supporting environmental reports are submitted with this application to demonstrate the suitability of the site to accommodate the proposed development.

Under **Section 8.1** the RSES states the following with regard to integrating land use and transport planning:

> *'The RSES identifies regional strategic outcomes which include integrated transport and land use planning, the transition to a low carbon economy by 2050, compact growth, enhanced regional and international connectivity, enhanced green infrastructure and the provision of sustainable settlement patterns.'*

By providing reduced car parking, the proposed scheme seeks to encourage future residents to avail of the high-quality public transport and that the development is within cycling distance to the city centre.

Therefore, the subject development contributes to consolidated growth, the reduction in carbon emissions and represents a sustainable settlement pattern.

The RSES sets out the following in relation to *'Economic Strategy: Smart Specialisation, Clustering, Orderly Growth and Placemaking':*

> *'Orderly Growth: Though the identification of locations for strategic employment development in line with our Growth and Settlement Strategy, compact growth will be achieved. This involves managing and facilitating the growth of Dublin and to increase the scale of our Regional Growth Centres to be able to provide the range of functions to their hinterlands.* ***This needs to be facilitated by appropriate, effective and sustainable***

infrastructure development in these centres, and at the same time avoid sprawl. This encompasses connectedness aimed at facilitating a network of skills and talent living in our settlements. It requires a support network of infrastructure *- including broadband - in order to make the Region more connected and competitive. This will help to deliver high quality jobs that are well-paid and sustainable.'* [Our Emphasis]

The proposed development is located on appropriately positioned lands in proximity to public transport and employment locations.

The proposed scheme addresses the economic strategy by providing an appropriate, effective and sustainable development by virtue of the high-quality design and higher density residential development in an urban location preventing urban sprawl. Appropriately located residential accommodation within Dublin is important to the continued growth and maintenance of Ireland's competitiveness in both the private residential market and Build-to-Rent sector and its response to the evolving needs of the modern, mobile workforce.

Under Section 8.1, the *RSES* states the following with regard to integrating land use and transport planning:

'The RSES identifies regional strategic outcomes which include integrated transport and land use planning, the transition to a low carbon economy by 2050, compact growth, enhanced regional and international connectivity, enhanced green infrastructure and the provision of sustainable settlement patterns.'

The subject development contributes to consolidated growth and the reduction in carbon emissions through lower parking standards and the provision of 388 No. bicycle parking spaces and 2 No. cargo bicycle parking spaces and 10 No. electric scooter parking spaces.

Through the provision of green roofs, landscaping, tree protection and planting, the development also helps maintain a high standard of natural and green infrastructure within an intensified and more dense residential setting. The large quantum of public and communal open spaces provided within the development will also significantly enhance the green infrastructure of the area and will also contribute to sustainable settlement patterns by providing permeable routes through these spaces and the overall site.

By locating in close proximity to key public transport and in close proximity to employment, services and facilities, the subject development can be seen as a sustainable development pattern, which seeks to increase density, reduce car dependency, and provide permeability throughout the scheme.

Under Section 8.2, the RSES discusses responses to urban sprawl and justification for the move towards compact growth:

'The Strategy aims to provide a spatial framework ***to promote smart compact growth*** *as an alternative to continued peri-urban sprawl around our cities and towns, with a resultant negative impact on the environment and people's health and wellbeing due to increased commuting and loss of family and leisure time.'* [Our Emphasis]

The subject development seeks to provide a welcoming and attractive alternative to a car dominated development, which is well located in proximity to public transport, employment locations, services and facilities. Car parking is provided at basement level and as a result, there is very limited vehicle movements at the site and maximum use can be made of the available surface level amenity spaces.

The location of this development on a site within close proximity of public transport and accessible to the city centre allows for reduced commuting time and greater work life balance for future residents.

Additionally, the provision of a café/retail unit, amenity spaces and facilities aides in the facilitation and promotion of healthy lifestyles and social interaction between residents and the public which will ultimately result in the creation of a strong sense of community.

The RSES Objective RPO 9.4 states that in relation to new apartment developments:

> *'Design standards for new apartment developments* ***should encourage a wider demographic profile which actively includes families and an ageing population****.'* [Our Emphasis]

There are only a few examples of apartment developments along Richmond Road at present, however the area is currently in transition with higher density development recently granted in the area.

It is our opinion that there is a significant opportunity to densify this area of Dublin with a mix of 1 and 2 No. bedroom units, which will allow people to rent in this area. As such the scheme will cater for a wide cohort of persons.

Overall, as demonstrated throughout this section, the proposed scheme is consistent with all relevant Regional Policy Documents.

9.0 STATEMENT OF CONSISTENCY - LOCAL POLICY

This section will demonstrate that the proposed development has been designed in accordance with Local Policy and is consistent with the objectives and guidance as set out within the *Dublin City Development Plan 2016-2022*.

9.1 *Dublin City Development Plan 2016-2022*

9.1.1 Zoning

The subject lands are zoned Objective Z10 '*Inner Suburban and Inner City Sustainable Mixed-Uses'* in the *Dublin City Development Plan 2016-2022*, where the stated aim is *'to consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas'.* A strip of land along the south-west boundary adjacent to the River Tolka is zoned Objective Z9 'Amenity/Open Space Lands/Green Network', where the stated aim is *'to preserve, provide and improve recreational amenity and open space and green networks'.*

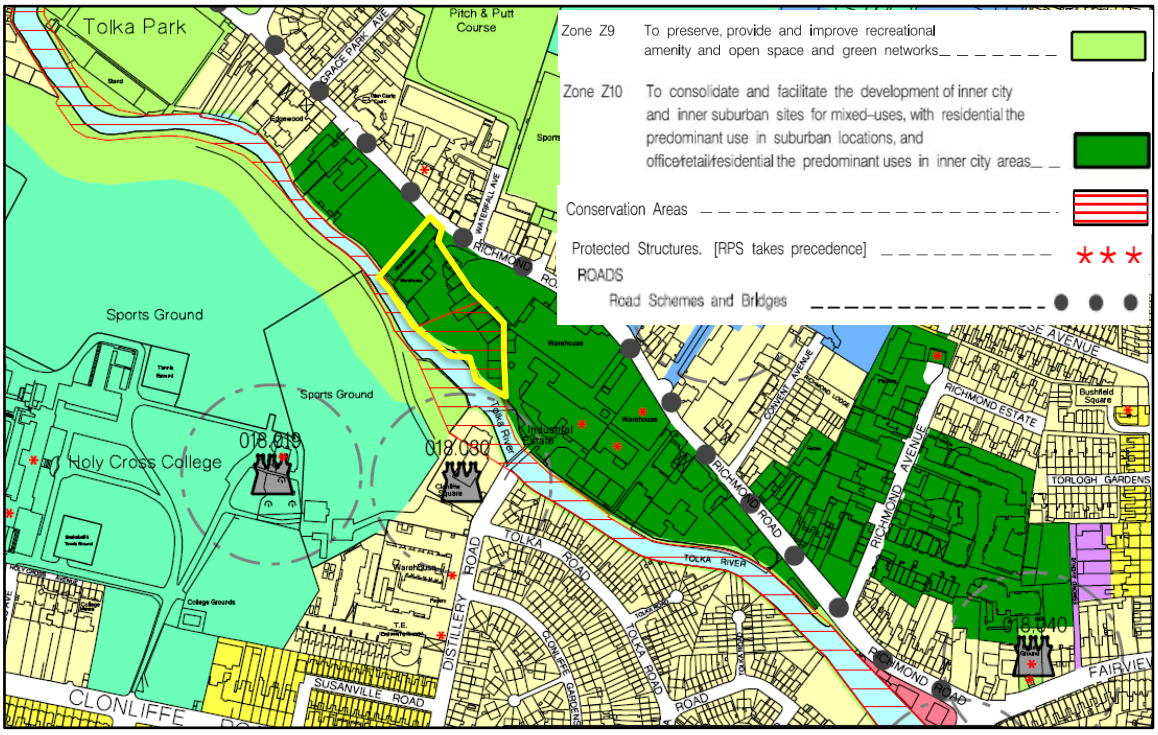

Figure 9.1: Zoning Map of the Subject Site (Indicative Boundary Outlined in Yellow)

Source: *Dublin City Council Development Plan 2016 – 2022*, Zoning Map E

Part of the subject site is located within a Conservation Area and there are Protected Structures within the neighbouring site to the east/south-east and opposite the site to the north-east annotated by the red asterix in Figure 9.1 above. Dublin City Council clarified by email on 24th September 2020 that the warehouse fronting Richmond Road (within the neighbouring Leyden's site) is not a Protected Structure and is marked on the zoning map in error. Please see correspondence attached as Appendix A to this Report. Further details in relation to these Protected Structures is set out in the Architectural Heritage Impact Assessment prepared by Historic Building Consultants.

Z10 – *'Inner Suburban and Inner City Sustainable Mixed-Uses'*

The following are the permitted and open for consideration uses under the Z10 zoning objective:

Permissible Uses

Amusement/leisure complex, bed and breakfast, betting office, buildings for the health, safety and welfare of the public; car park, car trading, childcare facility, civic offices, community facility, cultural/ recreational building and uses, delicatessen, education, embassy office, enterprise centre, garden centre, guest house, halting site, home-based economic activity, hostel, hotel, industry (light), live work units, media-associated uses, medical and related consultants, motor sales showroom, office (max. 600 sq m.), off-licence, open space, park and ride facility, part off-licence, petrol station, place of public worship, public house, ***residential****,* ***restaurant*****,** *science and technology-based industry,* ***shop (district)****,* ***shop (neighbourhood)****, take-away, training centre.*

Open for Consideration Uses:

Advertisement and advertising structures, civic and amenity/recycling centre, conference centre, embassy residential, factory shop, financial institution, funeral home, garage (motor repair/ service), household fuel depot, internet café, nightclub, office (max. 1200 sq m), outdoor poster advertising, shop (major comparison), warehousing (retail/non-food)/retail park.

Z9 - 'Amenity/Open Space Lands/Green Network'

The following are the permitted and open for consideration uses under the Z9 zoning objective:

Permissible Uses

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

Open for Consideration Uses

Car park for recreational purposes, caravan park/camp site (holiday), community facility, craft centre/craft shop, crèche, cultural/recreational building and uses, golf course and clubhouse, kiosk, neighbourhood retail (in accordance with highly exceptional circumstances above), tea room, café/restaurant.

The subject scheme proposes 183 No. residential units and 1 No. café/retail unit on these predominately Z10 zoned lands. The scheme also includes public and communal open spaces and internal communal amenity space for the future residents. The narrow sliver of Z9 zoned land adjacent to the River Tolka is provided with public open space associated with the proposed development in accordance with the zoning objective with the majority of the proposed public open space provided on the Z10 portion of lands. This public open space will incorporate a greenway once the remainder of the neighbouring sites are developed and opened up. The scheme allows for future connections to the neighbouring sites at both ends of the public open space.

Residential development, café and retail are permissible uses under the zoning objective. The Applicant is applying for both café/retail to give greater flexibility in finding a future occupant for the unit. The café/retail unit (c. 157 sq m) will be provided at ground floor fronting Richmond Road, which will introduce animation along Richmond Road and will enliven the streetscape and provide an active and usable facility for the community and future residents. The site subject of this planning application has limited frontage onto Richmond Road and it is our opinion that the scheme has taken the opportunity to activate the streetscape as much as possible whilst providing a commercial unit that has some opportunity for viability.

As acknowledged by Dublin City Council, commercial units have historically struggled to find a tenant or remain open and it is considered that any commercial unit that does not have street frontage will result in vacant units. If the unit is deemed unviable in the future, the unit could potentially be adapted to provide an internal resident amenity use or residential accommodation (subject to a planning application).

We note that the Applicant has recently secured control of the neighbouring Leyden's site adjacent to the subject site to the north-east, which will provide a greater opportunity to provide increased commercial development as it will have a larger frontage along Richmond Road. Please see further information in Section 5.2.2 of this Report and Section 3.2.1 of the Response to ABP Opinion enclosed.

9.1.2 Conservation Area and Protected Structures

As shown on the zoning map in Figure 9.1, the subject site is adjacent to a Conservation Area along the River, which partially extends into the site as represented by red hatching.

The Architectural Heritage Impact Assessment prepared by Historic Building Consultants and enclosed separately notes the following in relation to the Conservation Area:

> *'The red hatching that denotes a conservation area runs along the River Tolka past the application site. As has been noted,* ***the hatching also encroaches into the site, but it has been suggested above that this part of the conservation area is now obsolete and should be removed from the development plan maps****, as the area is the part of the site seen in plate 1 above and is no longer part of the river system.*
>
> ***Notwithstanding this assertion, the proposed development would result in a more ordered site that would be more compatible with the conservation area objective than the present commercial buildings and yard****.'* [Our Emphasis]

Section 11.1.5.6 of the *Development Plan* notes the following in relation to Conservation Areas:

'Development outside Conservation Areas can also have an impact on their setting. Where development affects the setting of a Conservation Area, an assessment of its impact on the character and appearance of the area will be required.'

Policy CHC4 of the *Development Plan* notes that it is a policy to:

'To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting
2. Re-instatement of missing architectural detail or other important features
3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns
4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area
5. The repair and retention of shop- and pub-fronts of architectural interest.

Development will not:
1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area
2. Involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail
3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors
4. Harm the setting of a Conservation Area
5. Constitute a visually obtrusive or dominant form.
Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of Conservation Areas and their settings. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.'

Policy CHC5 states the following:

'To protect Protected Structures and preserve the character and the setting of Architectural Conservation Areas'.

Policy SC28 notes:

'Promote understanding of the city's historical architectural character to facilitate new development which is in harmony with the city's historical spaces and structures'.

Section 16.10.17:
'In assessing applications to demolish older buildings which are not protected, the planning authority will actively seek the retention and re-use of buildings/structures of historic, architectural, cultural, artistic and/or local interest or buildings which make a positive contribution to the character and identity of streetscapes and the sustainable development of the city.

Where the planning authority accepts the principle of demolition a detailed written and photographic inventory of the building shall be required for record purposes.'

The proposed development takes the opportunity to enhance the Conservation Area along the River, particularly due to the active frontage that will be provided. The public open space provided along the River will positively contribute to the Conservation Area.

The Architectural Heritage Impact Assessment prepared by Historic Building Consultants and enclosed separately notes the following in relation to the Conservation Area:

> *'The red hatching that denotes a conservation area runs along the River Tolka past the application site. As has been noted, the hatching also encroaches into the site, but it has been suggested above that this part of the conservation area is now obsolete and should be removed from the development plan maps, as the area is the part of the site seen in plate 1 above and is no longer part of the river system.*
>
> *Notwithstanding this assertion, the proposed development would result in a more ordered site that would be more compatible with the conservation area objective than the present commercial buildings and yard.'*

The redevelopment of the site including provision of public open space and the replacement of the existing unsightly industrial units will enhance the surrounding environment and thus will have a positive impact on the Conservation Area and Protected Structures. The high-quality architectural design, the opening up of the site and the provision of public and communal spaces will complement the Conservation Area and will thus have a positive impact on the character and appearance of the area.

In addition, the proposed development has comprehensively considered the neighbouring Protected Structures in the vicinity. The Architectural Heritage Impact Assessment prepared by Historic Building Consultants concludes:

> *'As has been seen above, the proposed development would have little or no adverse impact on the character of any of the protected structures in the vicinity. It would also result in an improvement in the character of the site itself adjacent to the conservation area, in that it would replace a series of commercial buildings and an open yard that could be seen as conflicting with the conservation area objective.'*

9.1.3 Building Height

The subject site is located in the Outer City as defined by the *Dublin City Development Plan 2016-2022*. The *Development Plan* which came into force on 21st October 2016 permits a maximum height of 16 No. metres for both commercial and residential development at this location.

We note however that the adopted *Urban Development and Building Heights Guidelines for Planning Authorities* (December 2018) ("*Building Height Guidelines*") post-dates the *Development Plan*, and the *Development Plan* must be read in light of the changes to building height requirements introduced by the Guidelines. Therefore, the height proposed in the subject scheme has taken the opportunity to explore the potential for increased height. The height of the subject scheme is modulated throughout the site and includes the following maximum heights:

Top of Roof	c. 33.5 metres
Top of Parapet	c. 34.6 metres
Top of Lift Overrun	c. 34.8 metres
Top of Equipment Cabinet	c. 35.9 metres
Top of Dishes	c. 36.5 metres
Top of Antenna Ballast Mount	c. 37.5 metres

The height of the subject scheme modulates throughout the site with a lower scale street edge created by the proposed part 6 No. storey element presenting a human scale element having regard to the receiving context of Richmond Road. Elsewhere the height rises to part 10 No. storey towards the middle of the site, where the capacity to absorb increased height is greatest with large frontage onto the River Tolka. The height is modulated throughout the site and a variety of materials are utilised, which provides varied and interesting facades.

We note that a Material Contravention Statement has been prepared by Thornton O'Connor Town Planning, which provides a comprehensive justification for increased height at this location, having regard to the high quality architectural composition of the scheme and the site's receiving context.

In addition, Policy SC7 of the *Development Plan* states:

> *'To protect and enhance important views and view corridors into, out of and within the city, and to protect existing landmarks and their prominence.'*

The proposed heights in the subject development cannot be considered challenging having regard to the modulation of heights throughout the site and having regard to the site's large frontage onto the River Tolka which can absorb increased height.

Furthermore, Section 16.7.2 of the *Development Plan* 'Assessment Criteria for Higher Buildings' states:

> *'All proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out below:*
>
> - *Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas*
> - *Effect on the historic environment at a city-wide and local level*
> - *Relationship to transport infrastructure, particularly public transport provision*

- *Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for*
- *Contribution to public spaces and facilities, including the mix of uses*
- *Effect on the local environment, including micro-climate and general amenity consideration*
- *Contribution to permeability and legibility of the site and wider area*
- *Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative building height*
- *Adoption of best practice guidance related to the sustainable design and construction of tall buildings*
- *Evaluation of providing a similar level of density in an alternative urban form'*

The proposed development has had due regard to the above items i.e the surrounding context has been appropriately considered and proposed buildings have been appropriately set back and transitioned. RKD Architects have set out the following in their Design Statement:

> *'The proposed development has had due regard to the above items i.e. the surrounding context has been appropriately considered and proposed buildings have been appropriately set back and transitioned, the proposed building is located with high quality public transport in the vicinity, the 3:1 slenderness ratio which is to be aimed for has been targeted however to achieve this Block A1 for example would be required to be over 56 metres high or 18 storeys, which not considered appropriate in the site's current receiving context. As explained in the following page, the form and massing is broken up to appear as vertical elements stacked beside each other to appear more slender.*
>
> *The design and layout of the proposed urban blocks have fully considered the surrounding environment and the development proves large areas of open spaces which assists in allowing the development to be assimilated into its surrounding context. A wind assessment and daylight sunlight analysis has been carried out. The permeability and legibility of the site and wider areas will be significantly improved by the development i.e. pedestrian links provided through the site and views through the modified boundary wall. Sufficient accompanying material has been submitted and best practice guidance has been incorporated. The building form maintains consistent vertical volumes to avoid the fragmented appearance that would be created by too many tiered setbacks. However the stepped plan and variety of façade materials avoids the appearance of long, monolithic walls of building. The composition of the facade has been designed to break up the large mass of the building. Stone shadow gaps are used throughout the scheme to help emphasize the verticality of each of the blocks.'*

9.1.4 Density, Plot Ratio and Site Coverage

Density

It is a stated policy of the *Development Plan* to facilitate higher densities where there is the appropriate infrastructure to support development, such as public transport.

Policy SC13:

'To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities.'

Policy QH7:

'To promote residential development at sustainable densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.'

The proposed development will provide a density of 300 No. units per hectare on this underutilised site in a core urban location. We note that the higher proportion of one bedroom units within the subject scheme disproportionately inflates the density figure, but the subject site can absorb the development due to frontage onto the River Tolka for example. The plot ratio of 2.7 also demonstrates the overall appropriateness of the proposed development. It is clear that there is supporting policy within the *Development Plan* (particularly with reference to Policy SC13 and QH7) which promotes greater densities (albeit the *Development Plan* is not prescriptive in terms of density) and the provision of a variety of housing and apartment types by utilising sustainable sites in core urban areas.

The proposed scheme has been designed to a high standard and will be a positive insertion into the area. It is our opinion that the proposed density is appropriate at the subject core urban lands. The enclosed Social Infrastructure Audit concludes that the existing social infrastructure provision within proximity to the subject site is capable of serving the population.

The proposed development represents the sustainable development of the area and has had appropriate regard to the safeguarding standards outlined in Chapter 16 of the Development Plan. The enclosed Daylight/Sunlight Assessment prepared by 3D Design Bureau concludes that future occupants will enjoy good levels of daylight within the vast majority of the proposed units (c. 97% meeting the ADF targets when the 2% ADF target is utilised for living/kitchen/dining rooms and c. 99% meeting the ADF targets when the 1.5% ADF target is utilised for living/kitchen/dining rooms) and the units will have access to internal and external amenity areas and that are capable of receiving excellent levels of sunlight.

A Landscape and Visual Impact Assessment prepared by Mitchell + Associates Landscape Architecture has also been carried out as part of this planning application which concludes that: *'the proposed development represents a significant change in the nature and a clear increase in the scale, height and quantum of the buildings occupying the existing site. However, the predicted effects on the local landscape are assessed as being of some positive benefit in improving links from Richmond Road to the walkway/cycleway proposed along the Tolka River, in how the proposed development relates socially with adjacent developments and in how it addresses the Richmond Road frontage.'*

Plot Ratio

The *Development Plan* sets out the following in relation to plot ratio:

'Plot ratio is a tool to help control the bulk and mass of buildings. It expresses the amount of floorspace in relation (proportionally) to the site area, and is determined by the gross floor area of the building(s) divided by the site area. Plot ratio will apply to both new buildings and extensions to existing buildings'.

The plot ratio of the proposed development is as follows:

$$\frac{\text{16,366 sq m gross floor area above ground}}{\text{6,067 sq m developable site area}} = 2.7$$

The indicative Plot Ratio for lands zoned Z10 is 2.0 - 3.0. The proposed development of this planning application has a plot ratio of 2.7 which is within the plot ratio limitations prescribed by the *Development Plan* demonstrating the appropriateness of the overall development and the extent of the open space provided on the site. We note that there is no built structure proposed with the lands zoned open space along the river. This area comprises an element of the future greenway adjoining the river.

Site Coverage

The *Development Plan* sets out that:

> *'Site coverage is a control for the purpose of preventing the adverse effects of overdevelopment, thereby safeguarding sunlight and daylight within or adjoining a proposed layout of buildings. Site coverage is the percentage of the site covered by building structures, excluding the public roads and footpaths.'*

The site coverage of the proposed development is calculated as follows:

$$\frac{1{,}967 \text{ sq m} \times 100}{6{,}067 \text{ sq m developable site area}} = 32\%$$

The indicative site coverage for lands zoned Z10 outlined in the *Development Plan* is 50%. The proposed development has a site coverage of 32% which is therefore lower than the indicative standard provided in the Plan, demonstrating that the Design Team have made concerted efforts to provide high-quality tracts of open space and appropriate separation distances from boundaries.

9.1.5 Dual Aspect

The *Development Plan* stipulates that:

> '*Dual aspect apartments maximise the available of sunlight and should be provided where possible. It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design*.'

Since the adoption of the *Development Plan*, updated National Planning Policy has been adopted such as the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020 ("Apartment Guidelines, 2020").* In respect of dual aspect, the updated SPPR4 of the *Apartment Guidelines, 2020* state:

> '*In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*
>
> > *(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in*

response to the subject site characteristics and ensure good street frontage where appropriate.

(ii) ***In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.***

(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a
case-by-case basis, but subject to the achievement of overall high design quality in other aspects'.

In accordance with the *Development Plan* and *Apartment Guidelines, 2020*, the proposed development provides 50% dual aspect apartments which is in accordance with the standards. It is considered that a high-quality design is proposed that ensures the protection of surrounding residential amenity through appropriate set-backs with excellent frontage provided onto Richmond Road and the River Tolka.

9.1.6 Variety of Accommodation Types

The *Development Plan* supports a mix of housing and apartment types that will contribute to the surrounding neighbourhood:

Policy SC14:
'To promote a variety of housing and apartment types which will create a distinct sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.'

Policy QH6:
'To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city'.

Policy QH5:
'To promote residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.'

Policy SN30:
'To promote sustainable neighbourhoods which cater to the needs of persons in all stages of their lifecycle, i.e. children, people of working age, the elderly, people with disabilities.'

The subject development provides a mix of units comprising 104 No. one bed units and 79 No. two bed units, which will add variety to the area and includes 18 No. Part V units in accordance with Part V of the *Planning and Development Act 2000 (*as amended), which requires 10% social and affordable housing.

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed separately. This Audit demonstrates that a significant range of services and facilities are

available in proximity to the site *'which contribute to quality of life'* and concludes that *'the existing social infrastructure provision within close proximity to the subject site is capable of serving the population'*. In addition, as noted previously, the site is well served by public transport options available and many services, facilities and employment locations are within walking and cycling distance. The development includes a café/retail unit which will provide an additional service to the residents and wider public. Residents' amenity spaces and communal open spaces are also provided for the sole use of future residents, in addition to public open space for the wider public. It is clear that the proposed development represents the sustainable development of appropriately zoned lands that are underutilised and will cater for a wide range of people. The scheme includes limited vehicular movements, a pedestrian link and high-quality open spaces. Therefore, it is clear that the proposed development is in accordance with Policy SC14 and QH6 of the *Development Plan.*

Policy QH17:
'To support the provision of purpose built, managed high-quality private rented accommodation with a long-term horizon.'

The proposed development incudes 183 No. Build-to-Rent units which will be managed and are designed to a high-quality standard.

Furthermore, Section 16.10.1 of the *Development Plan* also notes that evidence should be submitted to demonstrate that there is not an over-concentration of 'Build-to-Let' schemes within an area, including a map showing similar facilities within 0.25km of a proposal. We carried out a search of the Dublin City Council Online Planning Database and Google Maps and it appears that there is 1 No. subject scheme granted within 0.25km of the subject development site as outlined below.

Under ABP-310860-21, permission was sought for a Build-to-Rent Strategic Housing Development set out in 12 No. residential blocks ranging in height from 2 to 18 No. storeys at Holy Cross College, Clonliffe Road for 1,000+ units. Permission was granted by An Bord Pleanála for the development under ABP-310860-21 on the 4th November 2021, subject to 36 No. conditions. This site is located within 0.25 km of the subject site, but is located across the River Tolka. The scheme will be visible from the subject development, however it is our opinion that the surrounding environment has the capacity to appropriately absorb the developments. Therefore, it is clear that there is not an over-concentration of Build-to-Rent units in the area. We note in particular the high-quality public transport in the area in addition to proximate employment locations, services and amenities as detailed throughout this report.

Figure 9.2: **Location of the Subject Site in relation to ABP Ref. ABP-310860-21 (Indicative Only)**

(Source: **Google Maps, annotated by Thornton O'Connor Town Planning, 2021)**

Policy QH21:

'To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation'.

This Statement of Consistency sets out how the development is in accordance with the development standards of the *Development Plan*. The proposed dwellings will be provided with a high standard of residential amenity having regard to the daylight/sunlight results and the large provision of public and communal open spaces that have been provided in the scheme, which will provide an attractive outlook from the units and the large quantum of open spaces will provide a high-quality living environment for the future residents.

9.1.7 Infill Development and Redevelopment Policies

The *Development Plan* also supports infill development which contributes to greater utilisation of serviced and accessible locations within the built fabric of the city.

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

Policy QH22:
'To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.'

Policy SC17:
'To protect and enhance the skyline of the inner city, and to ensure that all proposals for mid-rise and taller buildings make a positive contribution to the urban character of the city, having regard to the criteria and principles set out in Chapter 15 (Guiding Principles) and Chapter 16 (development standards). In particular, all new proposals must demonstrate sensitivity to the historic city centre, the River Liffey and quays, Trinity College, the cathedrals, Dublin Castle, the historic squares and the city canals, and to established residential areas, open recreation areas and civic spaces of local and citywide importance'.

Section 16.2.2.2:
'As such Dublin City Council will seek:

To ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape'.

As stated previously, the subject site is currently an underutilised site located in a core urban location, and the proposed development has sensitively considered its surrounding context by providing the highest points at the least sensitive locations, therefore Policy QH8, QH22 and Section 16.2.2.2 have been appropriately considered. The site can absorb increased heights due to the site's large frontage onto the River Tolka.

The development will make a positive contribution to the urban character of the area in accordance with Policy SC17, particularly due to the large quantum of public open space provided and a new permeable linkage provided throughout the site.

9.1.8 Social and Community Infrastructure Audit

The *Development Plan* provides policy to ensure that an appropriate level of services area available to support residential development.

Policy QH18:
'To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.'

Policy QH19:
'To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable, mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure.

Policy SN5:
'To ensure that applications for significant large new developments (over 50 units) are accompanied by a social audit and an implementation and phasing programme in relation to community infrastructure, so that facilities identified as needed are provided in a timely and co-ordinated fashion.'

Section 12.5.5:
'Proposals for large-scale residential and/or mixed-use schemes must demonstrate how the proposal will contribute to the range of supporting community infrastructure necessary for a sustainable community, as set out in the standards for development management (see Section 16)'.

Policy QH9:
'To require that larger schemes which will be developed over a considerable period of time are developed in accordance with an agreed phasing programme to ensure that suitable physical, social and community infrastructure is provided in tandem with the residential development and that substantial infrastructure is available to initial occupiers.'

Section 16.10.1:

'Proposals for new development greater than 100 dwellings or 10,000 sq.m and for public transport infrastructure, in addition to making a contribution to social infrastructure, shall include an Urban Design Statement…'

Section 16.10.4:
'Proposals for new large development must make a contribution to an area in terms of community facilities and social infrastructure where significant shortfalls are identified. When submitting plans for large-scale residential, typically over 50 units depending on local circumstances, and/or mixed-use schemes (i.e. circa 5,000 sq.m and above), developers will be required to submit an audit of existing facilities within the area and to demonstrate how the proposal will contribute to the range of supporting community infrastructure.

Proposals in excess of 50 dwelling units must be accompanied by an assessment of the capacity of local schools to accommodate the proposed development in accordance with the above guidelines and the DES and DEHLG's Code of Practice on the Provision of Schools and the Planning System 2008.'

Section 16.16:
'Planning applications for over 50 dwellings shall be accompanied by a report identifying the demand for school places likely to be generated and the capacity of existing schools in the vicinity to cater for such demand.'

Policy SN7:
'To support and encourage the future growth of a wide range of public, social and community services essential to local community life, and to promote and seek to provide multi-use, fit-for-purpose community facilities which are suitable for all ages and all abilities, are operated according to an effective and efficient management strategy, and which are accessible in terms of physical design, location, cost of use, and opening hours.'

Policy SN17:
'To facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities in residential, employment, and educational settings, taking into account the existing provision of childcare facilities and emerging demographic trends in an area'.

The proposed apartments in the development comprise floor areas that meet the minimum standards (many exceed the minimum), private and communal open space, good levels of daylight/sunlight infiltration and 50% dual aspect units for example. Therefore, it is clear that a high-quality apartment development has been provided.

A Childcare Demand Assessment has been carried out by KPMG Future Analytics and is enclosed with this planning application which concludes that there is sufficient capacity in the area to cater for the development. A '*Social Infrastructure Audit'* has been prepared by KPMG Future Analytics and is enclosed as a separate document which concludes that a sufficient provision of social infrastructure to support the population of the area was identified. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site '*which contribute to quality of life'*.

We note that the scheme includes a 157 sq m café/retail unit which will benefit the wider community. Resident amenity spaces such gymnasium, co-working space, lounges, games room, kitchen and meeting room space are also provided for the sole use of the future residents. Some 10% Part V units have also been provided 18 No. units.

9.1.9 Transport Policies

The *Development Plan* sets out the following relevant Transport Policies:

CCO15:
'*To facilitate the provision of electricity charging infrastructure for electric vehicles.'*

The scheme facilitates electric charging for 8 No. vehicles in line with Policy CC015 (10% of the total parking spaces).

The *Development Plan* states that:

'*to maximise the use of public transport infrastructure and minimise car dependence, higher densities and interactive mixed uses will be encouraged within walking distance of public transport corridors and nodes (rail stations and interchanges) and at other key locations such as key district centres.*'

The proposed development provides 71 No. car parking spaces for the 183 No. residential units (a ratio of 0.39 per unit). As detailed extensively in this Report, the subject site is situated in a prime urban location in proximity to high frequency public transport, employment locations, services and facilities and thus it is considered acceptable to provide a reduced parking ratio in order to encourage sustainable modes of transport.

Section 8.5.6:
'Wherever possible developers will be encouraged to supply a car, preferably electric, as part of a shared transport pool in lieu of parking spaces as well as the supply of push bikes.'

Some 1 No. car share space is provided in the scheme in addition to 388 No. bicycle parking spaces, 2 No. cargo bicycle parking spaces and 10 No. electric scooter spaces.

Section 16.38.4:
'All applications for high density new development should include details of how taxis can be accommodated.'

A drop-off space has been provided to the front of the development adjacent to Richmond Road.

Section 16.38.5:
'At least 5% of the total number of spaces should be designated car-parking spaces, with a minimum provision of at least one such space.'

Some 4 No. mobility impaired spaces are provided for in the development, which represents 5% of the development parking.

Section 16.38.6
'New developments shall include provision for motorcycle parking in designated, signposted areas at a rate of 4% of the number of car parking spaces provided.'

Some 5 No. motorcycle spaces are provided for in the development, which exceeds 4% of the development parking.

Policy MT2:
'Whilst having regard to the necessity for private car usage and the economic benefit to the city centre retail core as well as the city and national economy, to continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport, and to co-operate with the NTA, Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives. Initiatives contained in the government's 'Smarter Travel' document and in the NTA's draft transport strategy.'

As noted in Section 7.9 of this Report, the proposed development is consistent with the *Design Manual for Urban Roads and Streets* which references the *Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020* document which was published by the Department of Transport. Sustainable modes of transport will be encouraged from the subject site in order to promote a shift away from private car use.

Policy MT3:
'To promote best practice mobility management and travel planning to balance car use to capacity and provide for necessary mobility via sustainable transport modes.'

A Mobility Management Plan and Traffic and Transport Assessment prepared by DBFL Consulting Engineers are enclosed with this planning application. The Traffic and Transport Assessment concludes that:

> *'The proposed development will be ideally situated to benefit from a comprehensive range of public transport, bus and rail connections which result in the site benefiting from*

very good accessibility levels. Furthermore, the range and proximity of a number of public transport service and infrastructure enhancements will, when implemented, further enhance the sustainability characteristics of the site.'

Furthermore stating:

'The development will be, in relative terms, a 'car lite' BTR scheme and accordingly will be marketed as such. The proposed mitigation strategy included within the Car Parking Management Strategy in Chapter 5 of this TTA will ensure that the proposed development will not result in any adverse impacts in terms of overspill parking onto the surrounding streets.

Accordingly, it is concluded that the proposals will not result in a material deterioration of the road conditions and as a result there are no significant traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development.'

Policy MT17:
'To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (section 16.38) so as to promote city centre living and reduce the requirement for car parking.'

As noted above, the scheme provides for 71 No. car parking spaces, (a parking ratio of 0.39 spaces per residential unit provided). Given the sustainable location of the subject site in close proximity to public transport, walking and cycling distance of employment locations, services and facilities and declining car ownership trends, the quantum of car parking is considered to be appropriate.

Policy MT18:
'To encourage new ways of addressing the parking needs of residents (such as car clubs) to reduce the requirement for car parking.'

The scheme provides for 1 No. car share parking spaces, 388 No. bicycle parking spaces, 2 No. cargo bicycle parking spaces and 10 No. electric scooter storage spaces. The site is located in proximity to the Drumcondra Train Station and Dublin bus stops, which will provide alternative modes of sustainable transport reducing the need to provide car parking spaces.

9.1.10 Environmental and Sustainability Policies

The *Development Plan* notes the following policies:

Policy GI1:
'To develop a green infrastructure network through the city, thereby interconnecting strategic natural and semi-natural areas with other environmental features including green spaces, rivers, canals and other physical features in terrestrial (including coastal) and marine areas'.

The site will form part of a Green Infrastructure Network throughout this part of the city and facilitates the future connection to neighbouring sites in order to create a Greenway. The site facilitates the future Greenway and provides a public route through the north-west of the site from Richmond Road to the Greenway. The public open space provided will positively contribute to, and create linkages with, the surrounding strategic green network.

Policy GI3:
'To develop linear parks, particularly along waterways, and to link existing parks and open spaces in order to provide green chains throughout the city'.

See the response for policy GI1. The site will contribute to the green infrastructure network in this part of the city and will provide public access to open space on a site that is currently unavailable to the public.

Policy GI4:
'To co-ordinate open space, biodiversity and flood management requirements, in progressing a green infrastructure network'.

For the purpose of this Planning Application , we have ensured that a high standard of public open space is provided within the scheme. A careful list of planting has been selected in collaboration with the ecologist in order to provide the most suitable softscape layout and enhance the biodiversity of the area. SUDS measures are incorporated into development such as green roofs and permeable paving. Please also refer to the Engineers Flood Risk Assessment which concludes that '*as per the OPW Guidelines, the sequential approach has been applied, the proposed development has passed the necessary justification tests, the development does not increase flood risk elsewhere and the development's design incorporates measures to address flood risk'.*

Policy GI5:
'To promote permeability through our green infrastructure for pedestrians and cyclists'.

The public space concept is based on a principle that promotes social engagement, sustainability, site connectivity, permeability and a healthy lifestyle for the future residents and the public. Public open space is provided along the south of the site adjacent to the River Tolka, which will form part of the future Greenway and will be provided with landscaping and will facilitate future connections to the surrounding sites. In addition, public open space is provided along the north-west of the site which will provide a connection from Richmond Road to the future Greenway, promoting permeability through the suite through green infrastructure. The scheme will consolidate the neighbourhood and increase legibility for the wider community.

Policy SC15:

'To recognise and promote green infrastructure and landscape as an integral part of the form and structure of the city, including streets and public spaces.'

The proposed development recognises and promotes green infrastructure and landscape as an integral part of the design layout to contribute to the form and structure of the city, and will include streets and public spaces. The subject development will significantly contribute to the strategic green network in Dublin City. The provision of public open space representing 25% of the developable site area represents a key planning gain for this area of Dublin and the proposed pedestrian link through the public open space will promote legibility and permeability through the site for pedestrians and cyclists. In addition, communal open spaces are provided for the future residents which will include a play area.

Objective GIo1:

'To integrate Green Infrastructure solutions into new developments and as part of the development of a Green Infrastructure Strategy for the city'.

The development promotes and integrates green infrastructure and landscaping into the scheme. The scheme incorporates areas of publicly accessible open space that will form part of the Green Infrastructure of this part of the city, in particular through the proposed areas of native planting and wildflowers.

Objective GIO2:

'To apply principles of Green Infrastructure development to inform the development management process in terms of design and layout of new residential areas, business/ industrial development and other significant projects.'

A key feature of the scheme design is the enhancement of the green infrastructure on site and opening the site up for the public to utilise.

Objective GIO4:

'*To improve pedestrian and cycle access routes to strategic level amenities while ensuring that ecosystem functions and existing amenity uses are not compromised and existing biodiversity and heritage is protected and enhanced'.*

See above responses. The scheme incorporates pedestrian and cycle routes through the areas of publicly accessible open space that will form part of the Green Infrastructure of this part of the city. Therefore, the development will enhance existing amenity uses (currently non-existent at the site). The development includes planting of native shrubs as groundcover along the greenway, which will provide habitat for mammals and breeding birds and strengthen the boundary's function as a green infrastructure corridor. Measures are implemented to ensure that biodiversity is not compromised, including lighting designed to accommodate bats commuting and foraging in the area.

Policy GI6:

'To support and implement the objectives of the National Landscape Strategy'.

Through compliance with the *Development Plan* Green Infrastructure Policies in support of the National Landscape Strategy, we will be supporting and implementing their objectives.

Policy GI7:
'To continue to protect and enhance landscape, including existing green spaces through sustainable planning and design for both existing community and for future generations in accordance with the principles of the European Landscape Convention.'

We are providing large public open spaces which will improve and enhance the current setting of the landscape which will be fully accessible for the existing community and future generations.

Policy GI8:
'To protect and enhance views and prospects which contribute to the appreciation of landscape and natural heritage'.

Refer to the LVIA which assesses viewpoints in the surrounding urban context. The scheme will improve views of the site which will replace the existing predominately industrial nature of the site with a high-quality scheme with public and communal open spaces.

Objective GIO7:
'*To promote the city landscapes, including rivers, canals and bay, as a major resource for the city and forming core areas of green infrastructure network'.*

Public open space is provided alongside the River Tolka and provides an opportunity for the River to be appreciated, and facilitates a future Greenway.

Objective GIO9:
'*To maximise managed access to key landscape and amenity areas of Dublin city'.*

The proposed development will enhance the landscape and amenity area available in this area of Dublin City.

Policy GI9:
'To incorporate open space into the green infrastructure network for the city, providing a multi-functional role including urban drainage, flood management, biodiversity, outdoor recreation and carbon absorption.

The public open spaces will contribute towards the green infrastructure network of the city and the scheme will include sustainable urban drainage systems, biodiversity enhancement measures and will promote sustainable modes of transport to encourage sustainable living.

Policy GI10:
'*To continue to manage and protect and/ or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces'.*

The strategic location of the site and the provision of high-quality public open space and facilitation of permeable links will increase legibility for the wider community and will meet the social, recreational, conservation and ecological needs of the city. Resident amenity spaces have been provided fronting onto some of these spaces, which will complement the spaces by providing active frontage etc.

Policy GI13:
'To ensure that in new residential developments, public open space is provided which is sufficient in quantity and distribution to meet the requirements of the projected population, including play facilities for children'.

Policy GI33:
'To seek the provision of children's play facilities in new residential developments. To provide playgrounds to an appropriate standard of amenity, safety, and accessibility and to create safe and accessible places for socialising and informal play.'

The proposed development provides play facilities for children to the east of the site in the communal open space. The public open space will be useable for all and will be accessible spaces for walking, cycling and socializing.

Policy GI14:
'To promote the development of soft landscaping in public open spaces, where feasible, in accordance with the principles of Sustainable Urban Drainage Systems'.

The proposed public open spaces feature large areas of soft landscaping. A substantial portion of the hardscape comprises permeable paving and is a material into which surface water can slowly percolate.

Planting areas at podium level, both in the public realm and within communal courtyard areas, will allow for infiltration, retention and subsequent evaporation of rainfall and reduce runoff to the drainage system. Extensive green roof areas have been provided.

Policy GI15:
'To protect, maintain, and enhance the natural and organic character of the watercourses in the city, including opening up to daylight where safe and feasible. The creation and/or enhancement of riparian buffer zones will be required where possible. It is the policy of Dublin City Council to maintain and enhance the safety of the public in its use and enjoyment of the many public parks, open spaces, waterways and linkages within the city, including the River Dodder between Ringsend and Orwell (Waldron's) bridge, and at the area known as Scully's Field between Clonskeagh and Milltown'.

The proposed development will open up the site and as a result will protect, maintain and enhance the natural and organic character of the River Tolka. In particular, the provision of public open space with active frontage onto the River Tolka and the facilitation of the future Greenway will positively contribute to the Character of the watercourse. The public space adjoining the River Tolka features a large extent of soft landscaping in the form of native tree, hedgerow, shrub and flower planting, providing a wildlife corridor along the length of the site's riverside boundary.

Policy GI16:
To protect and improve the unique natural character and ecological value of all rivers within and forming boundaries to the administrative area of Dublin City Council, in accordance with the Eastern River Basin District management plan.

Policy GI17:
To develop sustainable coastal, estuarine, canal and riverine recreational amenities to enhance appreciation of coastal natural assets in a manner that ensures that any adverse environmental effects are avoided, remedied or mitigated.

See above responses. The scheme will enhance appreciation of the River Tolka. The built elements of the development are set back from the River Tolka to facilitate an 8 metre wide riparian buffer and walking/cycling route along the river. Mitigation measures will be employed at construction stage to avoid adverse impacts on the surrounding environment.

Objective GIO18:
'To protect and improve the natural character of watercourses, including the Dodder, and to promote access, walkways, cycleways and other compatible recreational uses along them, having regard to environmental sensitivities'.

See above responses. The proposed development will promote access, walkways, cycleways and includes a café/retail unit towards the Richmond Road entrance. The development has had due regard to environmental sensitivities e.g. a minimal lighting regime along the green corridor has been incorporated into the scheme design.

Section 14.3:
'In relation to developing the city's green infrastructure (G.I.), the co-operation of owners/occupiers of lands zoned Z6, Z9, Z12, Z14 and Z15 is sought towards progressing the GI network. This shall include, as part of any re-development of the site, setting back of boundaries and/ or adequate provision for greenways in accordance with routes illustrated and any local area plan content'.

The development is proposed on land that is predominately zoned Z10. As per the response to Policy GI17, an 8 metre setback is incorporated into the site layout between the building and the River. A small sliver of land along the river is zoned Z9. The development will contribute towards the green infrastructure network particularly due to the public open space provided and pedestrian and cyclist link proposed through the site, which facilitates a future greenway.

Section 16.3.2:
'Where a large site adjoins a green corridor, public open space or area of high ecological value, any new public open space on the site should be contiguous to same to encourage visual continuity and expansion of biodiversity; this can assist in expanding the green infrastructure network.'

As per the response to Section 14.3 policy above, the site fronts onto the River Tolka and the public open space will encourage visual continuity and will be a positive insertion to the area. The public open space also incorporates a public route along the north-western boundary which will provide a link between Richmond Road and the public open space along the River Tolka (future Greenway). The development will enhance biodiversity on the site as high-quality native trees, hedgerows, shrubs, and understorey planting will be planted and bat boxes will be provided for example.

Section 16.3.3:

'The successful retention of suitable trees is a benchmark of sustainable development. Trees of good quality and condition are an asset to a site and significantly increase its attractiveness and value. They add a sense of character, maturity and provide valuable screening, shelter and privacy and will often have a useful life expectancy beyond the life of new buildings. Dublin City Council will consider the protection of existing trees when granting planning permission for developments and will seek to ensure maximum retention, preservation and management of important trees, groups of trees, and hedges'.

See Enviroguide Consulting's Response to the ABP item re: tree retention and flood wall requirement in Section 7.10 of the Ecological impact Assessment Report (EcIA) for text.

Section 7.10 of the EcIA notes:

'The Proposed Development will have a positive impact on the Site via the replacement of built land with landscaped areas including the provision of native hedgerow and tree planting along the western boundary greenway that is proposed. This will be complimented with native pollinator friendly understorey planting to maximise the ecological value of this green corridor. Green roofs have also been incorporated into the project design and will provide another layer of potential habitat for invertebrates and foraging birds and bats.

It is noted that the existing treelines, due to their established nature, provide a habitat corridor for wildlife along this part of the Tolka River. However, these trees are also non-native species for the most part, with Sycamore (a medium impact invasive flora species) and Cypress making up a large component of the species present.

The proposed landscape design for the Site's boundary with the Tolka has therefore been prepared with the aim of offsetting the impact of the loss of the existing treeline as much as is possible given the inherent constraints in terms of space, requirement for cycle track and pedestrian walkway, and requirement for sufficient flood wall.

As such, the landscaping will provide native Hawthorn hedgerow along the boundary with the Tolka, which is to be maintained in a semi-natural condition with a low interference management regime; to maximise the ecological value of this vegetation. Along with this native hedgerow, a series of native/established tree species (including Hazel, Birch and Field Maple) have been selected to provide a novel native treeline along this greenway, to compliment the hedgerow and provide a habitat corridor along this part of the Tolka into the future. The shrub/grass and floral planting along this corridor will also be native and pollinator friendly in nature to add further value to its understorey.

Although it is accepted that there will be a loss of an existing treeline at the site, it is noted that this is structurally unavoidable in the context of the requirements placed on the proposed development (in terms of flood wall requirement, cycle track requirement etc.). The proposed planting and landscaping approach to this riverside greenway has been designed to minimise the impact of this loss and provide as robust a replacement in terms of vegetative structure as can be achieved given the constraints of the site. The habitat enhancement proposed thus represents a positive, permanent, moderate impact at a local scale once the loss of existing vegetation is taken into account.'

Section 23.8 (Appendix 23):

'To support the green infrastructure network, any proposed development for sites which adjoin either core areas or any buffering parks and open spaces shall include an assessment of impacts on biodiversity and make provision for enhancement of ecological features'.

Enviroguide Consulting and Mitchell + Associates have worked in tandem on elements of the landscape plan, principally species selection and the provision of commuting and foraging corridors for wildlife. The consulting M+E engineers have also been guided in the preparation of the lighting plan along the site periphery to allow bats to travel through.

'For a proposed development area for which there is a local area plan, the policies contained therein shall apply. For proposed developments outside these areas, measures to strengthen the city green infrastructure (GI) network plan will be required. These may include measures to:

- *Increase habitat protection to support the wider GI network.*

  The development will provide habitat enhancement measures such as bat boxes, native shrub and pollinator friendly planting along the green corridor and across the site. The provision of green roofs will provide additional habitat for birds, bats and pollinators, which will benefit biodiversity at the subject site.

- *Provide additional green space to meet deficiencies in connectivity of the GI network.*

  Additional green space will be provided at the subject site, which will be significantly enhance this area, particularly as there is no public open space currently available at the developable lands.

- *Ensure retention of mature habitats and provide for long-term ecological succession.*

  There is very little habitat to retain on site in its current state. The creation of a green corridor along the river boundary, with native tree, hedgerow and understorey planting will provide a high-quality greenway that will mature into the future. A low maintenance management regime will ensure the trees/hedge are kept in a semi natural state.

- *Increase connections and improve accessibility for pedestrians and cyclists to the wider GI network.*

  The development will increase connections and improve accessibility for pedestrians and cyclists to the wider GI network, with the provision of pedestrian/cyclist links through the site.

- *Apply sustainable urban drainage systems (SUDS) and soft engineering solutions to protect water quality and mitigate the environmental impacts of flooding and erosion.*

SUDS measures such as permeable paving and green roofs have been incorporated into the scheme's design.

- *Provide for public access to ensure that the benefits of access to the GI network is available to all citizens.*

The scheme provides access for all and therefore all citizens will benefit from enhanced connections to the GI network.

- *Ensure that proposed developments do not create negative impacts on the existing GI network.*

The development will not have a negative impact on the existing GI network, rather, the subject site will benefit the GI network by providing public access through the site, which will eventually connect with the surrounding strategic green network., which is a significant planning gain for the area.

Objective SIO17:

'To promote the re-use of building materials, recycling of demolition material and the use of materials from renewable sources. In all developments in excess of 10 housing units and commercial developments in excess of 1000 sq m, a materials source and management plan showing type of materials/proportion of re-use/recycled materials to be used shall be implemented by the developer'.

A Construction and Demolition Waste Management Plan (C&D WMP) has been provided as part of this application and has been prepared to comply with Objective SIO17 of the *Development Plan*. The plan promotes the re-use of building materials, recycling of demolition material and the use of materials from renewable sources. The C&D WMP provides a materials source and management plan in Section 4.0 showing the predicted types of materials/proportion of re-use/recycled materials for both the demolition and construction phase of the proposed development.

Section 16.2.1.2:

'To minimise the waste embodied energy in existing structures, the re-use of existing buildings should always be considered as a first option in preference to demolition and new-build. Buildings should be designed to minimise resource consumption, reducing waste, water and energy use. The re-use of existing buildings and/or building materials should be considered in appropriate cases'.

A Construction and Demolition Waste Management Plan (C&D WMP) has been provided as part of this application and has been prepared to comply with Section 16.2.1.2 of the *Development Plan*. The plan aims to minimise the waste embodied energy in existing structures, promote the re-use of existing buildings as the priority option and as preference to demolition and new build. The re-use and recycling of building materials is considered as part of the C&D WMP.

Policy SI23:

'All potentially contaminated sites shall be remediated to internationally accepted standards prior to redevelopment. Any unearthed contaminants will require some form of

remediation measures which may require a licence from the Environmental Protection Agency (EPA)'.

Section 16.34:
Where the previous history of a site suggests that contamination may have occurred, developers will be responsible for the following:

- *Undertaking a detailed site investigation, soil testing and analysis to establish whether contamination has occurred.*
- *Providing a detailed written report of investigation and assessment (including recommendations for treating the affected ground) to Dublin City Council.*
- *The decontamination of sites prior to new development works taking place, and the prohibition of development until Dublin City Council is satisfied that the affected ground has been satisfactorily treated.*
- *Decontamination activities should ensure that there is no off-site migration of contaminants via run-off, soils or groundwater.*
- *Furthermore, Appropriate Assessment (AA), or screening for AA, may also be required'.*

A Generic Quantitative Risk Assessment has been prepared by Tetra Tech and is enclosed as an Appendix to the Basement Impact Assessment prepared by DBFL Consulting Engineers. The DBFL Report concludes as follows:

> *'The assessment carried out by Tetra Tech has concluded that the site's groundwater regime is not subject to significant contamination and does not present a significant risk to controlled waters or the health of future site users.'*

Separately, an Appropriate Assessment Screening Report and Natura Impact Statement have been prepared by Enviroguide Consulting and are enclosed with this planning application, in addition to an ecological Impact Assessment (EcIA). The EcIA notes:

> *'There is the potential for contaminated soils to be encountered during excavation works at the Site. Any such materials will be excavated, stored and disposed of as per best practise guidelines'.*

Therefore, the site has fully considered Policy SI23 and Section 16.34 of the Development Plan.

The Ecological Impact Assessment Report prepared by Enviroguide Consulting enclosed separately has been prepared with consideration of the following policies (GI23-GI2 and Appendix 23 – Section 23.9):

Policy GI23:
'To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015'.

The Ecological Impact Assessment Report (EcIA) assesses the potential effects of the proposed development on habitats and species; particularly those protected by national and international legislation or considered to be of particular nature conservation importance, and considers all relevant legislation as set out in Policy GI23. The EcIA concludes that:

> *'Provided the mitigation measures proposed are carried out in full, there will be no significant negative impact to any valued habitats, designated sites or individual or group of species as a result of the proposed development.*
>
> *Based on the successful implementation of these measures and proposed works, to be carried out in accordance with the accompanying CEMP and landscape plan, it is deemed that there will be no significant negative ecological impacts arising from construction and operation Phases of the proposed development.'*

Policy GI24:
'*To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs'.*

There will be no impact on designated/proposed designated sites. The EcIA in addition to the Appropriate Assessment Screening Report (AA Screening) and Natura Impact Statement (NIS) both prepared by Enviroguide Consulting consider all relevant Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas.

Policy GI25:
'*To make provisions for habitat creation/ maintenance and facilitate biodiversity by encouraging the development of linear parks, nature trails, wildlife corridors, urban meadows and urban woodlands'.*

The proposed development will facilitate biodiversity at the site through increased provision and enhancement of habitats present on-site, as set out in the EcIA. The proposed landscape features native tree and hedgerow species. These linear features are intended to function as green corridors for the passage of wildlife and also as commuting/foraging routes for local bat populations. A series of bat boxes will also be installed.

Policy GI26:
'*To have regard to the conservation and enhancement of significant non-designated areas of ecological importance in accordance with development standards set out in this plan'.*

Installation of bat boxes, insect hotels; new planting and green roofs will support pollinators, providing food for birds and bats etc. Habitats on site will be enhanced with planting of native shrubs and trees. Therefore, it is clear that the project is consistent with Policies GI25 and GI26.

Policy GI27:
'To minimise the environmental impact of external lighting at sensitive locations to achieve a sustainable balance between the needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats'.

A minimal lighting regime has been adapted along the green corridor having due regard to environmental sensitivities. Although it is deemed unlikely that light emitted from buildings will significantly impact on potential foraging and commuting areas for bats, light spill from the interiors of the proposed buildings via windows/entrances and the levels of spill/glare from outdoor lighting in place on the building exterior and throughout the site, will be minimised through selective lighting measures (such as fittings set back into the room) utilised for units facing towards the river.

Policy GI28:
'*To support the implementation of the Dublin City Tree Strategy, which provides the vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City'.*

We are providing native hedgerow and tree planting along riverside boundary.

Policy GI29:
'*To adopt a pro-active and systematic good practice approach to tree management with the aim of promoting good tree health, condition, diversity, public amenity and a balanced age-profile'.*

See response to Section 16.3.3. above. Native hedgerow and tree planting are provided along the greenway that is proposed which is a positive impact. This will be complimented with native pollinator friendly understorey planting to maximise the ecological value of this green corridor. Green roofs have also been incorporated into the project design and will provide another layer of potential habitat for invertebrates and foraging birds and bats.

Section 7.10 of the EcIA sets out that the proposed landscape design has:

'been prepared with the aim of offsetting the impact of the loss of the existing treeline as much as is possible given the inherent constraints in terms of space, requirement for cycle track and pedestrian walkway, and requirement for sufficient flood wall…Although it is accepted that there will be a loss of an existing treeline at the site, it is noted that this is structurally unavoidable in the context of the requirements placed on the proposed development (in terms of flood wall requirement, cycle track requirement etc.). The proposed planting and landscaping approach to this riverside greenway has been designed to minimise the impact of this loss and provide as robust a replacement in terms of vegetative structure as can be achieved given the constraints of the site. The habitat enhancement proposed thus represents a positive, permanent, moderate impact at a local scale once the loss of existing vegetation is taken into account.'

Policy GI30:
'To encourage and promote tree planting in the planning and development of urban spaces, streets, roads and infrastructure projects'.

See the response for policy GI29. Careful attention has been undertaken in order to provide the most suitable trees species of the new generation of trees on site.

Objective GIO23:
'*To support the implementation of the 'Dublin City Biodiversity Action Plan 2015–2020', including inter alia (a) the conservation of priority species, habitats and natural heritage features, and (b) the protection of designated sites'.*

The *Dublin City Biodiversity Action Plan 2015–2020* has been reviewed and considered by the ecologist in the preparation of this planning application as set out in the EcIA.

Objective GIO24:
'*To develop Biosecurity Codes of Practice to deal with invasive species and ensure compliance with EU (Birds and Natural Habitats) Regulations 2011 and EU Regulations 2014 on the prevention and management of the introduction and spread of invasive alien species'.*

Invasive Plant Solutions have prepared an Invasive Alien Plant Species: Site Assessment Report and Management Plan, which deals with invasive species management on site.

Policy GI2:
'That any plan/project, either individually or in combination with other plans or projects that has the potential to give rise to significant effect on the integrity of any European site(s), shall be subject to an appropriate assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directives'.

An Appropriate Assessment Screening Report and Natura Impact Statement prepared by Enviroguide Consulting have been prepared and are enclosed with this planning application.

The Natura Impact Statement concludes:

> *'Natura Impact Statement details the findings of the Stage 2 Appropriate Assessment conducted to further examine the potential direct and indirect impacts of the Proposed Development planning application at No. 146A & 148-148A Richmond Road, Dublin 3 on the following European Sites:*
> - *North Bull Island SPA [004006]*
> - *South Dublin Bay and River Tolka Estuary SPA [004024]*
> - *North Dublin Bay SAC [000206]*
> - *South Dublin Bay SAC [000210]*
>
> *The above sites were identified by a screening exercise that assessed likely significant effects of a range of impacts that have the potential to arise from the Proposed Development. The Appropriate Assessment investigated the potential direct and indirect impacts of the proposed works, both during construction and operation, on the integrity and qualifying interests of the*

above European Sites, alone and in combination with other plans and projects, taking into account the site's structure, function and conservation objectives. Where potentially significant adverse impacts were identified, a range of mitigation and avoidance measures have been proposed to negate them. Therefore, as a result of the complete, precise and definitive findings of this Appropriate Assessment; it has been concluded beyond any reasonable scientific doubt, that the Proposed Development will not have any significant adverse impact on the above European Sites.'

Appendix 23 – Section 23.9:

'*Where a proposed development adjoins a river or canal bank, the area adjacent to the waterway should be retained as a linear park or walkway, with linkages into the wider open space network. The line of development within river valleys shall be strictly controlled so as to maintain the integrity of the natural topography of river valleys in Dublin city. The maintenance of natural riverbanks shall be required, without physical or visual encroachment on watercourses.*

The width of the linear park will take into account the existing layout and amenity potential with due allowance for riparian corridors and flood risk. In all cases, any existing blockages to permeability, such as boundaries or redundant buildings, should be resolved where possible. Potential applicants will ensure full public access to lands along waterways which are in private ownership as part of any development proposal.

All of the main rivers in Dublin city have salmonid populations. Therefore, potential applicants should also demonstrate legal compliance to protect the watercourses and fisheries from soil, silt or other material during construction and in this regard should liaise with Inland Fisheries Ireland. As many protected species inhabit Dublin's rivers, applicants should consult with the National Parks and Wildlife Service to inquire as to any consent procedures required for proposed works and to ensure that design layouts do not cause habitat loss for them.

In the case of proposals adjacent to a canal, appropriate space should be retained for wildlife and it should also be ensured that wildlife have appropriate access to the water. In addition, applicants should consult the Dublin City Council Biodiversity Action Plan (2015 – 2020) and the Dublin City Canals Plan (Waterways Ireland in conjunction with Dublin City Council, Fáilte Ireland and the Dublin Docklands Development Authority) to ascertain the implications of this plan for any such site'.

The development provides public open space along the River Tolka which will form part of the future Greenway. A pedestrian/cyclist link is provided from Richmond Road to the future Greenway.

The EcIA has considered the policy documents outlined above. All works adjacent to the Tolka River will be carried out in accordance with Inland Fisheries Ireland (IFI), "Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters". Contact will be made with IFI to ensure the works comply with the provisions of the Fisheries Act and Habitats Regulations, and in accordance with any detailed operational and construction requirements issued by IFI.

The proposed development will provide a wildlife corridor planted with native tree, hedgerow and shrubs along the site's boundary with the River Tolka. Bat friendly lighting has been

incorporated into the project design and includes minimal lighting along this green corridor, with low level bollard lighting proposed, which will have no light-spill towards the river and associated vegetation. To minimise light-spill from the apartment windows, internal lighting will be designed to reduce light-spill e.g., through selective lighting measures, such as setting fittings back into the room.

Objective SIO27:
'To give careful consideration to the location of noise-sensitive developments, including the horizontal and vertical layout of apartment schemes, so as to ensure they are protected from major noise sources where practical'.

Section 16.10.3
'Acoustic privacy is a measure of sound insulation between dwellings and between external and internal spaces. Development should have regard to the guidance on sound insulation and noise reduction for buildings contained in BS 8233:2014. The following principles are recommended for minimising disruption from noise in dwellings:

- *Utilise the site and building layout to maximise acoustic privacy by providing good building separation within the development and from neighbouring buildings and noise sources*
- *Arrange units within the development and the internal layout to minimise noise transmission by locating busy, noisy areas next to each other and quieter areas next to quiet areas*
- *Keep stairs, lifts, and service and circulation areas away from noise sensitive rooms like bedrooms. Particular attention should be paid to the siting and acoustic isolation of the lift motor room.'*

A Noise and Vibration Impact Assessment has been prepared by AWN Consulting which concludes that *'suitable noise and vibration criteria have been identified for the assessment of construction noise. Similarly, appropriate noise criteria have been selected for the relevant operational elements of the development, i.e. building services, deliveries and waste collection, and additional vehicular traffic on surrounding roads. Applying the mitigation measures introduced in this document, there is no aspect of the constructed development that would be expected to cause a significant noise impact'.*

Policy QH12:
'To promote more sustainable development through energy end-use efficiency, increasing the use of renewable energy, and improved energy performance of all new development throughout the city by requiring planning applications to be supported by information indicating how the proposal has been designed in accordance with the development standards set out in the development plan'.

This Statement of Consistency sets out how the development is in accordance with the development standards of the *Development Plan*. A Part L Planning Compliance Report has been prepared by Axiseng Consulting Engineers and is enclosed with this application.

Objective SIO33:
'To support the development of energy efficient initiatives such as use of District Heating and Combined Heat and Power, and to promote the use of CHP in large developments'.

Policy CC3:
'To promote energy efficiency, energy conservation, and the increased use of renewable energy in existing and new developments.'

Please find enclosed a Part L Planning Compliance Report prepared by Axiseng Consulting Engineers. The report notes:

'The design approach is to firstly address the passive measures associated with the building fabric, then implement active measures through an efficient services design and finally implementation of renewables to supply the energy. The building includes the following energy conservation measures to achieve the best energy performance possible;

- *Passive*
  - *o High-performance construction envelope including low U-Value and G-Value*
  - *o Air tightness in construction*
  - *o Minimise Thermal Bridging*

- *Active*
  - *o Exhaust Air Heat Pumps for heating and hot water*
  - *o Low Energy LED Lighting*
  - *o Efficient Controls*

- *Renewable*
  - *o Exhaust Air Heat Pumps*

...In conclusion the development complies with the Part L and NZEB requirements and is achieving an A2 BER.'

Policy CC4:
'To encourage building layout and design which maximises daylight, natural ventilation, active transport and public transport use.

The subject scheme maximises daylight infiltration and natural ventilation have regard to the positive results of the daylight/sunlight assessment (i.e. c. 97% meeting the ADF targets when the 2% ADF target is utilised for living/kitchen/dining rooms and c. 99% meeting the ADF targets when the 1.5% ADF target is utilised for living/kitchen/dining rooms).

Objective CCO12:
'To ensure high standards of energy efficiency in existing and new developments in line with good architectural conservation practice and to promote energy efficiency and conservation in the design and development of all new buildings in the city, encouraging improved environmental performance of building stock.'

As noted in response to Objective SIO33 and Policy CC3, energy efficiency is promoted in the subject scheme.

Policy SI19:
'To support the principles of good waste management and the implementation of best international practice in relation to waste management in order for Dublin city and the region to become self-reliant in terms of waste management.'

An Operational Waste Management Plan and Construction and Demolition Waste Management Plan have been prepared by AWN Consulting which will ensure effective management of waste at the subject site.

Policy SI25:
'To seek to preserve and maintain air and noise quality in the city in accordance with good practice and relevant legislation.'

The temporary noise emitted during the construction phase of the development could have the potential to impact on the surrounding areas. In relation to noise and air quality, the construction works will be carried out in accordance with the recommendations of the Preliminary Construction and Environmental Management Plan prepared by DBFL Consulting Engineers enclosed. It is anticipated that the operation of the development would not result in any long term impacts to surrounding sites due to the nature of the development.

Policy SI26:
'To ensure that the design of external lighting proposals minimises light spillage or pollution in the surrounding environment and has due regard to the residential amenity of the surrounding area.'

A Site Lighting Layout has been prepared by Axiseng Consulting Engineers and is enclosed as part of this planning application which considers the design of external lighting. The external lighting proposal has been prepared in preparation with the ecologist (see the EcIA prepared by Enviroguide Consulting). The internal light spill from interiors of the buildings via windows/entrances will be minimised through selective lighting measures, such as setting fittings back into the room.

9.1.11 Infrastructure Policies

Objective SIO3:
'To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems'.

A separate foul and surface water drainage system will be provided, and sustainable urban drainage systems have been incorporated into the development such as green roofs and pervious paving.

Policy SI3:
'To ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission.'

Pre-connection enquiry feedback has been received from Irish Water which advises that '*based upon the details you have provided with your pre-connection enquiry and on our desk top analysis of the capacity currently available in the Irish Water network(s) as assessed by Irish Water, we wish to advise you that your proposed connection to the Irish water network(s) can be facilitated at this moment in time'.*

Objective SIO8:

'All development proposals shall carry out, to an appropriate level of detail, a Site-Specific Flood Risk Assessment (SSFRA) that shall demonstrate compliance with:

- *The Planning System and Flood Risk Management, Guidelines for Planning Authorities, Department of the Environment, Community and Local Government, November 2009, as may be revised/updated and the Strategic Flood Risk Assessment (SFRA) as prepared by this Development Plan.*
- *The site-specific flood risk assessment (SSFRA) shall pay particular emphasis to residual flood risks, site-specific mitigation measures, flood-resilient design and construction, and any necessary management measures (the SFRA and Appendix B4 of the above mentioned national guidelines refer). Attention shall be given in the site-specific flood risk assessment to building design and creating a successful interface with the public realm through good design that addresses flood concerns but also maintains appealing functional streetscapes. All potential sources of flood risk must be addressed in the SSFRA.'*

A Site-Specific Flood Risk Assessment has been prepared by DBFL Consulting Engineers and is enclosed separately.

Policy SI18:

'To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply:

- *The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins*
- *The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands*
- *The slow-down of the movement of water.'*

Sustainable Urban Drainage Systems are incorporated into the proposed development. The following measures are incorporated into the stormwater design proposals as required.

Infiltration based SUDS systems;

- Permeable paving at surface level including for car parking areas,
- Filter drains in the landscaped areas
- Online partial infiltration cellular storage primary attenuation system with interception volume provided.

Green Roofs;

- Green roofs (extents of which has been maximised where possible)

Attenuated Stormwater Discharge (slow down of water movement);

- A flow control device is included at the site outfall to the Tolka River to restrict the surface water discharge to a flow rate of no greater than the greenfield runoff equivalent of 2 l/sec. The stormwater attenuation & storage system has been designed to cater for all rainfall events up to and including a 1% AEP rainfall event (including allowance for climate change).

Objective SIO14:
'To require that any new paving of driveways or other grassed areas is carried out in a sustainable manner so that there is no increase in storm water run-off to the drainage network.'

All paving and grassed areas for the development have been designed to ensure no increase in storm water run-off.

Section 16.9
'All services must be provided underground in the interests of amenity except where it is clearly shown by a statutory undertaker that underground location is of an impractical nature. This provision shall not apply to temporary cabling necessary for the servicing of development site workshops or offices.'

All services will be provided underground. Full utilities design including comms (Eir, Virgin etc) will be incorporated at detailed design stage.

9.1.12 Urban Design Policies

Policy SN1:
'To promote good urban neighbourhoods throughout the city which are well designed, safe and suitable for a variety of age groups and tenures, which are robust, adaptable, well served by local facilities and public transport, and which contribute to the structure and identity of the city, consistent with standards set out in this plan.'

Policy SN2:
'To promote neighbourhood developments which build on local character as expressed in historic activities, buildings, materials, housing types or local landscape in order to harmonise with and further develop the unique character of these places.'

Section 12.5.2:
'There will be a requirement for all proposals to demonstrate a positive urban design response. Applications for large-scale proposals will need to include an Urban Design Statement'.

Policy SN25:
'To actively support urban regeneration in areas across the city in order to enhance social cohesion and potential for positive change in areas of social exclusion'.

The proposed dwelling mix of 104 No. 1 bedroom units and 79 No. 2 bedroom units ensures that a variety of age groups and tenure will be catered for in this area (such as younger generation looking for flexibility and couples seeking to rent an apartment for example).

The proposed development will promote permeability through the site and the scheme will thus promote a good urban neighbourhood in accordance with Policy SN1. This development will have limited vehicular movements which is a positive for the safety of residents. The development is consistent with the development plan standards.

As noted throughout this Report, the site is well served by public transport and is within walking and cycling distance of services and facilities in addition to employment locations.

The scheme will also visually improve the subject site which is currently principally provided with warehouse structures state which provides an unwelcoming aspect along the River Tolka. In particular, views towards the site from the River Tolka (which is a designated Conservation Area) will be significantly improved, which will contribute to the structure and identity of the city. In addition, high-quality and durable materials are proposed to be utilised.

The site's frontage onto the River provides a rare opportunity to open the site up to the surrounding area and to provide a permeable link which is considered a unique planning gain for the area and will contribute to the vitality and security of the future Greenway. The scheme will improve the character of the area in accordance with Policy SN2. In accordance with Policy SN1, the scheme will promote a good urban neighbourhood at the subject site. In addition, an Urban Design Statement has been prepared by RKD Architects and is enclosed separately (entitled Architect's Design Statement) in accordance with Section 12.5.2 which demonstrates how the proposal will provide a positive urban design. The development supports urban regeneration in support of Policy SN25.

Policy SC19:
'To promote the development of a network of active, attractive and safe streets and public spaces which are memorable, and include, where appropriate, seating, and which encourage walking as the preferred means of movement between buildings and activities in the city. In the case of pedestrian movement within major developments, the creation of a public street is preferable to an enclosed arcade or other passageway'.

Policy SC20:
'To promote the development of high-quality streets and public spaces which are accessible and inclusive, and which deliver vibrant, attractive, accessible and safe places and meet the needs of the city's diverse communities'.

Policy SC3:
'To develop a sustainable network of safe, clean, attractive pedestrian routes, lanes and cycleways in order to make the city more coherent and navigable.'

Section 16.9 and Policy QH15:
'Require that roads and services must be designed and built to taking-in-charge standards.'

The proposed development provides a network of active, attractive, safe and high-quality streets and public spaces, which are memorable, accessible and inclusive, and will allow access

through the site to and from the River Tolka pedestrian/bicycle route. Seating is also provided in the public area along the greenway. The scheme also facilitates the future connection of the public open space to the neighbouring adjacent sites and thus the scheme contributes towards developing a sustainable network of pedestrian routes and cycleways. Materials will be provided to taking-in-charge standards.

Policy QH10:
'To support the creation of a permeable, connected and well-linked city and discourage gated residential developments as they exclude and divide established communities'.

Section 16.2.1:
Gated developments will be discouraged as they prevent permeability. Development must incorporate design measures for:

1. Maintaining a clear distinction between public and private spaces
2. Promoting safety, visibility and facilitating the natural surveillance of adjoining routes and spaces.

The development will not be gated along the north-western boundary and the public can access the public open space provided. The scheme encourages permeability in the public open spaces provided along the north-western and south-western boundary of the development, and it is clear that this is the public space for the wider area to utilise. The café/retail space fronting Richmond Road and public plaza area will also be open to the public. As noted above, the development will be partially gated to define shared residential amenity however a public link is also provided through the site, which will enhance the amenity of the area. The public and communal open space to the around the building will be formally divided by the planting of a native hedgerow in combination with riparian type planting along a metal low fence on top of a dwarf wall. Gates will also be provided throughout the site to control access to the large communal areas to the east and south of the site.

The area of the site facing Richmond Road will have bicycle parking and planting, there is active ground floor use (café/retail unit) and residential units facing the street to add passive surveillance. The ground floor uses facing the river are generous indoor amenity spaces, including gym, shared working, lounge, and lobby spaces. The cycle storage is on the ground floor facing south and east and designed with glazed frontage so there is more visibility and security rather than blank walls. Any boundary between external public and private space will be a knee high wall and railing so there is a visual connection between the spaces.

The development promotes safety and visibility and facilitates the natural surveillance of adjoining routes and spaces as all open spaces are overlooked by apartments and a large quantum of the open space is also overlooked by the commercial unit or the residents' amenity space.

Policy QH11:
'To ensure new developments and refurbishments are designed to promote safety and security and avoid anti-social behaviour in accordance with the Safety and Security Design Guidelines contained in Appendix 14.'

The public and communal spaces will be passively surveilled by the proposed units and/or internal amenity spaces, therefore safety and security is promoted in the scheme which will reduce the potential for anti-social behaviour.

Section 16.10.2:

'At the rear of dwellings, there should be adequate separation between opposing first floor windows. Traditionally, a separation of about 22 m was sought between the rear of 2-storey dwellings but this may be relaxed if it can be demonstrated that the development is designed in such a way as to preserve the amenities and privacy of adjacent occupiers'.

Windows and balconies facing northeast towards the Leydens site are set back 11 metres from the boundary edge to the balcony edge. This ensures that any similar development on the site can setback the same distance to ensure minimum 22 metres between any potential facing windows. This policy notes that the separation distances may be relaxed if the amenities and privacy of adjacent occupiers is preserved however we note that there will be no directly opposing windows provided. The building line facing Richmond Road is setback from the public road and is 20.4 metres to the nearest building. This is a public street and there are no windows to the rear of properties that are opposing. Therefore, a 22 metre setback that would be required for rear facing windows is not required. The upper floors L06-L09 are setback a further 28.9 metres (in excess of 67 metres on the southeast). The setback of taller elements of the design also prevents overlooking into the private garden spaces of the properties opposite.

Windows facing the west towards Deakin Court are set back 11.5 metres but we reiterate that there are no opposing first floor windows. Perforated screens are provided from the 1st-6th floor to ensure privacy between the private balconies and the shared external amenity space.

Pop out angled windows to the bedrooms on the west elevation ensure there is no direct overlooking towards Deakin Court external shared amenity space.

Therefore, the privacy and amenity of adjacent occupiers has been duly considered and preserved.

Section 16.10.3

'A landscaping plan will be required for all developments, identifying all public, communal (semi-private) and private open space.'

This has been prepared by Mitchell + Associates Landscape Architecture. Please also refer to the Landscape Planning Report which fully details the various spaces provided in the development.

Section 16.10.4

'Proposals for new development greater than 100 dwellings or 10,000 sq.m and for public transport infrastructure, in addition to making a contribution to social infrastructure, shall include an Urban Design Statement that addresses the following issues:

How any proposed access points, routes or new streets are interconnected logically with the existing local network of streets, to aid legibility, permeability and walkability and complement local 'desire lines'

How the development will contribute positively to the quality of the streets and public spaces surrounding it; this should include graphic material showing how the development will contribute to the character of the street and its activity and to the quality of the pedestrian environment

How the development will contribute to a coherent enclosure for the street or public space including consideration of the proportions and activities of the buildings on both sides of a street or surrounding a public space

How the proposals impact on, or are affected by, other planned development in the local area. Where a number of developments are proposed in proximity to each other, they may have the potential to cumulatively exert significant change on a neighbourhood. Where this is the case, any potential conflicts or opportunities for synergies or economies should be examined How the layout and design of buildings, public realm or infrastructure respond to the series of non-prescriptive questions as set out in the DEHLG's Urban Design Manual, to be considered during the key stages of the design and planning process; proposals should also demonstrate how they address the principles as set out in the Neighbourhood Section of the Urban Design Manual

How communal amenity spaces within residential developments are designed to be clearly distinct from fully public spaces and their scale and activities appropriate so as to fit within the local network of planned or existing public spaces.

Please see the Urban Design Statement (entitled Architectural Design Statement) enclosed and prepared by RKD Architects which addresses these items.

9.1.13 Architectural Heritage

Policy SC28:
'Promote understanding of the city's historical architectural character to facilitate new development which is in harmony with the city's historical spaces and structures'.

The Architectural Heritage Impact Assessment prepared by Historic Building Consultants and enclosed separately notes the following in relation to the Conservation Area:

'The red hatching that denotes a conservation area runs along the River Tolka past the application site. As has been noted, the hatching also encroaches into the site, but it has been suggested above that this part of the conservation area is now obsolete and should be removed from the development plan maps, as the area is the part of the site seen in plate 1 above and is no longer part of the river system.
Notwithstanding this assertion, the proposed development would result in a more ordered site that would be more compatible with the conservation area objective than the present commercial buildings and yard.'

9.2 Other Relevant Development Standards in the *Dublin City Development Plan 2016-2022*

9.2.1 Residential Accommodation Standards

Section 16.10:
'The standards for residential accommodation are divided into standards relating to apartments and houses (16.10.1 and 16.10.2 respectively) and apply to new-build residential schemes.'

-Minimum overall apartment floor area

- Studios 40 sq m
- 1-bed 45 sq m
- 2-bed 73 sq m
- 3-bed 90 sq m

All units meet, and in many cases, exceed the minimum apartment floor areas.

-Minimum aggregate floor areas for living/dining/kitchen rooms:

Apartment type	Width of living /dining room	Aggregate floor area of living/dining/kitchen area*
Studio	5 m	30 sq m
1-bed	3.3 m	23 sq m
2-bed	3.6 m	30 sq m
3-bed	3.8 m	34 sq m

*Note: an enclosed (separate) kitchen should have a min floor area of 6.5 sq m. In most cases, the kitchen should have an external window. N/A
** Note: Combined living/dining/bedspace

-Minimum bedroom floor areas/widths:

Apartment type	Width of bedroom	Floor area of bedroom*
Studio	5 m**	30 sq m**
Single bedroom	2.1 m	7.1 sq m
Double Bedroom	2.8 m	11.4 sq m
Twin Bedroom	2.8 m	13 sq m

*Note: Minimum floor areas exclude built-in storage presses.
** Note: Combined living/dining/bedspace

We note that the *Apartment Guidelines, 2020* allows a variation of up to 5% to be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas.

This 5% variation in aggregate floor space and/or room widths has been applied to the following units only, which all meet the overall minimum floor area requirements of the *Apartment Guidelines, 2020*, as per the Housing Quality Assessment Table enclosed separately:

	Room Type	Unit No.	Unit Type	Area Required	Area Provided	Within 5 % Variation
1.	Living/Kitchen/Dining	L1.18	2B4P-03	30 sq m	29.2 sq m	Yes
2.	Living/Kitchen/Dining	L2.18	2B4P-03	30 sq m	29.2 sq m	Yes
3.	Living/Kitchen/Dining	L3.18	2B4P-03	30 sq m	29.2 sq m	Yes
4.	Living/Kitchen/Dining	L4.18	2B4P-03	30 sq m	29.2 sq m	Yes
5.	Living/Kitchen/Dining	L5.18	2B4P-03	30 sq m	29.2 sq m	Yes
6.	Living/Kitchen/Dining	L6.16	2B4P-03	30 sq m	29.2 sq m	Yes
7.	Living/Kitchen/Dining	L7.16	2B4P-03	30 sq m	29.2 sq m	Yes
8.	Living/Kitchen/Dining	L8.13	2B4P-11	30 sq m	29.2 sq m	Yes

Therefore, as a result, these units within the scheme will not meet the *Development Plan* standards in relation to aggregate room areas and/or widths in some cases, however this flexibility is allowed under the *Apartment Guidelines, 2020*.This is fully detailed in the Material Contravention Statement enclosed. For these 8 No units, the area required under the *Development Plan* and *Apartment Guidelines, 2020* for living/kitchen/dining rooms is 30 sq m. Therefore, a 5% variation would require a floor area of 28.5 sq m. The area provided for these 8 No. living/kitchen/dining rooms is 29.2 sq m and thus is well above the minimum required under the 5% variation.

-Minimum Storage Area*

Apartment type	Aggregate Area
Studios	3 sq m
One bedroom	3 sq m
Two Bedroom	6 sq m
Three Bedroom	9 sq m

* All apartments shall be provided with designated internal storage space separate to the area for kitchen presses, bedroom furniture or areas containing the cold and hot water tanks, and should be designed for ease of access and use.

All new apartments meet, and in some cases, exceed the minimum storage areas standards. There is no separate standard provided in the Development Plan for a two bedroom, three-person unit and the *Apartment Guidelines, 2020* state a minimum storage requirement of 5 sq m for this type of unit, which has been complied with.

-10% of minimum floor areas

It is a requirement that the majority of all apartments in a proposed scheme of 100 units or more must exceed the minimum floor area standard by at least 10% (studio apartments must be included in the total but are not calculable as units that exceed the minimum). In schemes of 10-99 No. units the same approach is applied but it is acceptable to redistribute part of the minimum 10% additional floor space throughout the scheme, (refer to 2015 Department Guidelines for worked examples of this approach).

We note that SPPR 8 (iv) of the *Apartment Guidelines, 2020* applies to the proposed Build-to-Rent apartments which outlines that the requirement for the majority of all apartments to exceed minimum floor areas by 10% do not apply. A total of 33% of apartments in this proposal exceed 10% of the minimum floor areas regardless. This is detailed in the Material Contravention Statement enclosed.

-Dual Aspect

Dual aspect apartments maximise the availability of sunlight and should be provided where possible. It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design. Ideally 3-bedroom apartments should be dual aspect. Dual aspect can include corner units.

The scheme provides 50% dual aspect units.

-Single Aspect Units
Where single aspect apartments are provided, the provision of south facing units should be maximised with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature.

There are no north facing single aspect units provided.

-**Overshadowing**
Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings and/or balconies.

The enclosed Daylight and Sunlight Analysis prepared by 3D Design Bureau demonstrates that future occupants will enjoy good levels of daylight within the vast majority of the proposed units (c. 97% meeting the ADF targets when the 2% ADF target is utilised for living/kitchen/dining rooms and c. 99% meeting the ADF targets when the 1.5% ADF target is utilised for living/kitchen/dining rooms) and the units will have access to internal and external amenity areas and that are capable of receiving excellent levels of sunlight.As part of a compensatory design solution for the rooms that do not meet the recommended minimum average daylight factor, the proposed development includes communal amenity areas, all of which have been assessed and will have adequate levels of daylight. Furthermore, the scheme has incorporated a number of localised compensatory design measures. The majority of the rooms that do not meet the ADF target have been provided with either some or all of the following compensatory measures:

- Balcony space, some of which exceed the minimum requirement
- Windows that face public open space in the development
- Larger apartment floor areas

In addition, residents will have access to the internal communal amenity spaces which will all receive good levels of daylight. Given the compensatory design measures, the level of ADF compliance for the development as a whole could be considered acceptable regardless of whether 2.0% (97% compliance) or 1.5% target (99% compliance) is deemed to be applicable for the LKDs.

-Floor to Ceiling Heights
It is a specific planning policy requirement in the Department of Environment, Community and Local Government (DECLG) 2015 Guidelines that a minimum floor to ceiling height of 2.7 m shall be required for ground floor level units and 2.4 m for all other levels, measured from finished floor level to finished ceiling height.

Where apartments front onto or adjoin busy commercial streets in the city centre and key district centres with significant pedestrian footfall, ground floor apartment floor-to-ceiling heights shall be a minimum of 3.5-4 m to allow for future potential commercial uses.

The Department Guidelines also specify that in schemes with less than 50% dual aspect units, floor to ceiling heights must be a minimum of 2.7 m, with 3.0 m at ground floor.

As noted above the scheme provides 50% dual aspect units. The ground floor of the proposed scheme provides floor to ceiling heights of 3.95 metres, and generally provides floor to ceiling heights of 2.6 metres on the upper levels which exceeds the minimum requirement of 2.4 metres.

-Deck Access
In certain circumstances, deck access may be acceptable as long as bedrooms do not face out on to the deck and it is well proportioned and designed.

In some cases, secondary bedrooms facing on to the deck may be acceptable if quality issues are satisfactorily addressed by careful design such as providing a semi-private external buffer zone.

N/A

-Privacy Strip
Where ground floor apartments are to be located adjoining the back of a public footpath or other public area, consideration may be given to the provision of a 'privacy strip' of approximately 1.5 m in depth, subject to appropriate landscape design and boundary treatment.

There are no ground floor units provided in the subject scheme.

-Safety and Security
Apartment design should provide occupants and visitors with a sense of safety and security, by maximising natural surveillance of streets, open spaces, play areas and any surface bicycle or car parking. Accordingly, blocks and buildings should overlook the public realm. Entrances and lobbies should be spacious and welcoming, be illuminated and covered, be highly visible from adjoining dwellings, have good natural light and ventilation and level access. The lobby should orientate visitors and occupants and the stairs should be prominently positioned to encourage use. The lobby and associated circulation spaces should be generous enough to allow for furniture deliveries. If the lobby gives access to the courtyard it should also be spacious with a strong visual link. Particular attention should be given to the security of ground floor apartments and access to internal and external communal areas.

Natural surveillance has been maximized with all public and communal spaces. Entrances and lobbies are welcoming and spacious and include easily accessible stairs and lift cores and a visual link is provided through the lobby to the external communal open space and public open space.

-Aspect, Natural Light and Ventilation
Living rooms and bedrooms shall not be lit solely by roof lights and all habitable rooms must be naturally ventilated and lit.

Living rooms and bedrooms are provided with windows and will be naturally lit and ventilated.

-Lifecycle
Applications for apartment developments should include an assessment of long term running and maintenance costs as well as demonstrating what measures have been specifically considered to reduce costs for the benefits of residents.

A Building Lifecycle Report is enclosed with this application.

-Schedule of apartments, aspect and areas
All applications for apartment schemes or mixed housing developments that include apartment buildings, shall submit a schedule that details the following:

(a) The number and type of apartments and associated individual unit floor areas as part of the planning application process. This shall identify the proposed apartments that are at least 10% greater than the minimum floor area standard in schemes with 100 or more apartments and all those apartments that exceed the minimum floor area standard in schemes with 10–99 apartments. Floor area shall be calculated from internal room dimensions;

(b) Details of apartment aspect (dual or single) and orientation;

(c) Principal dimensions of each room as well as the aggregate floor areas of each room;

(d) Details of internal and any external storage space associated with each apartment;

(e) Quantum of proposed private amenity space.

Please find enclosed Housing Quality Assessment prepared by RKD Architects which details all of the above requirements.

9.2.2 Public Open Space

In relation to the provision of Public Open Space, Section 16.10.3 of the Development Plan states:

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

In relation to development adjacent to river or canal banks, the Development Plan states that:

> *'Where feasible, proposed development adjoining a river or canal bank should provide a linear walkway along the bank which is accessible to the general public and connects to any existing contiguous walkway along the bank'.*

The proposed development includes the provision of 1,501 sq m Public Open Space that equates to 25% of the development site and is therefore in excess of the *Development Plan* requirement.

The Landscape Masterplan designed by Mitchell and Associates Landscape Architects demonstrates the provision of a river park along the banks of the Tolka River. The provision of this high-quality landscaped area along the riverbank represents a significant improvement to the existing public realm, which will form part of the future Greenway, and is therefore a significant planning gain for the surrounding area and community. The river park will be directly linked to Richmond Road via a public route providing permeability and legibility through the subject site to the river park.

9.2.3 Communal Open Space

Section 16.10.1 of the *Development Plan* states the following in relation to communal open space:

> *'In schemes of 25 or more units small play spaces of 85-100 sq m are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/ guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should be provided.'*

The *Apartment Guidelines, 2020* provides a slight variation of this policy as follows:

> *'The recreational needs of children must be considered as part of communal amenity space within apartment schemes. Experience in Ireland and elsewhere has shown that children will play everywhere.*
>
> *Therefore, as far as possible, their safety needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces. Children's play needs around the apartment building should be catered for:*
>
> - within the private open space associated with individual apartments (see chapter 3);
> - *within small play spaces (**about 85 – 100 sq. metres**) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, **in a scheme that includes 25 or more units with two or more bedrooms**; and*
> - *within play areas (**200–400 sq. metres**) for older children and young teenagers, in a scheme that includes **100 or more apartments with two or more bedrooms**.*
>
> *The perimeter block with a central communal open space is particularly appropriate for children's play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and designers must find solutions which balance all the factors involved.'* [Our Emphasis]

As detailed in the Material Contravention Statement enclosed, the subject scheme comprises 183 No. Build-to-Rent Units (104 No. 1 bedroom units and 79 No. 2 bedrooms units). The scheme does not provide more than 100 No. units with two or more bedrooms and thus in accordance with the *Apartment Guidelines, 2020*, a larger 200-400 sq m play space is not required. The proposed development comprises a children's play space of 89 sq m which meets the requirements of the *Apartment Guidelines, 2020*.

The *Development Plan* further notes that proposals should demonstrate the following:

- complies with the minimum standards set out below ✓

- will be soft and/or hard landscaped with appropriate plant species and landscaping materials such as those with good resistance to accidental damage and low maintenance characteristics✓

- is secure for residents and benefits from passive surveillance considers the needs of children in particular in terms of safety and supervision✓

- is wheelchair accessible✓

- achieves good sunlight penetration✓

- has appropriate arrangements for maintenance and management such as a conveniently accessed garden maintenance and storage area with water and drainage connections.✓ [i.e. external maintenance tap provided and landscaping store provided in the basement]

The *Development Plan* and (*Apartment Guidelines, 2020)* further set out the following standards:

Minimum Floor Areas for Communal Open Space	
Studio	**4 sq m**
One Bedroom	**5 sq m**
Two Bedroom (3 No. persons)	**6 sq m**
Two Bedroom (4 No. persons)	**7 sq m**
Three Bedroom	**9 sq m**

The development proposes 104 No. one bed apartments and 79 No. two bed apartments which results in a total requirement for 1,073 sq m to accord with the minimum areas for communal open space.

The development proposes to provide 2,283 sq m outdoor high-quality landscaped communal amenity space, including 2 No. upper level roof terraces (209 sq m) and 2,074 sq m high quality landscaped communal open space at surface level.

In addition to the outdoor space provided, the development will also provide dedicated internal communal space of 545 sq m including co-working space, lounges, gymnasium, meeting rooms and a kitchen for example, ensuring that high quality internal and external communal amenity space is provided for future tenants. Thus, the proposed communal open space significantly exceeds the minimum communal amenity space standards.

9.2.4 Car Parking

The subject scheme includes the provision of 71 No. car parking spaces in addition to a drop-off space adjacent to Richmond Road. The subject site lies within Area No. 2 for car parking where the applicable standards as per Table 16.1 of the *Dublin City Development Plan 2016-2022* are a maximum of 1 No. car parking space per dwelling and 1 No. car parking space per 150 sqm of café/1 sq m per 275 sq m of retail floor space. As 183 No. apartments are proposed and a 157 sq m café/retail unit, the subject scheme has a maximum car parking requirement of 185 No. according to the *Development Plan*, with visitor parking decided on a case-by-case basis.

In relation to car parking provision for development in Intermediate Urban locations the *Apartment Guidelines, 2020* state:

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

Therefore, having regard to the locational characteristics of the site, the subject scheme includes a reduced level of car parking provision. The proposed development provides for 71 No. car parking spaces providing a ratio of 0.39 No. spaces per unit (excluding drop off space fronting Richmond Road). The parking spaces includes 1 No. car share space, 4 No. mobility impaired spaces and 8 No. electric vehicle parking spaces.

Furthermore, as a Build-to-Rent development in close proximity to a wide range of active travel and public transport options, and proximate to a range of employers, services, facilities and education, there is a reduced requirement for car parking at the subject site. The café/retail unit is intended to serve the local community therefore the scheme does not require dedicated spaces for the café/retail unit.

By providing a reduced level of car parking provision, the subject scheme seeks to encourage future residents to either walk or cycle and all or the amenities contained therein or avail of the public transport in close proximity to the subject site. Therefore, the reduced provision of car parking for the subject scheme will contribute to consolidated growth and the reduction in carbon emissions by discouraging car ownership

9.2.5 Bicycle Parking

Table 16.2 of the *Development Plan* details the Cycle Parking Standard for various land uses within the administrative area of Dublin City Council. In relation to residential development the Development Plan requires the provision of 1 space per unit and 1 per 150 sq m for cafes and retail. As 183 No. apartments are proposed and a 157 sq m café/retail unit, the subject scheme has a bicycle parking requirement of 185 No. according to the *Development Plan.*

The subject scheme includes the provision of 388 No. bicycle parking spaces in addition to 2 No. cargo bicycle parking spaces (and 10 No. electric scooter storage spaces), which is significantly in excess of the standards outlined in the *Development Plan.*

The *Apartment Guidelines, 2020* outlined a standard of 1 No. cycle parking space per bedroom and 1 No. visitor space per two units, which would result in 354 No. cycle parking spaces. Therefore, the proposal exceeds the standards outlined in the *Apartment Guidelines, 2020.*

9.3 *Richmond Road Area Action Plan 2007*

The subject site lies within the administrative area of the *Richmond Road Area Action Plan 2007 ("Area Action Plan").* For the purposes of this planning application and in the interests of completeness, the proposed development has been designed having regard to the key policies pertaining to the subject site.

The following sections outline the key policies contained within the *Area Action Plan* which pertain to the subject site.

9.3.1 Riparian Buffer

In relation to development on sites adjacent to the Tolka River such as the subject site, the *Area Action Plan* states that:

> *'In all redevelopment,* ***there will be the provision of a public corridor, including walkway, on the banks of the River****; it shall not be provided in the form of a boardwalk.* ***The corridor will be 8 metres wide*** *and be contained within the boundaries of the sites'.* [Our Emphasis]

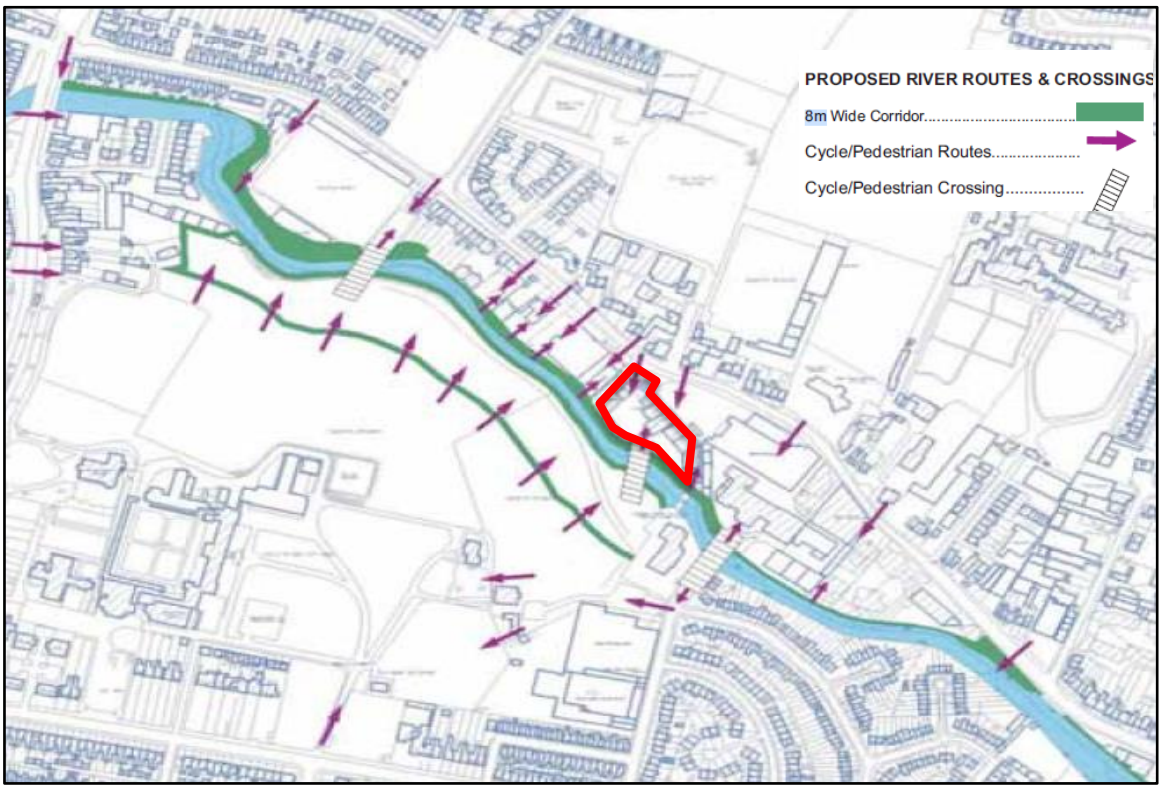

Figure 9.3: Proposed River Routes & Crossings

(Source: *Richmond Road Area Action Plan, 2007)*

The subject scheme has been designed to include an 8 No. metre setback from the Tolka River to facilitate the provision of a riparian buffer and walking/cycle route along the river.

9.3.5 Pedestrian/Cycle Permeability

The *Area Action Plan* also annotates a pedestrian/cycle route and existing view through the site and indicates a pedestrian crossing over the Tolka River into the subject site, as shown below. The scheme will facilitate a pedestrian/bicycle route through the public open space and facilitates the future Greenway and connections to the surrounding area. The scheme will improve the views into the site by replacing the existing buildings which are predominately industrial in nature

and replacing them with a high-quality scheme that promotes permeability and sustainable modes of transport.

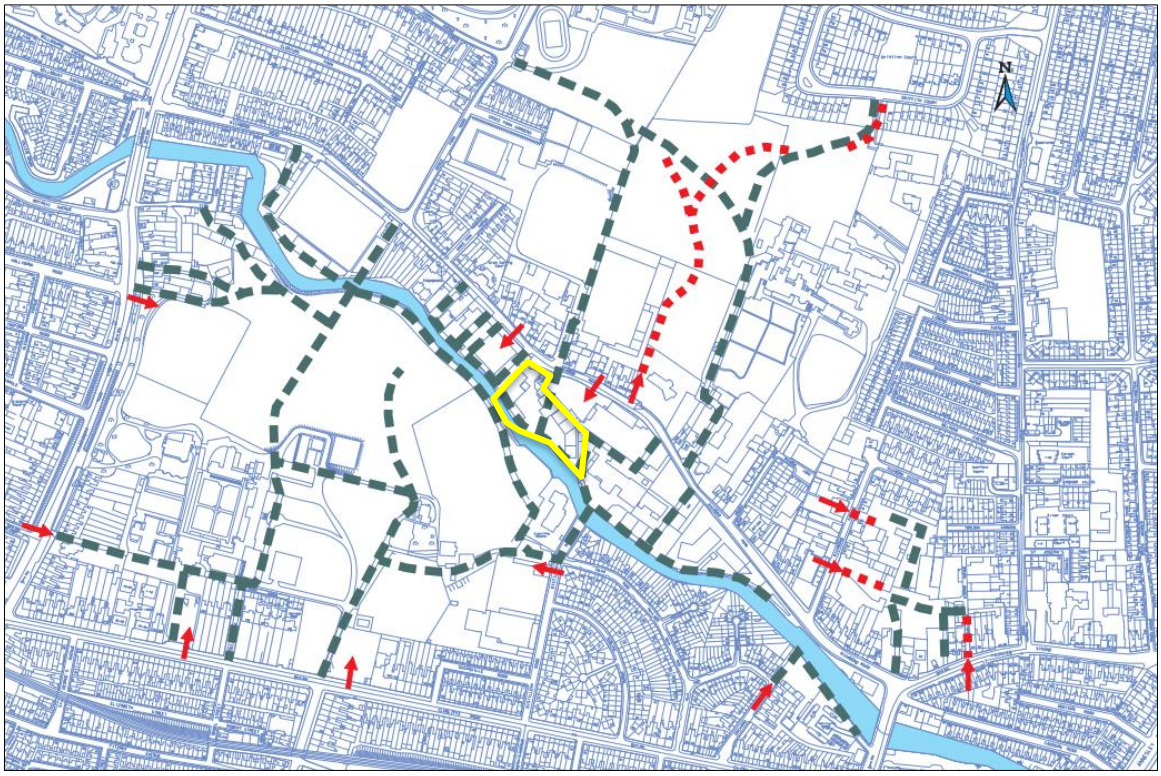

Figure 9.4: Proposed Movement Network

(Source: *Richmond Road Area Action Plan, 2007*)

The scheme provides public open space along the north-western and south-western boundary of the subject site. The public open space along the south-western boundary will be adjacent to the River Tolka and will form part of a future Greenway and facilitates future potential connections into the neighbouring adjacent sites. The public open space along the north-western boundary facilitates a link from Richmond Road to the public open space along the River Tolka.

9.3.3 Richmond Road Improvement

In relation to potential improvements to Richmond Road, the Area Action Plan requires any redevelopment proposals along the road to include a 1.5-2.5 m strip of land:

> *'Due to the significance of the historical streetscape on parts of Richmond Road, there is limited opportunity to achieve adequate road width between 112 and 130 Richmond Road (southside). For the remainder of the road, however, from Drumcondra Road to Luke Kelly Bridge, as part of any redevelopment proposals, a strip of land will be required between 1.5 to 2.5 metres at the following locations:*
>
> - *Between 52 and 68 Richmond Road;*
> - *At Tolka Park;*

- *Between 130 to 144 (former Panelling Centre) Richmond Road;*
- *At the Builder's Providers and Leydens retail warehouse, where there is an existing road widening strip;*
- *Between 193 to 219 Richmond Road'.*

The subject scheme includes provision for this road widening strip along Richmond Road to enable future improvement works.

The scheme has incorporated all relevant details of the *Richmond Road Area Action Plan, 2007* within the Applicant's control (e.g. 8 metre setback from the River Tolka, road widening strip along Richmond Road and pedestrian/cyclist permeability). It is considered that the subject scheme represents a positive insertion to this site location on Richmond Road.

10.0 CONCLUSION

Overall, the subject lands are ideally located for the sustainable development of an infill/ brownfield site in line with National and Regional Planning policy. This also accords with the impetus for higher densities and uplift in height sought by the *Apartment Guidelines, 2020, the Building Height Guidelines* and the *NPF*.

The proposed development represents a significant investment in a strategically located site on the outskirts of Dublin City which is eminently suitable for a mixed-use development comprised of 1 No. commercial unit and 183 No. Build-to-Rent apartments. This contention is further supported by the subject site's proximity public transport, employment, services and facilities.

The Statement of Consistency document has comprehensively overviewed all relevant national, regional and local planning policy documents which are considered to be pertinent to the proposed development at the subject site. The proposed development is consistent with the relevant objectives of the *Development Plan* (except to the extent identified in the material contravention statement accompanying this application) and the relevant ministerial guidelines.

As such, it is considered that the proposed development represents the proper planning and sustainable development of the area.

APPENDIX A – CORRESPONDENCE WITH DCC

24th August 2021:

From: conservation@dublincity.ie <conservation@dublincity.ie>
Sent: Tuesday 24 August 2021 09:35
To: Patricia Thornton <patricia@toctownplanning.ie>
Subject: RE: Protected Structure Anomaly

Hi Patricia,

The anomaly has been identified as part of the ongoing Development Plan review and will be addressed as part of the RPS review process,

Thanks and regards,

Eimear

Eimear Schlindwein – Oifigeach Foirne I Comhairle Cathrach Bhaile Átha Cliath I Seandálaíocht, Caomhantas & Oidhreacht IAn Roinn Pleanála, & Forbairt Maoine

Eimear Schlindwein I Staff Officer I Dublin City Council IArchaeology, Conservation & Heritage I Planning and Property Development Department I
Block 3 I Floor 3 I Civic Offices I Wood Quay I Dublin 8

T. 01 222 6458 E. eimear.schlindwein@dublincity.ie

From: Patricia Thornton <patricia@toctownplanning.ie>
Sent: 18 August 2021 09:29
To: conservation@dublincity.ie; Mary McDonald <mary.mcdonald@dublincity.ie>
Subject: Protected Structure Anomaly

Hi Mary

I refer to the building below on Richmond Road, which is referred to as Leyden's and has a red asterisk on the building, denoting it as a Protected Structure. The building is circled in blue below on the Zoning Map.

Steel shed at Leyden's

24th September 2020:

From: conservation@dublincity.ie <conservation@dublincity.ie>
Sent: Thursday 24 September 2020 10:58
To: Elaine Hudson <elaine@toctownplanning.ie>
Subject: RE: Richmond Road Protected Structure Query

Hi Elaine,

Further to our recent phone conversations and your e-mail of 21st September please note that we have reviewed your query in relation to the warehouse building on Richmond Road. It appears that the asterisk on the zoning map (which you have highlighted circled in pink on the map below) is an error. This building is **not protected** and should not be indicated as such. It is not marked on previous zoning maps.

The following two structures ***are*** listed on the RPS under the following references:

RPS Ref No	House No.	Full Address	Post Code	Description
2292	-	Distillery Road, Dublin 3	Dublin 3	Tivoli Centre
7359	156- 163	Richmond Road, Dublin 3	Dublin 3	Brick and stone building east of Tivoli centre and stone warehouse fronting onto Richmond Road

I hope this clarifies the position for you but if you have any follow-up queries please let me know,

Thanks and regards,

Eimear

Eimear Schlindwein – Oifigeach Foirne
Comhairle Cathrach Bhaile Átha Cliath
Seandálaíocht, Caomhantas & Oidhreacht
An Roinn Pleanála, & Forbairt Maoine

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