



# PLANNING STATEMENT OF CONSISTENCY

## DUNDRUM CENTRAL SHD

PROPOSED STRATEGIC HOUSING DEVELOPMENT (SHD) ON LANDS AT CENTRAL MENTAL HOSPITAL, DUNDRUM ROAD, DUNDRUM, DUBLIN 14



*Image credit - Reddy Architecture + Urbanism*

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## 1.0 INTRODUCTION

### 1.1 Summary

This *Statement of Consistency* demonstrates that the proposed residential and ancillary development at lands identified as the Central Mental Hospital, Dundrum Road, Dublin 14 is consistent with the relevant policies pertaining to the site at national, regional, and local levels.

The proposed strategic housing development (SHD) has been developed by the Land Development Agency (LDA) and is situated on a c. 9.6 ha site located at the Central Mental Hospital, Dundrum Road, Dundrum, Dublin 14.

Given the former ‘institutional’ nature of the lands, the proposed development is subject to specific policy objectives pertaining to institutional lands. This includes (*inter alia*) a requirement to produce a Masterplan in consultation with the local authority and retain the open character of the lands whilst providing a minimum of 25% open space.

In this regard, the redevelopment of the application site is supported by a comprehensive Masterplan which fully accounts for the provisions of the Institutional policy objectives attached to the lands. The Masterplan has been developed by a multidisciplinary project team, in consultation with Dún Laoghaire Rathdown County Council. The enclosed *Masterplan* document, provides further details of this process including the key design parameters.

The proposed SHD forms part of a Masterplan for the wider site area of 11.3 ha. In addition to the development described in this Statement, the site wide Masterplan provides for the adaptive re-use of the main hospital building and associated open space. The LDA intend to submit a separate planning application to Dún Laoghaire Rathdown County Council under Section 34 of the *Planning and Development Act 2000*, in respect of the aforementioned adaptive re-use. This application submission relates to the SHD proposal only.

In summary, the proposed SHD will provide 977 no. residential units, 3,889 sq m of non-residential ‘other’ uses and 3.05 ha of public open space. The proposed residential units and ancillary non-residential floorspace will largely be accommodated in 9 no. blocks of development, ranging from 2 to 6 storeys in height (with 7 storey elements at Block 03 and 10 due to lower ground floor), arranged around new public open spaces and existing landscape features such as mature trees and the walled garden.

Based on the total SHD site area of 9.6 ha, the proposed development will provide a gross residential density of 102 units per hectare. Taking the net site area into account (excluding the public open space provision and the footprint of the Gatelodge, a standalone non-residential building), the proposed development will provide a net residential density of 150 units per hectare.

From a land use perspective, the application site is zoned Objective A – ‘*To protect and/or improve residential amenity*’. The proposed residential development, together with the proposed non-residential lands which include retail, medical and community facility provision, accord in full with the land use zoning objective for the site. We further note that the quantum of floorspace pertaining to the proposed ‘other’ uses (i.e. the non-residential uses) accords with the threshold contained within the SHD legislation.



## 1.2 Legislative Context

In accordance with Section 5 of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*, the Land Development Agency is lodging a planning application in respect of proposed Strategic Housing Development (SHD) as outlined above. This report constitutes the *Statement of Consistency* in accordance with the requirements of Section (5)(b) of the Act.

## 1.3 Outline of This Report

This *Statement of Consistency* provides a description of the proposed development followed by a list of the various statutory and strategic policy documents considered. The Statement demonstrates full consistency with the pertinent *Development Plan* (i.e. the *Dún Laoghaire-Rathdown County Development Plan 2016-2022*) and the relevant Section 28 National Guidelines as required under Section (5)(b)(i) & (ii) of the Act.

## 1.4 Policy Documents Considered

The following policy documents have informed this *Statement of Consistency*:

1. *National Planning Framework (Ireland 2040 – Our Plan)*;
2. *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031*;
3. *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)*;
4. *Urban Design Manual: A Best Practice Guide (2009)*;
5. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December 2020)*;
6. *Quality Housing for Sustainable Communities (2007)*;
7. *Childcare Facilities – Guidelines for Planning Authorities (2001)*;
8. *Part V of the Planning and Development Act 2000: Guidelines (2017)*;
9. *Design Manual for Urban Roads and Streets (DMURS) (2019)*;
10. *The Planning System and Flood Risk Management (2009)*;
11. *Urban Development and Building Heights, Guidelines for Planning Authorities (2018)*;
12. *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*;
13. *Architectural Heritage Protection Guidelines for Planning Authorities (2011)*.
14. *Dún Laoghaire-Rathdown County Development Plan 2016-2022*; and
15. *Dún Laoghaire-Rathdown County Development Plan 2022-2028*.



## 2.0 DESCRIPTION OF PROPOSAL

### 2.1 Site Location

The application site is located at the Central Mental Hospital lands in Dundrum, Dublin 14. The site is currently still occupied by the HSE and will be vacated in 2022.

The application site is 9.6 ha, bound by a 4-5 m perimeter wall and is accessed via an entrance off Dundrum Road.

In terms of surrounding development, the site is bound by residential properties and gardens at Mulvey Park to the north, at Friarsland Road to the east, at Larchfield Road to the south and south east and at Annville Grove, Annville Park and Annville Terrace to the west. The surrounding residential properties are generally one or two storeys in scale with a four storey apartment block located close to the site boundary near Annville Grove. In addition to the residential properties referred to above, part of the sites southernmost boundary abuts Rosemount Green, a Dún Laoghaire-Rathdown County Council (DLRCC) public open space and football pitch.

Furthermore, Dundrum Road and the Luas Green Line is located to the west of the site, each providing a strong north-south connection.

The enclosed *Planning Report*, prepared by TPA provides further detail surrounding the site's locational context.

### 2.2 Proposed Development Description

The Land Development Agency intend to apply to An Bord Pleanála (the Board) for a 10 year permission for a Strategic Housing Development, with a total application site area of c.9.6 ha, on lands at the Central Mental Hospital, Dundrum Road, Dundrum, Dublin 14. The subject site is in the immediate setting and curtilage of a number of proposed protected structures, namely the 'Asylum' (RPS No. 2072), the 'Catholic Chapel' (RPS No. 2071) and the 'Hospital Building' (RPS No. 2073).

The development will consist of the demolition of existing structures associated with the existing use (3,736 sq m), including:

- Single storey former swimming pool / sports hall and admissions unit (2,750 sq m);
- Two storey redbrick building (305 sq m);
- Single storey ancillary and temporary structures including portacabins (677 sq m);
- Removal of existing internal sub-divisions/ fencing, including removal of security fence at Dundrum Road entrance;
- Demolition of section of porch and glazed screens at Gate Lodge building (4 sq m);
- Removal of walls adjacent to Main Hospital Building;
- Alterations and removal of section of wall to Walled Garden.

The development will also consist of alterations and partial demolition of the perimeter wall, including:



- Alterations and removal of section of perimeter wall adjacent to Rosemount Green (south);
- Formation of a new opening in perimeter wall at Annville Grove to provide a pedestrian and cyclist access;
- Alterations and removal of sections of wall adjacent to Dundrum Road (including removal of existing gates and entrance canopy), including reduction in height of section, widening of existing vehicular access, provision of a new vehicular, cyclist and pedestrian access;
- Alterations and removal of section of perimeter wall adjacent to Mulvey Park to provide a pedestrian and cyclist access.

The development with a total gross floor area of c. 106,770 sq m (c. 106,692 sq m excluding retained existing buildings), will consist of 977 no. residential units comprising:

- 940 no. apartments (consisting of 53 no. studio units; 423 no. one bedroom units; 37 no. two bedroom (3 person) units; 317 no. two bedroom (4 person) units; and 110 no. three bedroom units) arranged in 9 blocks (Blocks 02-10) ranging between 2 and 6 storeys in height (with a lower ground floor to Block 03 and Block 10, resulting in part 7 storey), together with private (balconies and private terraces) and communal amenity open space provision (including courtyards and roof gardens) and ancillary residential facilities;
- 17 no. duplex apartments (consisting of 3 no. two bedroom units and 14 no. three bedrooms units located at Blocks 02, 08 and 09), together with private balconies and terraces.
- 20 no. two and three storey houses (consisting of 7 no. three bedroom units and 13 no. four bedroom units) and private rear gardens located at Blocks 02, 08 and 09).

The development will also consist of 3,889 sq m of non-residential uses, comprising:

- Change of use and renovation of existing single storey Gate Lodge building (reception/staff area) to provide a café unit (78 sq m);
- 1 no restaurant unit (307 sq m) located at ground floor level at Block 03;
- 6 no. retail units (1,112 sq m) located at ground floor level at Blocks 03 and 07;
- 1 no. medical unit (245 sq m) located at ground floor level at Block 02;
- A new childcare facility (463 sq m) and associated outdoor play area located at ground floor level at Block 10; and
- A new community centre facility, including a multi-purpose hall, changing rooms, meeting rooms, storage and associated facilities (1,684 sq m) located at ground and first floor level at Block 06.

Vehicular access to the site will be from the existing access off Dundrum Road, as revised, and from a new access also off Dundrum Road to the south of the existing access.

The development will also consist of the provision of public open space and related play areas; hard and soft landscaping including internal roads, cycle and pedestrian routes, pathways and boundary treatments, street furniture, wetland feature, part-basement, car parking (547 no. spaces in total, including car sharing and accessible spaces); motorcycle parking; electric vehicle charging points; bicycle parking (long and short stay spaces including stands); ESB substations, piped infrastructural services and connections (including connection into existing surface water sewer in St. Columbanus Road); ducting; plant (including external plant for district heating and pumping station); waste management provision; SuDS measures



(including green roofs); attenuation tanks; sustainability measures (including solar panels); signage; public lighting; any making good works to perimeter wall and all site development and excavation works above and below ground.

Refer to the *Planning Report*, prepared by Tom Phillips + Associates and *Architectural Design Report* prepared by Reddy A+U for full details of the scheme.

### 3.0 NATIONAL AND REGIONAL POLICY COMPLIANCE

#### 3.1 National Planning Framework (Ireland 2040 – Our Plan)

The *National Planning Framework* (NPF), published in February 2018, sets out a strategic development framework for the Country to 2040. The *National Planning Framework* is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

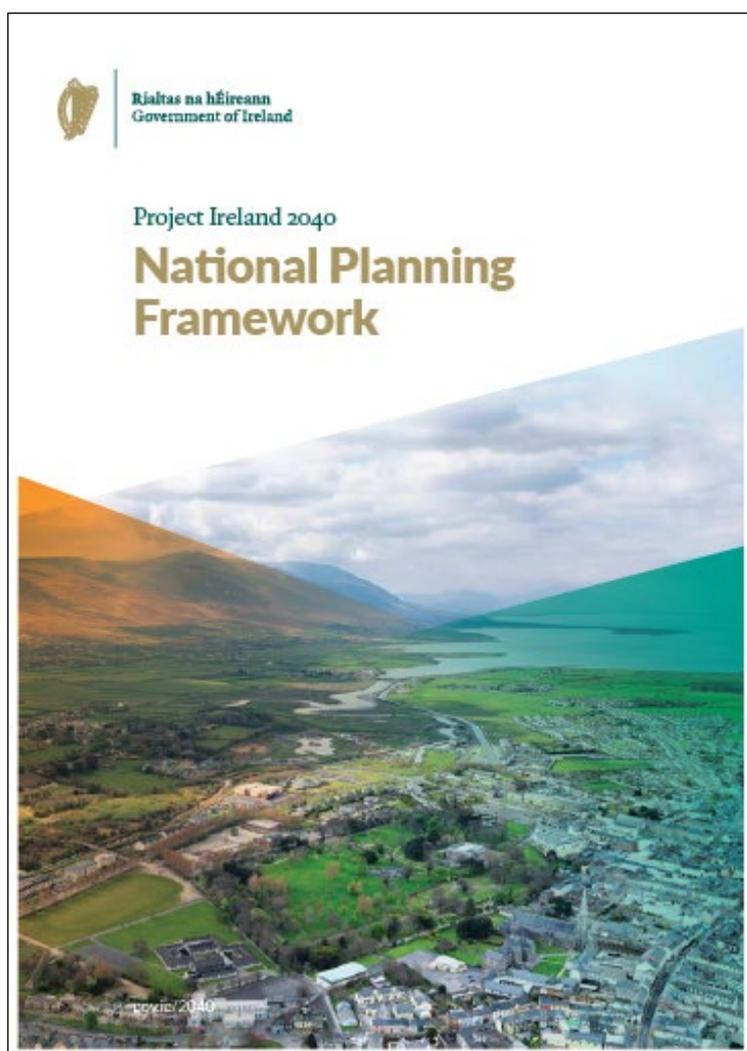


Figure 3.1: Cover of *National Planning Framework* (Ireland 2040- Our Plan).

The Framework focuses on:

- Growing regions, their cities, towns and villages and rural fabric.
- Building more accessible urban centres of scale.
- Better outcomes for communities and the environment, through more effective and coordinated planning, investment and delivery.



As a strategic development framework, the Plan sets the long-term context for Ireland's physical development and associated progress in economic, social and environmental terms and in an island, European and global context. Ireland 2040 will be followed and underpinned by supporting policies and actions at sectoral, regional and local levels.

Under the heading of 'Compact Growth', the NPF is:

*"Targeting a greater proportion (40%) of future housing development to happen **within and close to existing built-up areas**. Making **better use of under-utilised land**, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport".*

[Our emphasis.]

A recurring theme in the Plan is the requirement to ensure that the future growth of Dublin occurs within its Metropolitan limits. The NPF estimates that Dublin City and suburbs will grow by c. 264,000 people in the period to 2040. Ireland 2040 targets a significant proportion of future urban development on infill/brownfield development sites within the built envelope of existing urban areas. This is applicable to all scales of settlement, from the largest city, to the smallest village.

The relevant National Policy Objectives (NPOs) which seek to implement policies surrounding housing delivery and compact growth are set out below (note: this is not an exhaustive list):

- **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 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 5** - Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.
- **National Policy Objective 6** - Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.
- **National Policy Objective 7** - Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus on:- **Dublin**; the four Cities of Cork, Limerick, Galway and Waterford; Strengthening Ireland's overall urban structure, ... Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth; Reversing the stagnation or decline of many smaller urban centres, by identifying and establishing new roles and functions and enhancement of local infrastructure and amenities; Addressing the legacy of rapid unplanned growth, by facilitating amenities and services catch-up, jobs ... In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.



- **National Policy Objective 8** – To ensure that the targeted pattern of population growth of Ireland’s cities to 2040 is in accordance with the targets set out in Table 4.1.  
*National Policy Objective 10* - There will be a presumption in favour of development that encourages more people, jobs and activity within existing urban areas, subject to development meeting appropriate planning standards and achieving targeted growth.
- **National Policy Objective 11** - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.
- **National Policy Objective 28** - Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.
- **National Policy Objective 35** – Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

The proposed development inherently complies with the overarching themes of the NPF by proposing a compact well-designed sustainable form of residential development on an underutilised suburban site located in close proximity to a range of social and commercial facilities and public transport services. The development accords with the NPF’s aims to consolidate Dublin through the development of underutilised, brownfield sites.

The scale and locational characteristics of the subject site therefore provides an opportunity for a sustainable, higher residential development and the delivery of a significant contribution to meeting housing need.

### 3.2 Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031

The *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031* (RSES) is a strategic plan and investment framework to shape future development and to better manage regional planning and economic development throughout the Eastern & Midland Region.

The RSES includes a strategic plan for Dublin, the Metropolitan Area Strategic Plan (MASP). To achieve the Vision the MASP identifies a number of Guiding Principles for the sustainable development of the Dublin Metropolitan Area including Compact sustainable growth, which aims to:

*“Promote consolidation of Dublin city and suburbs, refocus on the development of brownfield and infill lands to achieve a target of at least 50% of all new homes within or contiguous to the existing built up area in Dublin and at least 30% in other settlements.”*

[Our emphasis.]

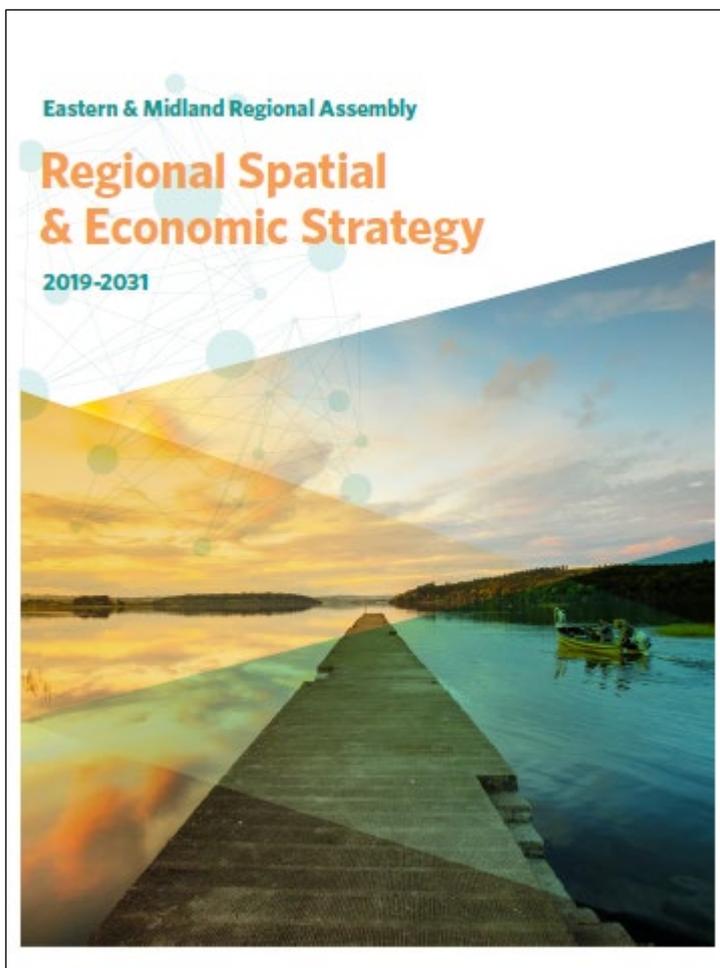


Figure 3.2: Cover of Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031.

The RSES includes Policy RPO 5.5 which focuses on housing delivery. It states:

*“RPO 5.5: Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a **primary focus on the consolidation of Dublin and suburbs**, supported by the development of Key Metropolitan Towns in a sequential manner as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the draft RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.”*

[Our emphasis.]

In our opinion, the proposed development is in full accordance with the objectives of the RSES realising the potential of brownfield lands in the consolidation of Dublin and its suburbs.

### 3.3 Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)

The *Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, (2009)* and its associated document *Urban Design Manual – A Best Practice Guide (2009)* illustrate essential criteria for sustainable urban residential development and describes how a scheme can integrate seamlessly into a site, taking consideration of its surroundings and thus presenting the best possible residential design scheme in built-up areas.

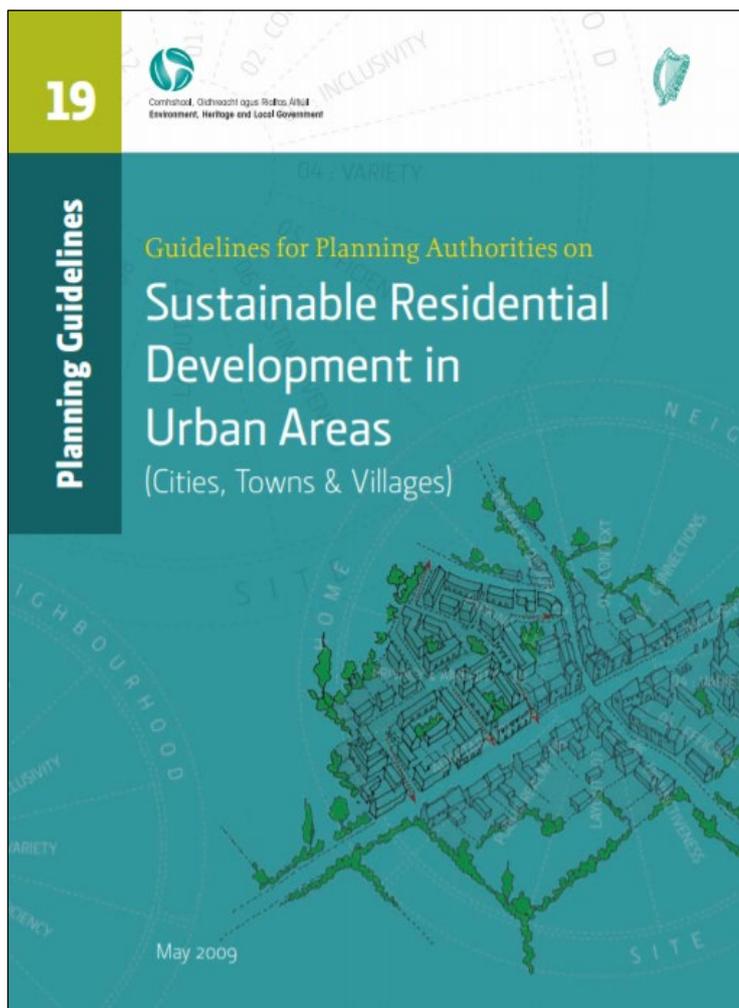


Figure 3.3: Cover of *Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities (2009)*.

Those Guidelines provide national guidance in relation to the appropriate locations for the siting of higher density residential development, having regard to the locational characteristics of the lands in question.

Section 5.4 onwards has regard to ‘Appropriate locations for increased densities’ and states that in general, increased densities should be encouraged on residentially zoned lands and particularly in the locations listed below (not exhaustive):

- Brownfield sites (within city or town centres);
- Public transport corridors; and
- Institutional lands.

In relation to ‘Brownfield’ sites (within city or town centres), the Guidelines state:

“‘Brownfield’ lands, which may be defined as “any land which has been subjected to building, engineering or other operations, excluding temporary uses or urban green spaces”, generally comprise redundant industrial lands or docks but may also include former barracks, hospitals or even occasionally, obsolete housing areas. **Where such significant sites exist and, in particular, are close to existing or future public transport corridors, the opportunity for their re-development to higher densities, subject to the safeguards expressed above or in accordance with local area plans, should be promoted, as should the potential for car-free developments at these locations.**”

Having regard to the above criterion, we identify the subject lands as a brownfield site on the basis that it has been in use as a mental health facility/ hospital since the 1800’s. We therefore confirm that the above guideline, which promotes the redevelopment of such sites to higher densities, applies to the subject site. We further confirm that the subject site is located close to a public transport corridor, which is addressed further below.

In relation to ‘public transport corridors’, the Guidelines state:

Walking distances from public transport nodes (e.g. stations / halts / bus stops) should be used in defining such corridors. It is recommended that increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities. **In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes. Minimum densities should be specified in local area plans, and maximum (rather than minimum) parking standards should reflect proximity to public transport facilities.**

In this regard, we confirm that the subject site is located within walking distance (less than 500m) from a key public transport node (Luas stop). Beyond this, there are a number of bus stops within a 15 minute of the site. The *Traffic and Transport Assessment* (TTA) prepared by ILTP has regard to the capacity of the relevant public transport and concludes that the site is served by high capacity, high frequency services. Refer to Section 8 of the TTA for full details.

On this basis, having regard to the above criterion, we contend that the subject site is an appropriate location for increased residential density (greater than 50 units p/ha).

In relation to ‘Institutional lands’, the Guidelines state:

A considerable amount of developable land in suburban locations is in institutional use and/or ownership. Such lands are often characterised by large buildings set in substantial open lands which in some cases may offer a necessary recreational or amenity open space opportunity required by the wider community. In the event that planning authorities permit the development of such lands for residential purposes, **it should then be an objective to retain some of the open character of the lands, but this should be assessed in the context of the quality and provision of existing or proposed open space in the area generally. In the development of such lands,**



**average net densities at least in the range of 35-50 dwellings per hectare should prevail and the objective of retaining the open character of the lands achieved by concentrating increased densities in selected parts (say up to 70 dph).** The preparation of local area plans setting out targets for density yields, recreational uses and urban form should be considered in advance of development. **In the absence of an LAP, any application for development of institutional lands should be accompanied by a masterplan outlining proposals for the entire landholding.**

[Our emphasis.]

The subject site is subject to an Institutional designation; the above criterion therefore applies. As demonstrated throughout this planning application submission, the proposed development retains the open character of the lands through significant open space provision, retention of special landscape features and concentration of built form at appropriate locations. The creation of permeability and connection with the surroundings lands, when compared to the current inaccessible and insular nature of the site, will significantly enhance the recreational amenity value of the lands for the public.

The application encompasses the above characteristics and is therefore considered to constitute an appropriate location for higher density residential development. Importantly, the requirement to retain the open character of the site on the basis of its former institutional use has influenced the vision for the Masterplan, bringing open space strategy to the fore of design considerations.

This submission demonstrates that the proposed development provides high quality higher density residential development balanced with a carefully considered site layout, building design principles and landscaping strategy that ensures positive interaction with the existing context.

As part of this, the proposed development (and overarching Masterplan) responds sensitively to the character of these former institutional lands in relation to both its built heritage and natural assets. As highlighted in further detail throughout this Statement, the proposed development achieves a net residential density of 150 units per hectare (gross density of 102 units p/h), thus making a significant contribution to national objectives surrounding compact growth, whilst retaining the open character of the lands and providing a significant quantum of public open space (c. 3.01 ha). It is further demonstrated, through the detailed *Townscape and Visual Impact Assessment* (contained at Chapter 13 of the EIAR) prepared by Macroworks and the *Daylight and Sunlight Impact on Neighbouring Properties Report* prepared by GIA, that the design of the development ensures compatibility with the surrounding context.

We therefore conclude that the proposed development accords with this national guidance and provides a sustainable urban residential development which optimises the delivery of housing on a well-located, brownfield, underutilised serviced site.

### 3.4 Urban Design Manual: A Best Practice Guide (2009)

The *Urban Design Manual* presents 12 no. criteria that should be used to facilitate assessment of planning applications and should therefore be used as a guide to steer best design practice for residential proposals. The figure below illustrates how the 12 no. criteria have been sequenced in a logical order and the order of the criteria reflects the prioritisation and

processes that should be adopted: i.e. not moving onto matters of detail until the important structural decisions have been taken.

The 12 no. criteria are subdivided into three groups: Neighbourhood; Site; and Home, respectively, reflecting the sequence of spatial scales and order of priorities that is followed in a good design process.



Figure 3.4: Urban Design Criteria. (Source: *Urban Design Manual*, 2009; p. 9 – extracted by TPA, 2021.)

In short, the proposal’s response to the various criteria set out by the Guidelines is summarised as follows. Please refer to the enclosed *Architectural Design Appraisal* prepared by Reddy Urbanism + Architecture for further details.

**Context**

The application site is currently host to the Central Mental Hospital, a forensic mental health facility which developed from the mid-nineteenth century onwards, beginning with the construction of the extant asylum building which dates from the late 1840s. Plans are being advanced for the Central Mental Hospital to relocate from this site to the new National Forensic Mental Health Service (NFMHS) facility at Portrane in north County Dublin in 2022.

The proposed development has been designed to positively respond to the surrounding established residential developments and includes community spaces, commercial facilities, a childcare facility and significant publicly accessible open space across the site. We highlight



that placemaking is fundamental to the success of large scale developments and further highlight that this is an important aspect of the creation of a new neighbourhood at Dundrum.

Further to the public open space provision, a civic space is created within the centre of the development surrounded by retail / commercial units with new pedestrian connectivity proposed at the south, east and north.

The proposed apartment blocks are designed to appropriate heights and include set-back upper levels to ensure that the residential amenity of adjacent properties is maintained and respected. The proposed neighbourhood centre is comprised of nine separate apartment blocks ranging from 2-6 storeys and a number of 2 and 3 storey duplex apartments and houses arranged around the site. The development has been organised to maintain and enhance the existing green spaces, maximising the publicly accessible open space, while providing communal amenity spaces at each block.

The buildings step up in height as they progress towards the centre of the development and the civic space. Buildings generally step down towards the boundaries, particularly where they directly adjoin existing residences. The surrounding area is predominantly comprised of 2-3 storey housing. Higher densities of living, along with an increased mixture of uses, will be essential in facilitating the development to grow as a 'distinctive urban centre' and to create a sense of place within Dundrum.

### ***Connections***

A new pedestrian, cyclist and vehicular connection is proposed at Dundrum Road with sections of the existing boundary wall to be removed to open the site for physical and visual connection back to the site. Openings or interventions are proposed only at those locations which will facilitate inclusive permeability and encourage access. The proposed design aims to acknowledge the scale and materiality of the wall at Dundrum Road while offering new visual and physical connections to the hospital and landscape.

New openings in the boundary wall are also proposed at Annville Grove (west), Rosemount Green (south) and at Mulvey Park (north) which will allow the local community to access the significant open space and amenity within the application site. The site is well served by existing public transport infrastructure, benefitting from its proximity to the LUAS Green line whose nearest station is located approximately 450m west of the site at Windy Arbour.

Dublin Bus network infrastructure includes stops at Dundrum Road, Goatstown Road (R825), Churchtown Road and Taney Road (both R112) and it is envisaged that local capacity and access will be further enhanced over the coming years under the BusConnects programme which is now being implemented.

### ***Inclusivity***

The proposed development provides a range of residential unit types, including one bedroom, two bedroom, three bedroom, and four bedroom apartments and houses, which will cater to a range of tenures, to meet the needs and requirements of all sectors of the community. A proposal for the provision of Part V housing has been issued to the Local Authority for approval and a validation letter, agreeing to the principal of the proposed provision has been received.



The design of the scheme also ensures that the residential elements are fully accessible for people with disabilities. All elements of the scheme fully comply with Part M of the *Building Regulations*. Accessible car parking provision is also provided in the development. High-quality, useable and inclusive public open space is provided for at strategic locations throughout the development. The proposed scheme creates a series of public open spaces and residents' communal amenity across the site.

The proposed public space provides a level surface linking the various commercial units with a variety of seating and landscaping provided creating an attractive streetscape. The surrounding residential buildings enclose the new public space whilst also allowing direct sunshine to cover portions of the square during varying parts of the day. Routes are provided to all of the open spaces within the site with finishes, lighting and slopes appropriate for users of all abilities. Seating is provided throughout the landscape to allow users to rest as they make their way through the site.

Block 2 for example, has been identified as an area that could be converted to age appropriate living in the future. Communal garden and amenity spaces and additional storage areas are also provided here. Throughout the development, residential shared amenity spaces are placed on the podium and are linked by a residents private staircase to the public space at lower level. The vast majority of apartments also provide significant visual amenity, either across the significant open space or across the proposed landscaped podiums.

A series of play areas are also proposed across the development to cater for users of all ages and of all abilities. The proposed apartment mix will expand the range of residential options in what is predominantly a suburban housing neighbourhood.

### ***Variety***

The Central Mental Hospital site is currently inaccessible to the local community for security reasons. The proposal to open up the site with a new entrance onto Dundrum Road and new pedestrian and cyclist connections at the north, south and west provides a significant opportunity to offer a variety of spaces and activities for both the new residents, and the residents of the surrounding neighbourhoods.

The proposed development will establish the site as a major part of a neighbourhood centre for Dundrum/ Windy Arbour. A range of new retail and services will support the newly established community, which will in turn will contribute to the vitality of the area while complimenting the existing uses in the area.

In a successful neighbourhood, a mixture of uses are required to facilitate the evolution of a vibrant and attractive urban environment. The facades onto the streets and the public space will look to provide connectivity between the inside and outside and contain a range of functions that bring animation to the building frontages with passive surveillance of these spaces.

This is achieved in the proposed scheme in a number of ways:

- The proposed retail areas facing onto the plaza will provide activation of the public space and street frontages from early morning through to the late evening at these locations.



- The retail/ food and beverage facilities face onto the public square. This will allow these functions to make use of the square by providing outdoor seating areas that maximise the availability of direct sunlight during the day.
- The commercial spaces will be designed to be flexible in hosting a range of local retail or services such as shops, hairdressers, cafe's etc, that will support the local community and allow the development to become a destination.
- The community facilities proposed at Block 6 allow for a range of uses at various times of the day and are complimented by the residential units at ground and upper floors.
- Ground floor apartments will provide passive surveillance over both the residential amenity areas and public spaces through non-working hours of the day.

### ***Efficiency***

The proposal will connect to and make most efficient use of existing services and infrastructure. As stated above, the scheme will have a gross residential density of 102 units per hectare and net residential density of 149 No. units per hectare. This an efficient use of the underutilised urban lands and supports the NPF and RSES objectives to consolidate development in Dublin.

The community spaces within Block 06 has been designed to host a programme of community based events. For example, it serves as a venue for meetings, conferences and events for local resident's associations, schools and sports clubs amongst others. The activation of the public space and its pedestrianisation will assist in encouraging pedestrian movement through the development and connectivity with the surrounding areas.

This in turn has a positive impact on the vitality of the space and the perceived security of the public realm. Every opportunity has been taken to animate and open up the site to Dundrum Road. With the removal of sections of the wall, a greater sense of openness is provided with new views created from Dundrum Road into the landscape and back to the existing hospital. The development will offer an alternative to suburban housing the locality that can appeal to variety of future residents including families, students, professionals and those looking to downsize. The new development offers the opportunity to live in well managed apartments that benefit from excellent landscaped amenities yet provide the convenience of a neighbourhood centre on their doorstep.

The application site currently consists of the main Hospital Building and a number of associated buildings and small temporary structures with the general pattern of other development in the area being predominantly low density. It is proposed that this site should be designed to a significantly higher density to generate a strong urban form and make more efficient use of land. A higher density development will provide increased support for the economic viability of the local retail facilities and services while establishing a new neighbourhood centre with a distinct identity.

When planning the site, a number of site layout options were explored for the orientation of buildings and the routing of the public space through the site. The site layout as developed provides a series of public and semi-private outdoor spaces with excellent solar access whilst still allowing buildings to step in size from the site perimeter towards the centre. The public and semi-private spaces are pedestrian dominated and this is achieved by placing most car parking under a podium. The pedestrian dominated landscape across the site will facilitate a



large portion of the podium and the public space to be used as part of the Sustainable Urban Drainage strategy.

When reviewing the efficiency of the development on the site and its density we have analysed the design against the Guidelines for 'Urban Development and Building Heights'. We demonstrate compliance with this in Section 3.11 of this Statement.

### ***Distinctiveness***

The proposed landscaping scheme will ensure that the proposal assimilates well into its surroundings thus creating a sense of place. Furthermore, a quality design approach has been adopted to ensure that the scheme integrates into the surrounding context. The site, due to its historical development, presents significant opportunity to provide unique and memorable public spaces. Proposed interventions to the boundary wall are at locations to 'invite' the public into the previously closed off spaces to experience the setting of the Main Hospital Building and the quality of the existing landscape.

The high-value landscape areas are maintained and buildings have been placed at areas designed to maintain and enhance the existing amenity. The plaza space at the centre of the site provides a contrast to the extensive green spaces as a space with hard landscaping complemented with planting and SUDs features.

Following analysis of existing structures, the development proposes to remove elements of the main hospital building which are deemed by the Architect to damage the legibility of the form of the Main Hospital Building and uses new buildings to re-establish the formality to the rear.

The development also proposes to adapt the existing farm buildings in the north-east corner of the site and repurpose structures such as the Workshop, the Chapel and the Infirmary as part of the new development to maintain the site's Genius Loci, creating a distinct development informed by the site's rich history.

The development has to create a strong sense of place and create a public space that works as a destination to attract pedestrians to the service, retail and commercial uses at the newly established neighbourhood centre. The public space also needs to be a place that provides opportunities for socialising and a place for people to meet, whilst respecting residential amenity and privacy.

As evident throughout this section, the 12 key quality criteria for urban spaces as developed by Jan Gehl have been used to give some qualitative assessment of the public space. Using these assessment criteria, the existing open spaces on the site are assessed against the proposed new public space in order to demonstrate how the proposed scheme will provide a distinctive place at the Central Mental Hospital lands.

### ***Layout***

The proposed design sets out to prioritise the pedestrian and cyclist above the private car as a primary concept. A bicycle route has been proposed from the boundary at Mulvey Park to the boundary at Rosemount Green with limited cross overs with vehicular traffic. Private vehicular traffic is kept to the edge of the development with appropriate traffic calming measures to reduce speeds.



Every opportunity has been taken to make all public street frontages active with 'own-door' residences or retail spaces provided at the majority building frontages. Access to podium car parks and ESB substations have been placed at locations chosen to mitigate impact to the streetscape.

The natural slope/topography of the site has been used to advantage in the design of the car parking facilities by placing them under a podium level.

A number of options were explored for the orientation of the residential buildings on the site in order to define a hierarchy of spaces that can have a variety of different functions for residential amenity whilst also allowing good solar access and providing passive surveillance over all spaces.

### ***Public Realm***

The public space and the shared amenity spaces for the residents provide a variety of spaces that are planned and designed to host a diversity of activities. The public space is sized to serve an amount of services and retail uses suitable for a Neighbourhood Centre. The residential buildings will also bring additional life and animation to the site, increasing the footfall into and around the public space.

The sequential views produced of the public spaces within the site demonstrate the scale and functionality of each space plus the linkages between spaces and the passive surveillance over each space from the residential apartments. There is a clear definition between the public realm at ground level and the residents' communal space at podium level.

Access control will be used to control who can access the podium using the steps up from the public space. Podium level apartment terraces looking onto the residents' communal space will be provided with a planted buffer zone to distinguish the different ownership.

The residents communal space benefits from excellent passive supervision from apartments at all locations. All of the children's play areas will also benefit from this passive supervision at all times. The public space and the surrounding streets also benefit from excellent passive supervision.

### ***Adaptability***

Residential apartments offer less physical adaptability compared to individual houses. For instance, a house can facilitate future modifications including extensions and attic conversions. Dublin is experiencing population growth coupled with a change in the preferences and structure of households and their size. In 2016, the average household size in Dublin City was 2.48 persons per household, compared to 3.13 in 1986, which suggests a trend towards smaller household size. With this in mind, apartments should still offer some flexibility to adaptation to future trends.

In terms of physical adaptability, apartment buildings are traditionally concrete column and slab construction, this allows all walls to be of lightweight construction and non-load bearing. This offers the opportunity to be able to modify apartments layouts if required or merge/split apartments at a future point in time if circumstances dictate. For example, two bedroom units could be converted to 2 no. studio units. Notwithstanding this, the current provision of one,



two and three bedroom apartments will cater for a range of users and over half of these apartments exceed the minimum standard areas by at least 10%.

In terms of dealing with climate change, the residential buildings are designed to NZEB standards. Apartments will utilise air-source heat pump technology to ensure the apartments can be heated as efficiently as possible without producing unnecessary emissions which themselves would contribute to climate change. In addition to the heat pumps, PV panels will be utilised to offset the energy demand with renewable energy.

### ***Privacy & Amenity***

The quantity of residential communal amenity space exceeds the requirements of the standards as set out in Appendix 1 of the *Sustainable Urban Housing Design Standards for New Apartments*. External communal amenity space has been provided at podium level and at some roof terraces, which are, naturally, raised above the public space, providing clear separation between public and semi-private spaces. In this regard, the Daylight and Sunlight report positively states the following:

“Overall, the proposed SHD proposal provides a variety of amenity spaces with different degrees of excellent sunlight and shading. The design has also ensured that occupants of all residential blocks will have access to well sunlit outdoor spaces throughout the year.”

Further to this, all apartments have access to their own private balconies or roof terraces in accordance with the minimum requirements as per the above referenced Apartment Guidelines.

As the site is located at a well-connected accessible location, where good street frontages will be required in order to create a strong public realm, a balance between these design requirements and the need to provide dual aspect apartments must be met. On this basis, we note that the proposed development exceeds the SPPR 4 requirement for schemes in central and/ urban accessible locations of 33%. On an individual block basis, all blocks exceed 50% dual aspect, with an overall scheme dual aspect ratio of 41%.

Further to this, the separation distances between the proposed buildings have been maximised, especially where the primary views and orientation of apartments face each other. Where apartments have secondary orientation with less than 22m separation, windows are located and sized to give privacy to users of rooms in these apartments. Where ground level apartments have terraces facing onto the shared residential amenity space then planting is provided to give a buffer zone between the private and semi-private amenity spaces. All apartments will be designed to meet Part E of the Technical Guidance Documents for acoustic sound transmission. All apartments are also designed to meet the storage requirements as set in Appendix 1 of the *Sustainable Urban Housing Design Standard for New Apartments* and importantly, all storage is contained within each individual apartment.

Some storage of recyclable materials is allowed for within each apartment, but regular transfer of materials will be required to centralised waste stores below podium level as sized by AWN, Waste Consultants for the development.

In terms of relationship with neighbouring existing development, all blocks have been positioned at appropriate distances from existing neighbouring properties and the external amenity spaces of those properties. The proposed buildings are also at reduced heights along



the boundary of the site in order to respect the privacy of adjacent properties and transition in scale to the existing low density housing.

### ***Parking***

The proposed development aims to reduce the number of cars on site, prioritising the pedestrian and cyclist over the private vehicle.

The development proposes 547 no. car parking spaces in total located primarily at podium car parking within the blocks, with a relatively small proportion located at ground level / within the landscape.

Given the proximity of the site to public transport, it is proposed to provide less than the Development Plan standards for the residential uses, in line with the Government's *Sustainable Urban Housing Design Standard for New Apartments*.

A detailed breakdown and summary of the parking provision has been provided in the report prepared by ILTP. It is submitted that the proposed provision is an appropriate balance between the Development Plan and national guidance for sustainable housing developments.

### ***Detailed Design***

The proposed development introduces a new building line along Dundrum Road, creating a new edge condition to the development. Within the site, variations of brick type, detailing and proportions supplemented by complimentary materials allow the individual blocks to make reference to their character areas within the site, creating a distinct sense of identity at each building. The design of the public space is also highlighted as central to the design for the new neighbourhood centre.

A taking in charge drawing has been sent to DLRCC, suggesting which areas of the site could be taken in charge by the local authority on completion of the project. Landscape finishes in areas to be taken in charge by DLRCC will be approved by them. The areas of public space that will be managed by the LDA allows an enhanced quality of materials to be used.

## **3.5 *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)***

These guidelines seek to promote high density apartment development on appropriately zoned land in appropriate locations in line with the above referenced NPF overarching policies in relation to encouraging residential development within existing urban settlements.

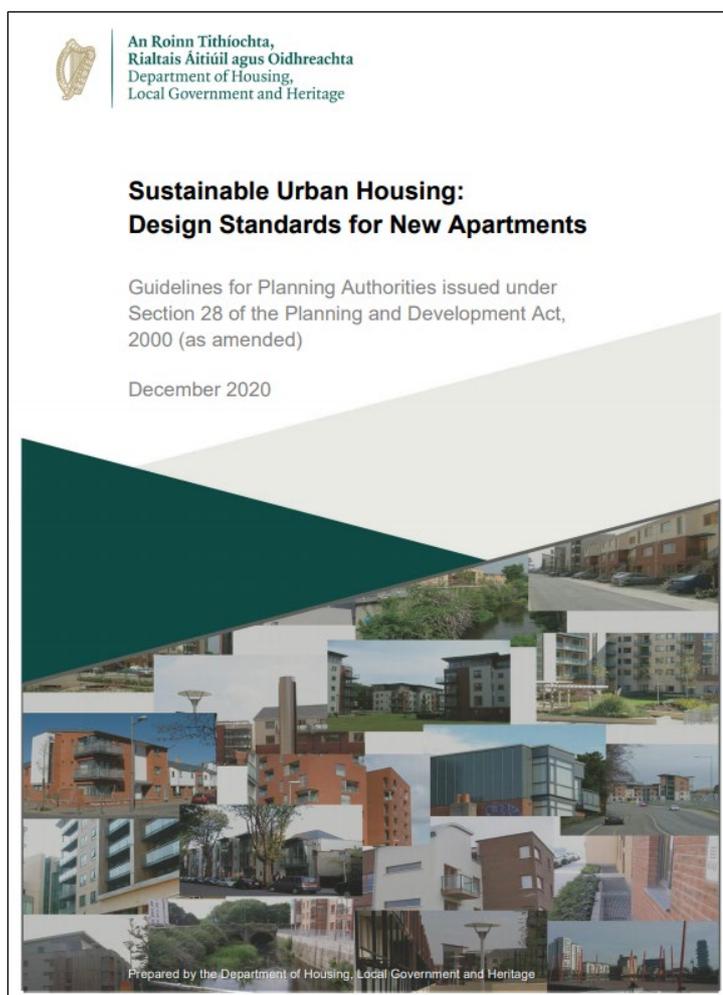


Figure 3.5: Cover of *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)*.

The *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)* identifies three broad types of locations suitable for apartment development and advises that Planning Authorities should have regard to these proximity and accessibility considerations.

When applying the locational criteria set out within the Guidelines, the proposed development is considered to fall within the '*Central and/or Urban Accessible Locations*' category, having regard to considerations below in Table 3.1. For such locations, the Guidelines state:

*"Such locations are generally suitable for small to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments"*

Comprising of 977 residential units, 3,889 sq m of non-residential floorspace and 3.01 ha of public open space, the proposed development is considered to be a large-scale development that predominantly provides apartments (98%). In our view, the proposed development, from a scale perspective, is therefore appropriate for a '*Central and/or Urban Accessible Location*'.

Further to this, we have applied the '*Central and/or Urban Accessible Locations*' locational criteria below to demonstrate the alignment of the application site with this category.



**Table 3.1: Central and/or Accessible Urban Location Criteria. (Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)).**

Central and/ or Accessible Urban Locations	
Criteria	Application Site
<p>Sites within walking distance (i.e. up to 15 minutes or 1,000-1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions.</p>	<p>As existing, the application site is located approximately 1,600 metres from Dundrum Town Centre, a Town Centre and significant employment location. With the proposed development in place, which includes a number of new pedestrian and cyclist access points, the distance to Dundrum Town Centre will reduce to 1,400 metres.</p> <p>Dundrum Business Park, a large employment location, is also approximately 210 metres to the north of the site.</p> <p>There are also a number of schools in close proximity, namely, Our Lady’s National School, Jesus and Mary College, Our Lady’s Grove and Our Lady’s Grove Primary School which jointly would employ a notable number of people within the County.</p> <p>Whilst approximately 2,500 metres from the site, University College Dublin (UCD) is within reasonable reach of the site and therefore considered relevant for the purposes of addressing this criteria. UCD, which is a significant employer and educational institute, can be reached by foot within approximately 30 mins and by bike within approximately 10 mins.</p> <p>We therefore conclude that the subject site is located in close proximity to a Town Centre and multiple employment destinations. Furthermore, we confirm that all employment locations and educational institutes referred to above are accessible via sustainable modes of transport as addressed below.</p>
<p>Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas)</p>	<p>The subject site is located approx. 450 meters (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours. As well as providing a direct route into Dublin city centre, the Luas provides a direct route into Dundrum Town Centre, albeit just one stop to the south.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals.</p> <p>Further to this, the site is less than a 15 minute walk from Dublin Bus Routes on Goatstown Road which provides services into Sandyford Business</p>



	<p>District (a significant employment location) at 20 minute intervals.</p> <p>Notably, the 142 Dublin Bus Route provides services into UCD from Bird Avenue which is within a 10 minute walk of the site.</p> <p>We therefore conclude that the subject site is well connected by public transport that provides frequent services to key employment and educational destinations, as well as providing access to surrounding social infrastructure. The public transport options in close proximity connect the site to a wide range of key destinations.</p> <p>In terms of capacity, we note that the public transport that serves the site, namely the Luas and Dublin Bus routes, are high-capacity modes of public transport. The TTA, prepared by ILTP provides an assessment of capacity and frequency to demonstrate this. This includes results of site surveys undertaken to determine capacity and frequencies and information known in respect of Luas/ bus capacity.</p> <p>The TTA concludes that the city bound Luas (in the AM peak hour (8.00-9.00) has a theoretical capacity of 7,344 persons per direction per hour, or 6,606 persons per direction per hour if using the assumed operational capacity. This is based upon a Luas capacity of 408 persons and a frequency of 3 min intervals.</p> <p>In this regard, the TTA also concludes that recent upgrades to 55m trams are now in operation. The survey result contained within the TTA are based upon the new capacity.</p> <p>In terms of the bus services that serve the site, an assessment of capacity and frequency determined that there is a total capacity of 1,710 persons in the AM peak hour. This is based on an operational capacity of 90 passengers per bus.</p>
<p>Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services.</p>	<p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals. Further to this, Dublin Bus Route No.11 has a 15-30 minute frequency and operates along the Drummartin Road between Wadelai Park through Dublin City Centre and the Sandyford Business District. Dublin Bus Route 175 from Kingswood Avenue to UCD passes along Dundrum Road every 30 minutes. Bus facilities adjacent to the site.</p>



	<p>Further to this, the site is less than a 15 minute walk from Dublin Bus Routes on Goatstown Road which provides services into Sandyford Business District (a significant employment location) at 20 minute intervals.</p> <p>Notably, the 142 Dublin Bus Route provides services into UCD from Bird Avenue (within a 15 min walk/cycle from site)</p> <p>As part of the BusConnects programme, it is proposed to further enhance the number of bus services in the area, and the existing services will be replaced by the no. 10 Route with 30 minute frequency along R825 between Ticknock and the City Centre; and the no. S6 Route with 10-15 minute frequency between Mount Merrion and Firhouse along R112 (this will also provide access to the Luas Green line via the Dundrum Transport Interchange for those unwilling or unable to walk).</p>
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As set out above, the locational characteristics of the application site aligns with the ‘*Central and/or Urban Accessible Location*’ criteria. The defining locational characteristics of the subject site include its proximity to Dundrum Town Centre (c. 1600m), a significant employment location, and high-capacity urban public transport stops, including high-frequency urban bus service and the Luas line. The delivery of higher density apartment development at the application site is therefore considered to be appropriate.

The proposed residential gross density of 102 units p/ha and a net density of 150 units p/ha is considered to align with the broad guideline of ‘higher density development’.

The *Guidelines* also provide new apartment design standards that supersede Development Plan provisions in respect of the standards listed below. In this regard, the Apartment Guidelines (page 4) states the following:

*“These guidelines have been issued by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended). Planning authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions.*

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

- Apartment mix;
- Apartment sizes;



- Dual aspect ratios;
- Floor-to-ceiling heights; and
- Apartment to stair/lift ratios.

The *Guidelines* also provide standards in respect of:

- Internal space standards, including storage spaces;
- Amenity spaces including balconies and patios; and
- Room dimensions.

Compliance with the above noted design provisions has been achieved in this development, full details in this regard are provided in the enclosed *Housing Quality Assessment* and prepared by Reddy Architecture + Urbanism. This is summarised in the table below:

### **Car Parking**

Section 4.18 'Car Parking' of the Apartment Guidelines states:

*"The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria."*

In terms of the proximity and accessibility criteria referred to above, the following locational categories are provided and reflect those detailed in respect of density: Central and/or Accessible Urban Locations; Intermediate Urban Locations; and Peripheral and/or Less Accessible Urban Locations.

As set out in detail in above, we demonstrate that the subject site is a 'Central and/or Accessible Urban Location'. For such locations, the Apartment Guidelines state:

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

*These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services." (Section 4.19 – 4.20)*

The proposed development is a large scale, higher density development as demonstrated above. As further demonstrated throughout the submission, in our view, the subject site constitutes a Central and/or Accessible Urban Location.



To accord with the Apartment Guidelines in respect of such locations, the policy requirement is for “*car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances*”. It is our view that the proposed development complies with the Guidelines in this respect.

We note that Sections 4.23 to 4.26 of the Apartment Guidelines also provide further requirements applicable to proposed development with reduced car parking. This includes the following:

*“For all types of location, where it is sought to eliminate or reduce car parking provision, it is necessary to ensure, where possible, the provision of an appropriate number of drop off, service, visitor parking spaces and parking for the mobility impaired. Provision is also to be made for alternative mobility solutions including facilities for car sharing club vehicles and cycle parking and secure storage. It is also a requirement to demonstrate specific measures that enable car parking provision to be reduced or avoided.*

*As well as showing that a site is sufficiently well located in relation to employment, amenities and services, it is important that access to a car sharing club or other non-car based modes of transport are available and/or can be provided to meet the needs of residents, whether as part of the proposed development, or otherwise. ‘Car free’ development is permissible and if developed, must be fully communicated as part of subsequent apartment sales and marketing processes.*

*Where any underground car parking is proposed, such facilities must be well lit and adequately ventilated. Where surface parking is provided, it should be clearly accessible to the entrance to, and where appropriate, overlooked by, the units it serves. Car parking may be provided on-street at the edge(s) of a development site in some locations.*

*Decked or multi-storey car parking may also be considered, but should not be compromise the quality of amenity space, building design or streetscape. At least one principal façade of multi-storey car parks should be fronted by development, for example a south-facing elevation and such structures may also provide an opportunity for rooftop amenity space. In all cases, designated parking spaces for disabled drivers should be provided.”*

We confirm that the characteristics of the proposed development enables car parking provision to be reduced at the subject site. As part of this, we also confirm compliance with the above sections of the Apartment Guidelines, having regard to the key points below:

- As previously demonstrated, the subject lands are located in close proximity to a number of significant employment locations, including Dundrum Town Centre (c.1,600 m); Dundrum Business Park (c.210 m) to the north of the site; and a number of schools.
- The proposed development provides 3 no. drop off bays associated with the crèche, 2 no. flexible loading (service) bays, 60 no. visitor spaces and 4% of the total car parking provision will be accessible spaces suitable for disabled users (in line with the Development Plan).



- The application submission is supported by a detailed *Mobility Management Plan* (MMP), prepared by ILTP, which provides support measures to promote sustainable travel and a modal shift away from car dependency.
- The proposed development provides for a car sharing scheme, with 15 EV cars available for general public use, including the residents of the scheme.
- The majority of the car parking is provided by way of podium parking, whereby, alike underground parking, the parking is integrated within the building. It is confirmed that the car parks will be well-lit in line with Part M regulations. In terms of ventilation, we also confirm that the podium car parks are designed to meet the ventilation requirements set out in relevant Technical Guidance documents and associated Standards. Where natural ventilation is being provided, a minimum aggregate free area not less than 2.5% of its floor area will be provided on opposing elevations. All mechanical extract systems will achieve a minimum of 10 air changes per hour.
- A number of spaces are provided at surface level specifically at Block 02, Block 06 and Blocks 08 and 09; these spaces are well-lit as demonstrated by the proposed public lighting scheme and are overlooked by the residential units within those blocks. Furthermore, the spaces are directly adjacent to entrance doors and therefore easily accessed by the users.

In conclusion, we confirm that the proposed development complies in full with the SPPR's and the various numerical standards contained within the Apartment Guidelines. Refer to the *Housing Quality Assessment* (HQA) for full details surrounding compliance in this regard.

### 3.6 Quality Housing for Sustainable Communities (2007)

The stated aim of the *Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities (2007)* is to:

*“identify principles and criteria that are important in the design of housing and to highlight specific design features, requirements and standards that have been found, from experience, to be particularly relevant.”*



Figure 3.6: Cover of *Quality Housing for Sustainable Communities (2007)*.

These Guidelines along with the Development Plan standards for housing have informed the design of the proposed houses within the proposed development. Reddy Architecture + Urbanism have provided a *Housing Quality Assessment* for the proposed residential units. This shows that the proposed residential houses are compliant with the relevant Guidelines and Development Plan standards.

### 3.7 Childcare Facilities Guidelines (2001)

The *Childcare Facilities Guidelines (2001)*, generally recommend the provision of childcare facilities for residential development with 75 No. units or more, having regard to the existing geographical distribution of such facilities in the area and the emerging demographic profile of the area.

The *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)* note that 1-bed or studio type units should not generally be considered to contribute to a requirement for childcare provision, and subject to location this may also apply in part or whole, to units with two or more bedrooms.

In this case, a residential development of 977 No. units is proposed; 51% of those units are 2-bed units or larger. The proposed development includes a childcare facility 463 sq m.

The enclosed *Social Infrastructure Audit*, which has regard to the capacity within the existing local childcare network, notes that the potential childcare uptake of the proposal is likely to be only 44-86 no. places. Refer to Section 4.1 of the *Social Infrastructure Audit* for further details.

Day-care	Age Group	GFA required per child (sqm)	GFA of creche rooms (sqm)	Population calculation	Staff population
	Babies (0-1)	3.5	42.2	12	4
Junior Toddlers (1-2)	2.8	37.1	13	3	
Senior Toddlers (2+)	2.35	44.8	19	4	
Pre-School (2+)	2.3	60	26	4	
After School (2+)	2.3	66.3	29	4	
<b>Total</b>			<b>99</b>	<b>19</b>	

Sessional	Age Group	GFA required per child (sqm)	GFA of creche rooms (sqm)	Population calculation	Maximum of 22 per room	Staff population
	Babies (0-1)	1.818	42.2	23	22	8
Junior Toddlers (1-2)	1.818	37.1	20	20	5	
Senior Toddlers (2+)	1.818	44.8	25	22	2	
Pre-School (2+)	1.818	60	33	22	2	
After School (2+)	1.818	66.3	36	22	2	
<b>Total</b>			<b>138</b>	<b>108</b>	<b>19</b>	

**Figure 3.7: Breakdown of the capacity and staffing requirements of the proposed childcare facility (Source: Reddy A+U)**

In line with the Tusla (2018) *Quality and Regulatory Framework: Full Day Care Service and Part-Time Day Care Service* we confirm that the proposed childcare facility at 463 sq m can accommodate 99 no. children on a ‘day-care’ basis and 108 no. children on a ‘sessional’ basis, with a requirement for 19 no. members of staff. See Figure 3.7 above for the proposed breakdown.

We therefore confirm that the scale of the proposed childcare facility is adequate for the proposed development, having regard to the findings of the *Social Infrastructure Audit*.

### 3.8 Part V of the *Planning and Development Act 2000: Guidelines (2017)*

This Guidance document advocates consideration of Part V issues at the earliest point possible. The subject proposal is entirely consistent with the 2017 *Guidelines*, which states:

*“The acquisition of units on the site of the development is the recommended option in order to advance the aim of achieving a social mix in new developments. This option should be pursued by the local authority from its earliest engagement with the developer, with a view to acquiring houses which meet its social housing requirements for that area/site.”*

(Source: Part V of the *Planning and Development Act 2000: Guidelines (2017)*, p. 10.)

The Applicant has submitted information identifying the proposed Part V units, and related figures, to Dún Laoghaire-Rathdown County Council.

We confirm that the proposed development is subject to the requirements of the Part V of the *Planning and Development Act 2000* (as amended). 196 no. units, as agreed with DLRCC, will be provided as Part V units. We attach a copy of the Validation Letter, received from the Housing Section of Dún Laoghaire-Rathdown County Council.

### 3.9 Design Manual for Urban Roads and Streets (DMURS) (2019)

A key objective of DMURS is to achieve safe, attractive and vibrant streets by balancing the needs of all users, and prioritising alternatives to car journeys.

The Manual advocates a design-led approach, which takes account of both the physical and social dimensions of place and movement. The subject proposal is fully consistent with this recommended approach, and achieves a sense of place and residential amenity whilst also facilitating efficient and secure internal movement.

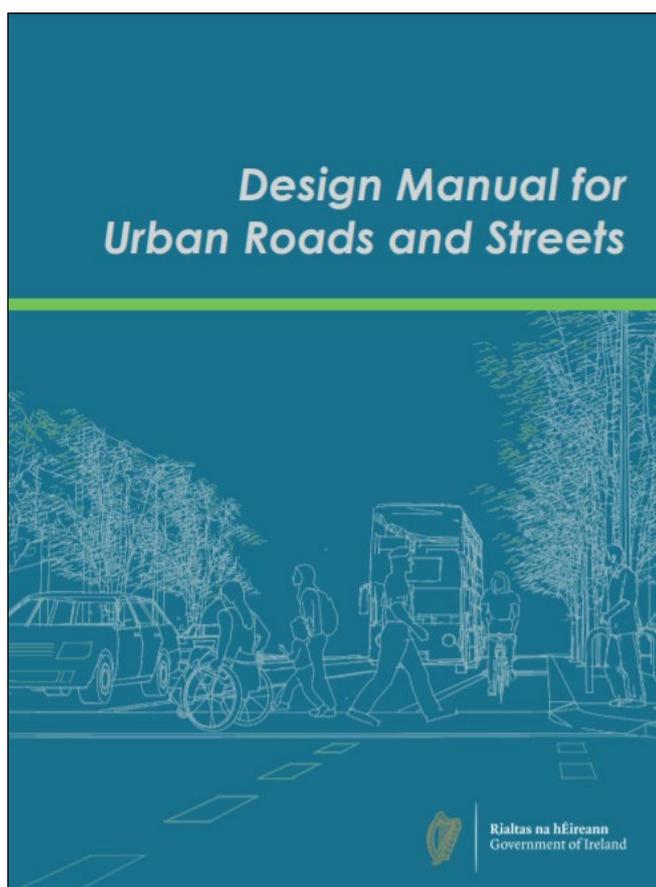


Figure 3.8: Cover of *Design Manual for Urban Roads and Streets* (2019).

ILTP Consulting prepared the enclosed *DMURS Compatibility Statement* which confirms that the proposed development is consistent with the principles and guidance of DMURS.

### 3.10 The Planning System and Flood Risk Management (2009)

The Office of Public Works (OPW) and the Department of Environment, Heritage and Local Government (DEHLG) published *The Planning System and Flood Risk Management: Guidelines for Planning Authorities* (2009). These Guidelines introduce the principle of a risk-based sequential approach to managing flood risk.

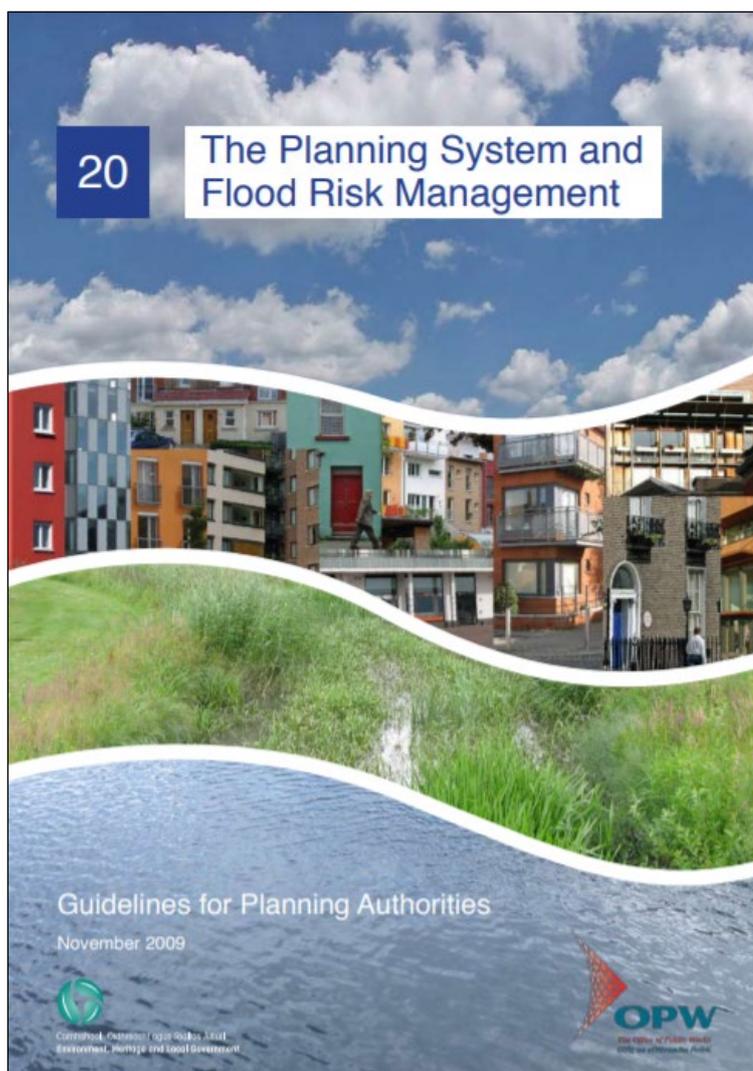


Figure 3.9: Cover of *The Planning System and Flood Risk Management: Guidelines for Planning Authorities* (2009).

Barrett Mahony Consulting Engineers prepared the enclosed *Site Specific Flood Risk Assessment*, dated March 2022, in accordance with the *Guidelines*. In summary, the *Flood Risk Assessment* concludes:

*“The flood risk assessment has been carried out in accordance with the OPW publication ‘The Planning System and Flood Risk Assessment Guidelines for Planning Authorities’. An assessment has been carried out. The developed site is shown not to be at a significant risk from flooding and to not create a significant risk to adjoining areas or downstream.”*

Barrett Mahony Consulting Engineers have prepared the enclosed *Flood Risk Assessment* (FRA), in accordance with the requirements of the *Guidelines*. This *Assessment* concludes the developed site is shown not to be at a significant risk from flooding and to not create a significant risk to adjoining areas or downstream. Therefore, the development is deemed acceptable from a flood risk assessment perspective. Please refer to the enclosed *Assessment* for further information.

### 3.11 Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

The *Urban Development and Building Heights: Guidelines for Planning Authorities* were published on foot of the *National Planning Framework*. The aim of the *Guidelines* is to ensure that height policies do not undermine national policy objectives to provide more compact forms of development and the consolidation and strengthening of existing built-up areas.

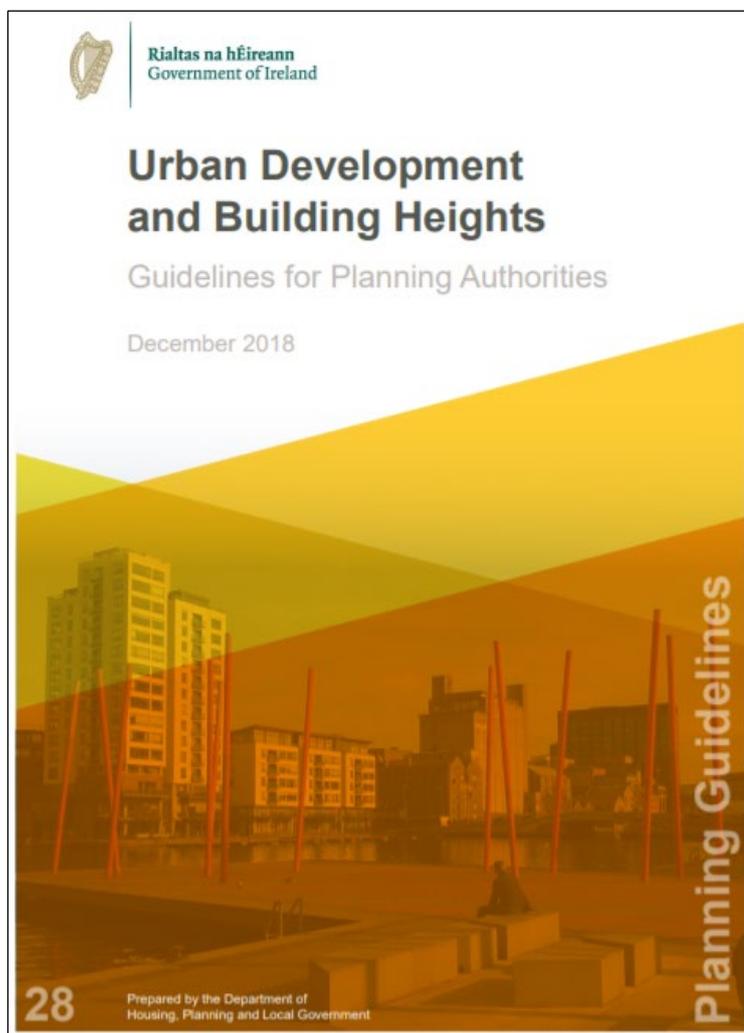


Figure 3.10: Cover of *Urban Development and Building Heights Guidelines for Planning Authorities (2018)*.

Section 3.0 of the Height Guidelines contains **Policy SPPR 3** which states:

*“It is a specific planning policy requirement that where;*  
(A) 1. *An applicant for planning permission sets out how a development proposal complies with the criteria above; and*  
2. *the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines..”*

The criteria referred to by Policy SPPR 3 is contained in Section 3.2. It sets out a number of criteria which, in line with SPPR 3, should be satisfied in terms of proposals for greater height. The criteria are set out in the table below:



**Table 3.2: Applicant’s Response to the criteria set out in Section 3.2 in line with Policy SPPR3. (Urban Development and Building Heights: Guidelines for Planning Authorities (2018)).**

Development Management Criteria – Building Height		
Scale	Criteria	Response
City / Town	The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	<p>The subject site is located approx. 450 meters (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours. As well as providing a direct route into Dublin city centre, the Luas provides a direct route into Dundrum Town Centre, albeit just one stop to the south.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals.</p> <p>Further to this, the site is less than a 15 minute walk from Dublin Bus Routes on Goatstown Road which provides services into Sandyford Business District (a significant employment location) at 20 minute intervals.</p> <p>Notably, the 142 Dublin Bus Route provides services into UCD from Bird Avenue which is within a 10 minute walk of the site.</p> <p>We therefore conclude that the subject site is well connected by public transport that provides frequent services to key employment and educational destinations, as well as providing access to surrounding social infrastructure. The public transport options in close proximity connect the site to a wide range of key destinations.</p> <p>In terms of capacity, we note that the public transport that serves the site, namely the Luas and Dublin Bus routes, are high-capacity modes of public transport. The TTA, prepared by ILTP provides an assessment of capacity and frequency to demonstrate this. This includes results of site surveys undertaken to determine capacity and frequencies and information known in respect of Luas/ bus capacity.</p> <p>The TTA concludes that the city bound Luas (in the AM peak hour (8.00-9.00) has a theoretical capacity of 7,344 persons per direction per hour, or 6,606 persons per direction per hour if using the assumed operational capacity. This is based upon a Luas capacity of 408 persons and a frequency of 3 min intervals.</p> <p>In this regard, the TTA also concludes that recent upgrades to 55m trams are now in operation. The survey result contained within the TTA are based upon the new capacity.</p> <p>In terms of the bus services that serve the site, an assessment of capacity and frequency determined that there is a total capacity of 1,710 persons in the AM peak hour. This is based on an operational capacity of 90 passengers per bus.</p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
		<p>The TTA further notes that capacity will be further increased by 25% over the coming years due to BusConnects.</p> <p>We conclude, having regard to existing public transport, that the site is served by high capacity and frequency public transport. Refer to the TTA for full details (Sections 3, 4 and 8).</p>
	<p>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</p>	<p>The proposed development includes a series of new buildings planned in a Masterplan context across the 9.6 ha extent of the site ranging in height from 2-6 storeys. The prevailing height of the subject proposal is predominantly 4-6 storeys, (with 7 storey elements at Block 03 and 10 due to lower ground floor). The design strategy locates lower heights around the edge of the site (2 and 3 storeys) in closest proximity to existing residential properties in order to minimise potential impacts on the residential amenities of these properties in relation to overlooking, daylight and sunlight impact, overshadowing and overbearing, with greater heights located towards the centre of the site. The topography of the site has also been used, where possible, to minimise visual impact yet deliver buildings to an appropriate height and scale. It is considered that this approach successfully integrates the new development into the area and whilst clearly comprising a new and higher density form of development than the prevailing two storey housing, it will not give rise to significant amenity or visual impacts as evidenced by the enclosed Townscape/ Landscape and Visual Impact Assessment (chapter 13 of the EIAR), prepared by Macroworks and Daylight, Sunlight and Overshadowing Assessments undertaken by GIA. This assessment considers the visual impact of the development proposed when viewed from 17 no. viewpoints from a range of locations external to the site.</p>
	<p>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</p>	<p>The proposed development will deliver a new mixed use urban quarter on a large former institutional infill site. The proposed development is designed around a series of new internal streets and spaces or character areas, which serve to create a diverse and animated development. The scheme will deliver a gross density of 102 units per ha (or c. 150 units per ha in net density terms) through the provision of a range of architectural styles and contrasting scales within the development. As noted within the TVIA contained at Chapter 13 of the EIAR, the townscape impact of the development is considered to be moderate/positive. An extract from the TVIA is provided below:</p> <p><i>“The campus style of the development allows for physical and visual permeability thorough the site where tree</i></p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
	developments and create visual interest in the streetscape.	<p><i>planting can be retained and supplemented. Furthermore, the architectural design style varies between buildings giving an organic / evolved feeling that helps to integrate it more readily with the surrounding context. It is considered that these design objectives are successful in integrating this development within its townscape setting particularly in a relative sense against the existing baseline of a ‘perceptual void’.</i></p> <p>As noted above, the proposed development responds to the scale of adjoining development through the varied use of building heights (lower around the edges (2-3 storeys) through the site and the creation of generous separation distances between the taller elements of the scheme and neighbouring properties. The relationship of new development to the Proposed Protected Structure complex on the site is assessed in detail within the application submission and ensures that the sensitive architectural context is respected. Refer to Chapter 15 of the EIAR for a full architectural heritage assessment of the proposed development in the context of the site’s heritage.</p>
<b>District / Neighbourhood / Street</b>	The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape	<p>The proposal is designed to maintain the site’s open character through the provision of significant public open space and to retain as much of the site’s valuable natural environment as possible including important features such as the walled garden and the mature trees on the site. The landscape strategy for the lands will enhance and complement the adjoining existing public open space (Rosemount Green) and promote the provision of pedestrian and cycle routes through the site. In addition, the site’s existing built environment is also incorporated into the proposed development through sensitive interventions and placement of buildings in the immediate setting of the Proposed Protected Structure complex, which will be adapted and re-used as an enterprise/innovation centre as part of the wider Masterplan proposal. Intervention to the site’s iconic boundary wall represents a balance between achieving increased permeability and connectivity into the surrounding area and a sensitive approach aimed at retaining the vast majority of an important heritage asset.</p> <p>In terms of improving permeability and connectivity, the site’s primary interface with the surrounding road network is onto Dundrum Road and proposes the part-removal of the boundary wall in this location in order to open up the site (heretofore fully enclosed) and facilitate public interaction between the development and the adjoining roadway. This also facilitates permeability through the site and provides a new urban edge and contemporary streetscape to the overall site.</p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
	<p>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</p>	<p>The subject development comprises a series of individual buildings all designed in a different architectural style of varying scale, form and height. There are no ‘uninterrupted walls of building in the form of slab blocks’.</p> <p>Within the site, the buildings are broken down in scale by introducing steps in the facades in both plan and elevation. Each building is designed to relate to its character area through scale, materiality and dwelling mix. A simple palette of materials, the use of setbacks at penthouse levels and the introduction of a variety of balcony types provide appropriate visual variety to the elevations and the massing of the buildings.</p> <p>The design also proposes to open up the existing wall onto Dundrum Road, providing relief from the existing road and creating new access routes into the site.</p>
	<p>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).</p>	<p>Regarding flood risk, the site was subject to a flood risk assessment in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009), which concluded that the site will not be subject to flood risk due to it being in Flood Zone C and is therefore appropriate for residential development.</p> <p>The proposed development will deliver a series of significant new public open spaces that can be accessed by a range of thoroughfares primarily by pedestrians and cyclists. The creation of these spaces enables buildings predominantly ranging in height from 2 – 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor) to be established on the site. The framing of these significant public spaces by buildings in this height range provides an appropriate sense of scale and enclosure in what is a very significant 11.39 ha (overall) landholding.</p>
	<p>The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</p>	<p>The proposed development, which will introduce a new residential neighbourhood together with commercial uses will be a new destination for the future occupiers of the development and the existing community. To ensure connectivity and accessibility between the proposed development and existing surrounding streets, the proposal includes a number of new pedestrian and cyclist access points which enable connection into the existing network.</p> <p>We also note the new positive interface between the subject lands and Rosemount Green at this location which is facilitated by the proposed removal of a significant section of perimeter wall. The enhanced permeability in</p>

Development Management Criteria – Building Height		
Scale	Criteria	Response
		<p>this location will provide for an increased movement and fluidity of pedestrians and cyclists between the two public spaces, providing greater opportunities for a range of users and activities. The proposed open space, together with its connectivity with the existing open space to the south, will significantly enhance the green infrastructure network in the local area.</p>
	<p>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</p>	<p>The proposed development will deliver a good range of uses including residential, crèche, café, restaurant, retail, medical and community. These uses will all contribute to the range of services available to the existing area and future neighbourhood being created on site. In terms of dwelling typologies, the proposal will deliver a range of residential unit types that will serve a wide range of household types. The unit mix will include 1, 2 and 3+ bedroom apartments together with studios, duplex units and houses. We also note that units have been designed to cater for the possibility of future conversion into age-appropriate living. This unit mix will ensure that a variety of unit types to complement the predominant two storey family housing that characterises the area will be provided in this development.</p>
<p><b>Site / Building</b></p>	<p>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.</p>	<p>The development is designed to ensure that there will be no significant overshadowing or loss of daylight or sunlight to adjoining residential properties. Heights are modulated throughout the scheme to minimise impact on access to sunlight or daylight on adjoining dwellings. The enclosed <i>Daylight and Sunlight – Impact on Neighbouring Properties Report</i> and <i>Transient Overshadowing Assessment</i>, both prepared by GIA, provides further details in this regard.</p> <p>Furthermore, the development has also been designed to maximise daylight and sunlight access to the proposed residential units and amenity spaces within the development. The enclosed <i>Daylight and Sunlight – Internal Daylight and Sunlight Report</i> and <i>Overshadowing Assessment</i>, both prepared by GIA, provides further details of the overall positive performance of the proposed development in this regard.</p>
	<p>Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site Layout Planning for</p>	<p>As set out in detail in the enclosed Daylight and Sunlight reports, the proposed development is assessed having regard to the BRE ‘<i>Site Layout Planning for Daylight and Sunlight</i>’ (2nd edition) or BS 8206-2: 2008 – ‘<i>Lighting for Buildings – Part 2: Code of Practice for Daylighting</i>’, which confirms that daylight and sunlight assessment undertaken accords in full with the methodology set out in the above referenced guidance.</p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
	Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'	Further to this, a sample of the proposed units have also been assessed in line with the new European Standard on daylight – 'EN 17037:2018 Daylight in buildings'
	Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.	<p>As noted above, the daylight, sunlight and overshadowing assessments demonstrate an excellent level of compliance with the target values set out in the BRE Guidelines.</p> <p>We note that whilst a number of shortfalls are evident, these are minor in nature and are compensated by the overall quality of the scheme from a standard of accommodation and amenity perspective. For example, additional internal resident's amenity space is provide in Block 03 to compensate a shortfall in respect of the number of hours of sunlight within the communal courtyard. Further to this, the proposed buildings within the development have been given careful consideration in terms of site planning and the arrangement of apartments in each building in order to maximise the number of dual aspect apartments. Refer to <i>Architectural Design Report</i> for further detail on compensatory measures.</p> <p>Furthermore, the proposed development has been designed in accordance with national and regional policy objectives pertaining to housing delivery and compact growth which require additional densities and identify increased building height as an important mechanism for achieving this. The LDA, as a state body, has a remit to deliver significant housing growth and contribute towards enabling an affordable housing sector in Ireland. In specific relation to the Central Mental Hospital lands, in addition to the requirement for the delivery of a significant quantum of housing, the redevelopment of the lands, due to their former institutional use, is also required to retain the open character of the land and deliver at least 25% public open space. The balancing of these site specific policy requirements has informed the proposed site layout, including the height, arrangement and density of the proposed buildings. In this respect, the proposed development successfully balances somewhat conflicting policy requirements and on the whole, provides an excellent standard of residential accommodation for future occupiers as well as relating sensitively to the surrounding context.</p>
<b>Specific Assessments</b>  (To support proposals at some or all of these scales,	Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/	<p>A detailed microclimate assessment has been undertaken and is contained at Chapter 16 of the EIAR. It concludes that safety and pedestrian comfort is maintained in accordance with the Lawson Comfort and Distress Criteria with the proposed development in place.</p> <p>Refer to Chapter 16 of the EIAR for full details.</p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
specific assessments may be required and these may include)	mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.	
	In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.	<p>This planning application is supported by a full biodiversity assessment enclosed as Chapter 8 of the EIAR and a <i>Natura Impact Statement</i>.</p> <p>The various assessments are supported by a full suite of ecology surveys including bat surveys and wintering birds.</p> <p>The NIS concludes with the following:</p> <p><i>“Following the implementation of the mitigation measures outlined, the construction and presence of this development would not be deemed to have a significant impact. No significant impacts are likely on Natura 2000 sites, alone in combination with other plans and projects based on the implementation of mitigation measures.”</i></p> <p>In terms of birds, two seasons of wintering bird surveys have taken place covering the 20/21 and 21/22 seasons. Refer to Appendix 8.1 and 8.2 for the survey reports and full conclusions. In summary, no direct impacts to any of the SPAs within the zone of influence are expected, indirect effects on the SPAs are considered unlikely. It further concludes that while some disturbance impacts may occur to the SPI species (Black-headed gull) recorder, this would not be deemed to be of potential significance.</p> <p>A full assessment has also been undertaken in respect of bats, the conclusions of the survey works are as follows:</p> <p><i>“No bats were roosting in buildings on site. A bat roost within a Horse Chestnut tree will be lost. Foraging activity within the darker areas of the site may be reduced due to the presence new buildings and lighting. It would be expected that with a sensitive light strategy foraging activity in the vicinity of the existing buildings on site would increase. A pre construction, inspection will be carried out on onsite trees with bat roosting potential, that are to be removed. The proposed development will result in a long term/low adverse/not significant/negative impacts on bats.”</i></p> <p>In terms of bats, we further note that the project ecologist liaised closely with the M+E engineers to ensure the proposal of bat sensitive lighting across the scheme.</p>



Development Management Criteria – Building Height		
Scale	Criteria	Response
		In terms of collisions, given that the maximum height of the proposed development is 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor) and the limited bird activity recorded in respect of the site, it is not considered that bird collisions are likely to present as an issue in this scenario.
	An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	We note that the application site is currently served by the EIR network which enters the site from Dundrum Road. A Virgin Media network extends around the perimeter wall. The EIAR in support of this planning application has regard to the impact of the proposed development upon the existing telecommunication network. It concludes that the proposed development would have a neutral impact upon telecommunications in the surrounding area.
	An assessment that the proposal maintains safe air navigation.	Due to the distance of the site from the airport and the medium rise scale of the tallest building within the scheme, it is not considered that the proposed development will give rise to any impacts in this regard.
	An urban design statement including, as appropriate, impact on the historic built environment.	This application is accompanied by a detailed Masterplan, which sets out the urban design principles underpinning the overall design approach to the site's re-development. It is also supported by an <i>Architectural Design Report</i> which details the proposal in design terms and sets out the design rationale for the development. In addition, the application includes heritage assessments (EIAR Chapter 15) that address the impact of new development on the Proposed Protected Structures and wider historic built form and the manner in which the historic structures and landscape have informed the wider design approach.
	Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	The planning application is accompanied by an Environmental Impact Assessment Report (EIAR), which includes a Biodiversity chapter addressing the potential impacts of new development on the ecology of the site. The application also includes a Natura Impact Assessment (Stage 2 Appropriate Assessment).  These assessments enable the robust assessment of the proposed development upon the receiving environment and are supported by extensive survey work.

Referring back to the aforementioned guidelines in relation to sustainable urban development and apartment development, there is a suite of national planning policy that requires the delivery of higher density development to achieve national objectives surrounding housing delivery. In the absence of finite land supply, increased building height is an essential component of achieving the required higher densities whilst maintaining a high standard of living accommodation and achieving sustainable communities.

In this context, the building height guidelines provide a mechanism through which building heights (and therefore densities), higher than those that may be permissible under the Development Plan, can be permitted.

The proposed development, including 9 No. blocks ranging between 2 and 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor), complies with the Guidelines, as demonstrated by the full suite of site-specific assessment enclosed with this submission. The proposed development provides for an appropriate residential density and has been designed to provide a good level of residential amenity of future residents of the scheme, in addition to preserving the existing residential amenity of adjoining residents.

### 3.12 Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (2009)

The *Appropriate Assessment Guidance* was published to guide compliance with the Birds Directive, 1979 and the Habitats Directive, 1992.

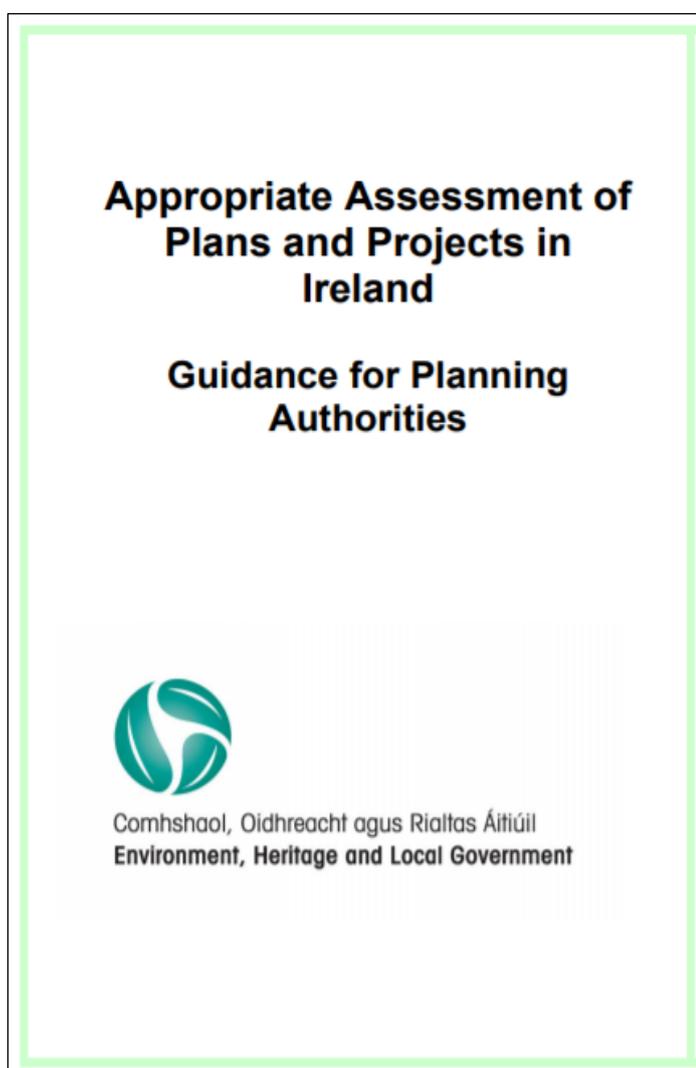


Figure 3.11: Cover of *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (2009)*



Altemar Ltd. has undertaken an Appropriate Assessment Screening and Natura Impact Statement (NIS) for the proposed development. It outlines the information required for the competent authority to screen for appropriate assessment and to determine whether or not the proposed development, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site.

On the basis of the content of the enclosed report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site.

Drawing upon the conclusions of the NIS, it is highlighted that following the implementation of the mitigation measures outlined, no significant impacts are likely on Natura 2000 sites, alone or in combination with other plans and projects based on the implementation of mitigation measures.

### **3.13 Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).**

All development proposals potentially impacting on Protected Structures and places designated as Architectural Conservation Areas and candidate Architectural Conservation Areas shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).

We note that Chapter 15 'Architectural Heritage' of the Environmental Impact Assessment Report has been prepared in accordance with these Guidelines. Refer to the chapter for full details.



## 4.0 LOCAL POLICY COMPLIANCE

The *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, which was adopted by the Local Authority on 16<sup>th</sup> March 2016, is the statutory plan for the area, at the time of writing, and will guide all development relating to the subject lands until the new Development Plan is adopted.

### 4.1 Core Strategy of Development Plan

The Core Strategy, which forms part of the Development Plan (contained within Section 1.2), articulates the medium-to-longer term quantitatively-based strategy for the spatial development of the *Dún Laoghaire-Rathdown area*. The Development Plan states that:

*“The central focus of the Core Strategy is on residential development and in ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing, over the lifetime of the Plan. In this respect, two key datasets are examined:*

- *Housing Land Availability Study (Supply of zoned land)*
- *Regional Planning Guidelines for the GDA (Population Targets)*”

Furthermore, the Core Strategy further sets out the quantum of land available for housing within the County and the approximate potential residential yield arising from that land.

On that basis, for the Development Plan period, the Core Strategy supports the overall delivery of 33,600 residential units on 640 hectares of land. This residential yield is further broken down into Serviced, Part Serviced and Unserviced Land in Dún Laoghaire-Rathdown.

Figure 4.1 below demonstrates the quantum of serviced land and the potential residential yield for that land. It shows that the Core Strategy supports the delivery of 18,000 No. residential units, on 410 hectares of serviced land. This includes the subject site.

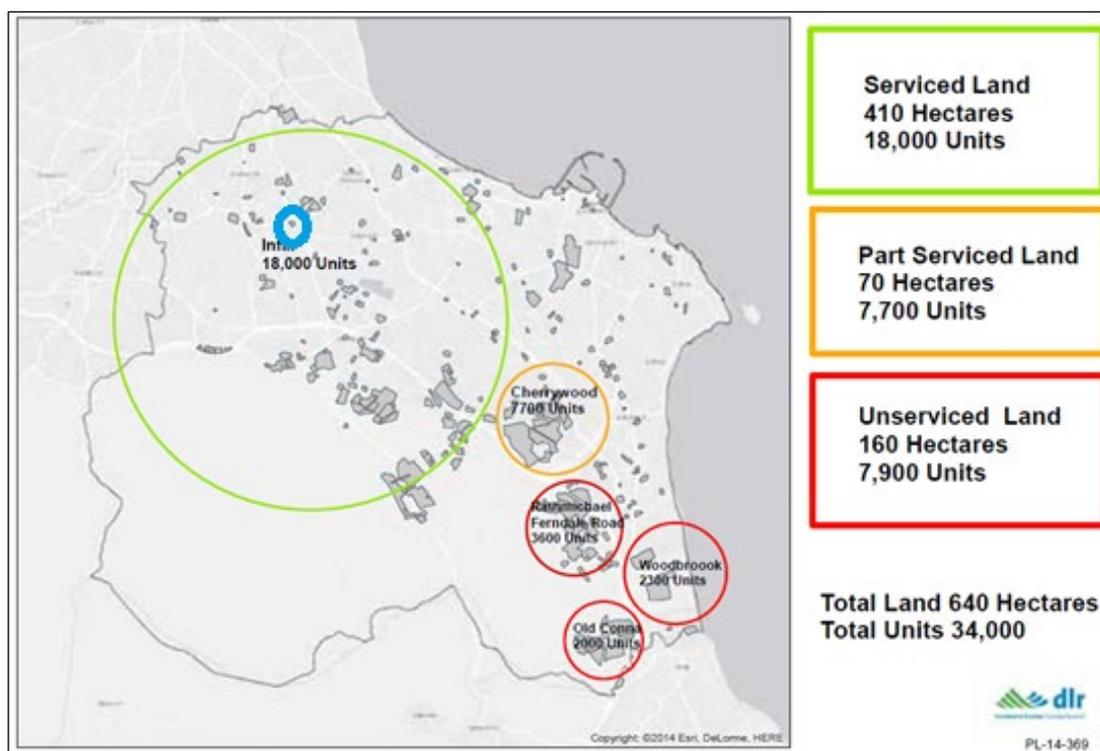


Figure 4.1: Serviced, Part Serviced and Unserviced Land in Dun Laoghaire-Rathdown County Council (with approximate location of subject site highlighted blue.) (Source: *Dún Laoghaire Rathdown County Development Plan 2016-2022.*)

The proposed development, that will provide 977 no. residential units accords in full with the stated objective of meeting the County's projected housing needs.

## 4.2 Land Zoning

The application site is zoned Objective A – *'To protect and/or improve residential amenity'*, as shown on Figure 4.2.

Table 8.3.2 of the Development Plan outlines 'Residential' as being 'Permitted in Principle'.

The non-residential uses proposed as part of the development include: Retail ('Shop Neighbourhood'), Café ('Tea Room/ Café), Restaurant ('Restaurant'), Community ('Community Facility'), Medical ('Doctor/Dentist etc.') and a creche ('Childcare Service'). Each of these uses are 'Open for Consideration' under the zoning objective.

The application site is also subject to the INST objective. This is addressed in section 4.3 of this Statement.

The blue dashed line which also encompasses the application site refers to *'boundary of lands for which a Local Area Plan will be prepared.'* This is addressed in Section 5 of this Statement.

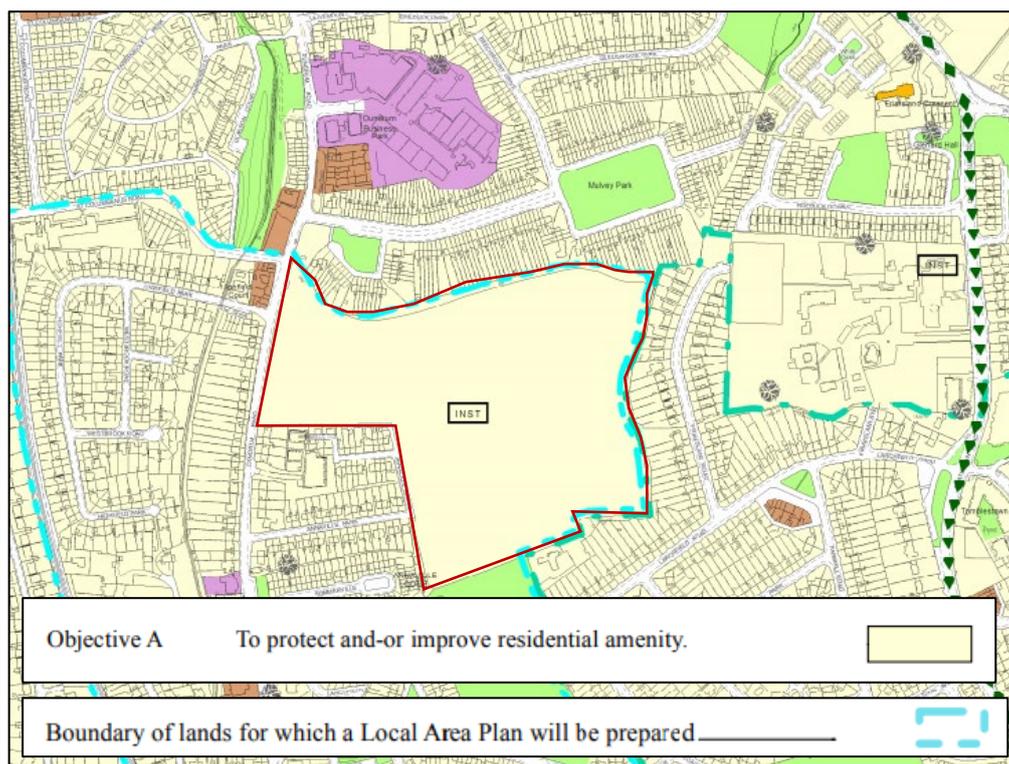


Figure 4.2: Extract from the Development Plan, illustrating the zoning objective and policy designations associated with the application site (indicative site boundary in red).

The strategic housing development, inclusive of 977 no. residential units and 3,889 sq m of the above listed non-residential uses, accords with land use zoning objective A - 'To protect and/or improve residential amenity'.

#### 4.3 Institutional ('INST') Objective

Section 8.2.3.4 *Additional Accommodation in Existing Built-up Areas* of the Development Plan provides information surrounding the policy requirements for those lands subject to the 'INST' objective. In the first instance it states:

*"Where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the area's zoning objectives and the open character of the lands being retained."* (page 179)

The Development Plan further notes:

*"The principal aims of any eventual redevelopment of these lands will be to achieve a sustainable amount of development while ensuring the essential setting of the lands and the integrity of the main buildings are retained. In order to promote a high standard of development a comprehensive masterplan should accompany a planning application for institutional sites"* (page 179).



#### 4.3.1 Policy requirement for INST related masterplan

As per Section 8.2.3.4 and 2.1.3.5 (which contains **Policy RES5: Institutional Lands**) of the Development Plan, the policy requirements for the masterplan (and related planning applications) include:

- *Must adequately take account of the built heritage and natural assets of a site and established recreational use patterns;*
- *Public access to all or some of the lands (may be required);*
- *Every planning application lodged on institutional lands shall clearly demonstrate how they conform with the agreed masterplan for the overall site. Should any proposed development deviate from the agreed masterplan then a revised masterplan shall be agreed with the Planning Authority;*
- *A minimum open space provision of 25% of the total site area (or a population based provision in accordance with Section 8.2.8.2 whichever is the greater) will required on Institutional Lands.*
- *The open space provision must be sufficient to maintain the open character of the site – with development proposals built around existing features and layout, particularly by reference to retention of trees, boundary walls and other features as considered necessary by the Council.*
- *On Institutional Lands where existing school uses will be retained, any proposed residential development shall have regard to the future needs of the school and allow sufficient space to be retained adjacent to the school for possible future school/expansion redevelopment.*
- *In the development of such lands, average net densities should be in the region of 35-50 units p/ha. In certain circumstances higher densities will be allowed where it is demonstrated that they can contribute towards the objective of retaining the open character and/or recreational amenities of the lands.*

Section 8.2.3.4 further states:

*“Where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the area’s zoning objectives and the open character of the lands being retained.”*

In terms of compliance with the above, we note the following points:

- The subject lands are state owned and no longer required for institutional use. It is highlighted as a national priority, and part of the LDA’s remit, to optimise state lands to deliver compact urban development and affordable housing. We therefore confirm that the subject lands have been identified, at a national level, to contribute to the fulfilment of the above stated objective and are not required for an alternative institutional use.



- The redevelopment of the application site is supported by a comprehensive Masterplan which fully accounts for the provisions of the Institutional policy objectives attached to the lands. The Masterplan has been developed by a multidisciplinary project team, in consultation with Dún Laoghaire Rathdown County Council (DLRCC). The enclosed *Masterplan Document*, dated March 2022, provides further details of this process including the key design parameters and demonstrates that the proposed SHD scheme is has evolved in line with the Masterplan. The process and engagement with DLRCC are also further discussed in Section 2.7 of the *Planning Report* prepared by Tom Phillips + Associates.
- In terms of the built heritage assets, embracing the built heritage was one of the core vision themes in the development of the Masterplan. As well as ensuring the sensitive design and siting of new built form in the setting of the heritage buildings, the Masterplan incorporates the adaptive re-use of a number of existing buildings and sensitive interventions to the boundary wall. In line with the Masterplan, this SHD proposal seeks to deliver the sensitive renovation and adaptive re-use of the Gate Lodge into a café and a number of interventions to the boundary wall including the removal of sections to provide permeability and lowering of sections on Dundrum Road to enhance the public realm. Further to this, the SHD includes new built form in the setting of the Main Hospital Building, Chapel and Infirmary which has been designed sensitively to respond to the heritage value and importance of the buildings. In addition to this, the site layout and landscape proposals have been designed to protect the setting of the heritage buildings, as well as ensure a positive relationship between the new built form and the existing historic landscape.
- There are a number of natural assets within the Masterplan boundary as well as built heritage, including the landscape which due to its historic importance and overall open character, formed a strong basis for a landscape-led masterplanning process and the site layout as currently proposed. As set out in the Architectural Heritage chapter of the EIAR and the Landscape Report, the character of the existing landscape embodies both the historical and current function of the Central Mental Hospital, as a mental health facility whereby the landscape is considered to play an integral role in recovery and rehabilitation. Existing landscape features such as trees, the walled garden and open parkland are incorporated into the Masterplan and SHD proposal which, in addition to protecting the site's natural assets, ensures that the open character of the lands is retained.
- The success of the Masterplan (and therefore SHD proposal) in retaining the open character of the lands, in addition to the incorporation of existing landscape features, is largely owed to the significant quantity of publicly open space proposed. The public open space constitutes 32% of the SHD site area and is characterised by a hierarchy of open spaces which provides for a range of activities and users. Section 4.12.1 of this Statement also confirms that the proposed development complies with the population-based requirement contained as Section 8.2.8.2 of the Development Plan.
- In terms of density, the proposed SHD scheme provides a net density of 150 units p/h and a gross density of 102 units p/h which, in our opinion, successfully retains the open character of the lands. Referring to the Development Plan policy objectives surrounding residential density (i.e. Policy RES3 and Section 8.2.3.2), we note that the Development Plan states that it is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable



protection of existing residential amenities and the established character of the areas with the need to provide for sustainable residential development. We also acknowledge the specific policy requirements relating to density that accompanies the Institutional designation of the subject lands whereby a residential density range (35-50 units p/ha) is applicable, which is to be considered in the context of achieving the objective to retain the open character of the lands. Whilst we consider that the proposed residential density is acceptable having regard to considerations surrounding open character, quantum of open space, standard of accommodation, positive relationship with built heritage assets and neighbouring development, compliance with the Institutional objective requirement for density of 35-50 unit p/ha is addressed in the accompanying *Material Contravention Statement*. Notwithstanding this, given that the proposed development is considered to successfully retain the open character of the lands, we consider that the residential density is acceptable.

- As well as meeting the policy requirements of the Institutional objective, the above elements, which include the adaptive reuse of the heritage and natural assets, will support the creation of a sustainable and distinctive neighbourhood.

As demonstrated by the bullet points above, in our opinion, the proposed development complies with the policy requirements relating to the institutional nature of the lands in full. In summary, the proposed development balances the requirements arising from the Institutional designations of the land, and the need to provide a sustainable urban residential development which optimises the delivery of housing on a well-located, brownfield, underutilised and serviced site.

#### 4.4 Sustainable Communities Strategy

In addition to the policy support for increased housing delivery in Dublin, as outlined within the Core Strategy, this section sets out a number of key policies contained at Chapter 2 of the Development Plan relevant to new housing.

##### 4.4.1 Residential Density

Section 2.1.3.3 of the Development Plan relates to residential density and **contains Policy RES3: Residential Density** which states the following:

*“It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines:*

- *‘Sustainable Residential Development in Urban Areas’ (DoEHLG 2009)*
- *‘Urban Design Manual - A Best Practice Guide’ (DoEHLG 2009)*



- *'Quality Housing for Sustainable Communities' (DoEHLG 2007)*
- *'Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013)*
- *'National Climate Change Adaptation Framework - Building Resilience to Climate Change' (DoECLG, 2013)."*

The proposed development has a gross residential density of 102 units per hectare (p/ha), net residential density of 150 units per hectare (p/ha) and, having regard to the locational characteristics of the application site, is compliant with local and national policy objectives which emphasise the requirement for increased residential densities on well located sites in existing urban areas.

This submission confirms that the proposed development has been designed to an appropriate scale to ensure it does not give rise to unacceptable impact upon the surrounding context from both a residential amenities and visual impact perspective.

Whilst we confirm compliance with the relevant national policy objectives in respect of the proposed density, we note that the Policy RES5 of the Development Plan, which pertains to Institutional Lands, states that *"average net densities should be in the region of 35-50 units p/ha"*. The Policy RES5 then goes on to state that *"in certain circumstances higher densities will be allowed where it is demonstrated that they can contribute towards the objective of retaining the open character and/or recreational amenities of the lands"*.

It is our view that whilst the proposed development exceeds 50 units p/ha, the proposed landscaping strategy, height, scale and arrangement of built form ensures that the open character of the lands is retained. This includes the retention of landscape features such as a significant number of mature trees and the walled garden. We therefore maintain that the proposed higher density is appropriate and acceptable in the context of Policy RES5 and the relevant national policy objectives. Nevertheless, given that the proposed development exceeds the general requirement for net densities to be in the region 35-50 units p/ha, we address this point within the enclosed *Material Contravention Statement*.

#### 4.4.2 **Densification of Residential Areas**

Section 2.1.3.4 of the Development Plan supports the densification of existing built-up areas and contains **Policy RES4: Existing Housing Stock and Densification** which states:

*"It is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities."*

The proposed development complies with Policy RES4 as it provides additional residential units on residentially zoned lands, in an established urban area. The proposed development has been designed to respect the amenities of adjoining residential communities as well as providing new community facilities and public open space.



#### 4.4.3 Institutional Lands

Section 2.1.3.5 **Policy RES5: Institutional Lands** is applicable to the subject lands and addressed in full in Section 4.3.1 of this Statement.

#### 4.4.3 Overall Housing Mix

Section 2.1.3.7 of the Development Plan relates to housing mix and contains **Policy RES7: Overall Housing Mix** which states:

*“It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy.”*

The proposed development provides a mix of dwelling types that will accommodate a variety of tenures and is, therefore, compliant with RES7.

#### 4.4.4 Social Housing (Part V)

Section 2.1.3.8 contains **Policy RES8: Provision of Social Housing** of the Development Plan notes the following respect of Social Housing (Part V):

*“It is Council policy to promote the provision of social housing in accordance with the projects outlined in the Council’s Interim Housing Strategy and Government policy as outlined in the DoECLG ‘Social Housing Strategy 2020’.”*

The proposed development will be an 100% affordable housing scheme. 20% of the units will be provided in line with Part V of the *Planning and Development Act 2000* (as amended) with the remaining 80% delivered as affordable housing under the *Land Development Agency Act 2021*.

We therefore confirm that the proposed development is subject to the requirements of the Part V of the *Planning and Development Act 2000* (as amended). 196 no. units, as agreed with DLRCC, will be provided as Part V units.

A letter from Dún Laoghaire–Rathdown County Council, dated 21<sup>st</sup> March 2022, is enclosed with this application and notes the engagement of the Applicant with regard to Part V requirements.

#### 4.4.5 Planning for Communities

Section 2.1.3.14 contains **Policy RES14: Planning for Communities** of the Development Plan which states:

*“It is Council policy to plan for communities in accordance with the aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’. In all new development growth areas, and in existing residential communities it is*



*policy to ensure that proper community and neighbourhood facilities are provided in conjunction with, and as an integral component of, major new residential developments and proposed renewal/redevelopment areas, in accordance with the concept of sustainable urban villages outlined under Policy RES15.”*

The proposed development has been designed in accordance with both the ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’ and provides an array of community and neighbourhood facilities to support the new community and provide for the existing community. This includes local retail provision, services, public open space, and community facilities. We therefore conclude that the proposed development aligns with this policy requirement.

#### 4.5 Enterprise and Employment Strategy

Chapter 3 of the Development Plan contains Council policy in relation to Enterprise and Employment, including high level policies relating to ‘Retail and Major Town Centres’.

Section 3.2.2.3 of the Development Plan contains **Policy RET3: Retail Hierarchy** and states:

*“It is Council policy to have regard to the ‘GDA Retail Planning Strategy 2008-2016’ the ‘GDA Regional Planning guidelines 2010-2022’, in defining the retail hierarchy of the County and defining the role of the retail centres. It is Council policy to promote the viability and vitality of its existing main retail centres while continuing to protect and improve the amenity of surrounding areas.”*

We note that at the heart of the Council’s retail strategy is a hierarchy of retail locations that form the basis for determining the quantum and location of new retail development. While the proposed development includes a number of small retail units, we highlight that they have been proposed in order to provide for the development which will introduce a significant number of new people to the area, in line with the land zoning objective which lists ‘Shop-Neighbourhood’ as Open for Consideration. On this basis, it is not envisaged that the proposed retail units will serve a wider area or conflict with established retail provision.

Section 3.2.5.1 of the Development Plan contains **Policy RET12: Assessment of Retail Proposals** which states:

*“It is Council policy to ensure that applications for new retail development shall accord with the retail policies of the Development Plan and are objectively assessed as set out in Government Guidance in the form of the ‘Retail Planning Guidelines’ (2012).*

*Applications for new retail development shall:*

- *Be in line with the role and function of the retail centre in the Plan and accord with the scale and type of retailing identified for that location.*
- *Accord with the fundamental objective to support the vitality and viability of the retail centre and must demonstrate compliance with the sequential approach.*
- *Provide a detailed retail impact assessment and a transport impact assessment to accompany the application where appropriate.*



- *Be of a high quality and incorporate layouts that encourage active and engaging frontages where appropriate.*

*There shall be a general presumption against large out-of-town retail centres, in particular those located adjacent or close to existing, new or planned National Roads/Motorways.”*

In our view, the above criteria is not strictly applicable to the proposed retail provision on the basis that the proposed retail units are small and designed to serve the new population of the proposed development. Notwithstanding this, we confirm that the scale of the proposed units is proportionate to the scale of the development and the number of new residents expected. We further confirm that due to the local nature of the proposed units, it is not expected that they will conflict with the vitality or viability of existing retail provision or Dundrum Town Centre. This planning application submission is also supported by a *Transport and Traffic Assessment* which has regard to the traffic impacts associated with the non-residential uses proposed, as well as the residential component. Lastly, we confirm that the design and siting of the non-residential uses within the scheme, including the small retail units, provide activation and natural surveillance at street/ public realm level, contributing to the quality of the open spaces. Having regard to the above, we confirm that the proposed development does not conflict with the retail related policies referred to above. In our view, the non-residential uses proposed ensure the delivery of a distinctive and sustainable new community.

#### 4.6 Green County Strategy

Chapter 4 of the Development Plan has regard to Landscape, Heritage and Biodiversity and Open Space and Recreation and contains a number of overarching policies that are relevant to the proposed development. In this section, we confirm compliance with the following policies which are then discussed in greater detail from a development management/ standards perspective in the following sections.

**Policy LHB 1: Access to Natural Heritage** states the following:

*“It is Council policy to promote, protect and enhance sustainable and appropriate access to the natural heritage of the County.”*

Section 4.1.1.2 ‘Appropriate Assessment’ states the following:

*“The Council will ensure that any plan/project and any associated works, individually or in combination with other plans or projects, are subject to Appropriate Assessment Screening to ensure there are no likely significant effects on the integrity (defined by the structure and function) of any Natura 2000 site(s) and that the requirements of Article 6(3) and 6(4) of the EU Habitats Directive are fully satisfied. Where a plan /project is likely to have a significant effect on a Natura 2000 site or where there is uncertainty with regard to effects, it shall be subject to Appropriate Assessment. A Natura Impact Statement (NIS) shall be produced. The plan/project will proceed only after it has been ascertained that it will not adversely affect the integrity of the site or where, in the absence of alternative solutions, the plan/project is deemed imperative for reasons of overriding public interest, all in accordance with the provisions of the EU Habitats Directive.”*



**Policy LHB19: Protection of Natural Heritage and the Environment** states the following:

*“It is Council policy to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas, candidate Special Areas of Conservation, proposed Natural Heritage Areas and Ramsar sites - as well as non-designated areas of high nature conservation value which serve as ‘Stepping Stones’ for the purposes of Article 10 of the Habitats Directive.”*

It further notes that the implementation of this policy will involve, inter alia, the retention of trees and the protection of SPA’s and SCA’s.

**Policy LHB20: Habitats Directive** states the following:

*“It is Council policy to ensure the protection of natural heritage and biodiversity, including European sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.”*

**Policy LHB29: Invasive Species** states the following:

*“It is Council policy to support as appropriate the National Parks and Wildlife Service efforts to seek to control and manage alien / invasive species (e.g. Japanese knotweed, Giant hogweed, Himalayan balsam, etc.) and noxious weeds (e.g. ragwort, thistle, dock, etc.) within the County.”*

**Policy OSR1: Green Infrastructure** states the following:

*“It is Council policy to protect existing green infrastructure and encourage and facilitate, in consultation with relevant stakeholders, the development of new green infrastructure, recognising the synergies that can be achieved with regard to the following, sustainable transport, provision of open space amenities, sustainable management of water, protection and management of biodiversity and protection of cultural and built heritage.”*

**Policy OSR3: Hierarchy of Parks and Open Space** states the following:

*“It is Council policy to provide a hierarchy of quality parks and public open spaces which vary in size and nature and are designed to serve the needs of all members of the community, including people with mobility impairments, by being readily accessible and at a convenient distance from their home and/or places of work.”*

**Policy OSR5: Public Open Space Standards** states the following:

*“It is Council policy to promote public open space standards generally in accordance with overarching Government guidance documents ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’ (2009) and the accompanying ‘Urban Design Manual - A Best Practice Guide’.”*



**Policy OSR7: Trees and Woodland** states the following:

*“It is Council policy to implement the objectives and policies of the Tree Strategy for the County – ‘dlr TREES 2011-2015’ - to ensure that the tree cover in the County is managed and developed to optimise the environmental, climatic and educational benefits which derive from an ‘urban forest’.”*

**Policy OSR10: Sports and Recreational Facilities** states the following:

*“It is Council policy to promote the provision and management of high quality sporting and recreational infrastructure throughout the County and to ensure that the particular needs of different groups are incorporated into the planning and design of new facilities.”*

**Policy OSR14: Play Facilities** states the following:

*“It is Council policy to support the provision of structured and unstructured play areas with appropriate equipment and facilities throughout the County and to ensure the needs of all age groups and abilities - children, teenagers, adults and older people - are facilitated in the public parks of Dún Laoghaire Rathdown.”*

The proposed development is supported by a significant landscaping proposal which ensures the delivery of high-quality open space, including play space provision, the retention of special landscape features such as mature trees and local biodiversity enhancements and the delivery of a significant SuDS scheme. Furthermore, from an ecological and Habitats Directive perspective, the planning application is supported by an Appropriate Assessment Screening and Natural Impact Statement (NIS) and full ecological impact assessment contained within the Biodiversity Chapter of the EIAR. Having regard to the following sections which address the development management standards, we confirm that the proposed development complies with the overarching themes contained within Chapter 4 of the Development Plan.

#### **4.7 Physical Infrastructure Strategy**

Chapter 5 of the Development Plan has regard to Environmental Infrastructure and Management, Waste Management, Pollution, Climate Change, Energy Efficiency and Flooding and contains a number of overarching policies which are relevant to the proposed development. In this section, we confirm compliance with the following policies which are addressed in greater detail within the wider planning application documents.

**Policy EI1: Water Supply and Appropriate Assessment** states the following:

*“It is Council policy to require that all developments relating to water supply and waste water treatment are subject to screening for Appropriate Assessment to ensure there are no likely significant effects on the integrity, defined by the structure and function, of any Natura 2000 sites and that the requirements of Article 6 of the EU Habitats Directive are met.”*



**Policy EI2: Wastewater Treatment and Appropriate Assessment** states the following:

*“It is Council policy to provide adequate wastewater treatment facilities to serve the existing and future population of the County, subject to complying with the Water Framework Directive and the associated River Basin Management Plan or any updated version of this document, ‘Water Quality in Ireland 2007-2009’ (EPA 2011) or any updated version of the document, Pollution Reduction Programmes for Designated Shellfish Areas, the Urban Waste Water Treatment Directive and the Habitats Directive.”*

**Policy EI3: Surface Water Drainage and Appropriate Assessment** states the following:

*“It is Council policy to require that a Sustainable Drainage System (SuDS) is applied to any development and that site specific solutions to surface water drainage systems are developed, which meet the requirements of the Water Framework Directive and the associated River Basin Management Plans and ‘Water Quality in Ireland 2007-2009’ (EPA 2011) or any updated version of the document.”*

**Policy EI4: Groundwater Protection and Appropriate Assessment** states the following:

*“It is Council policy to ensure the protection of the groundwater resources in and around the County and associated habitats and species in accordance with the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (Groundwater) Regulations, 2010. In this regard, the Council will support the implementation of Irish Water’s Water Safety Plans to protect sources of public water supply and their contributing catchment.”*

**Policy EI5: Water Supply and Wastewater** states the following:

*“It is Council policy - in conjunction with, and the support of, Irish Water - to provide adequate high quality drinking water, to promote water conservation and to continue the development and improvement of the water supply and wastewater systems throughout Dún Laoghaire-Rathdown in order to meet the anticipated water and wastewater requirements of the County - all in accordance with the recommendations set out in the ‘Greater Dublin Water Supply Strategic Study’ and ‘The Greater Dublin Strategic Drainage Study’.”*

**Policy EI8: Sustainable Drainage Systems** states the following:

*“It is Council policy to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).”*

**Policy EI9: Stormwater Impact Assessments** states the following:

*“It is Council policy to ensure that all new significant developments prepare a Stormwater Impact Assessment which incorporate Stormwater Audits in accordance with the Council’s Stormwater Management Plan Guidance Document and the Council’s Development Management Thresholds Information Document.”*



**Policy EI12: Waste Management Strategy** states the following:

*“It is Council policy to conform to the European Union and National Waste Management Hierarchy as follows:*

- *Waste prevention*
- *Minimisation*
- *Re-use*
- *Waste recycling*
- *Energy recovery and*
- *Disposal subject to economic and technical feasibility and Environmental Assessment.”*

**Policy EI13: Waste Plans** states the following:

*“It is Council policy to publish plans for the collection, treatment, handling and disposal of waste in accordance with the provisions of the Waste Management Acts 1996 (as amended) and Protection of the Environment Act 2003 (as amended).”*

**Policy EI16: Waste Re-Use and Recycling** states the following:

*“It is Council policy to promote the increased re-use and re-cycling of materials from all waste streams. The Council will co-operate with other agencies in viable schemes for the extraction of useful materials from refuse for re-use or re-cycling and will adopt the National targets as stated in the ‘Dublin Regional Waste Management Plan 2005-2010’.”*

**Policy EI20: Air and Noise Pollution** states the following:

*“It is Council policy to implement the provisions of National and EU Directives on air and noise pollution and other relevant legislative requirements in conjunction with other agencies as appropriate.”*

**Policy EI21: Light Pollution** states the following:

*“It is Council policy to ensure that the design of external lighting schemes minimise the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas.”*

**Policy CC7: Energy Performance in New buildings** states the following:

*“It is Council policy that all new buildings will be required to meet the passive house standard or equivalent, where reasonably practicable. By equivalent we mean approaches supported by robust evidence (such as monitoring studies) to demonstrate their efficacy, with particular regard to indoor air quality, energy performance, comfort, and the prevention of surface/interstitial condensation. Buildings specifically exempted from BER ratings as set out in S.I. No 666 of 2006 are also exempted from the requirements of CC7. These requirements are in addition to the statutory requirement to comply fully with Parts A-M of Building Regulations.”*



**Policy CC9: Sustainability in Adaptable Design** states the following:

*“It is Council policy to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.”*

**Policy CC15: Flood Risk Management** states the following:

*“It is Council policy to support, in cooperation with the OPW, the implementation of the EU Flood Risk Directive (2007/60/EC) on the assessment and management of flood risks, the Flood Risk Regulations (SI No 122 of 2010) and the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on ‘The Planning System and Flood Risk Management, (2009)’ and relevant outputs of the Eastern District Catchment and Flood Risk Assessment and Management Study (ECFRAMS Study).”*

This planning application is supported by a full suite of engineering proposals to serve the proposed development, including extensive SuDS proposals which are further detailed in the *Infrastructure Report* prepared by BMCE, dated March 2022. The proposed drainage strategy has been fully considered from a hydrological and ecological perspective, as set out in the Hydrology Chapter of the EIAR and the *Natura Impact Statement*, prepared by Altemar. Furthermore, the SuDS proposals are detailed in the *Landscape Report* prepared by Aecom, supported by a *Habitats Management Plan*, prepared by Altemar. A *Site-Specific Flood Risk Assessment*, also prepared by BMCE, is enclosed. The flood risk assessment has been carried out in accordance with *The Planning System and Flood Risk Assessment Guidelines for Planning Authorities* whereby the developed site is shown not to be at a significant risk from flooding and to not create a significant risk to adjoining areas or downstream. Furthermore, the enclosed EIAR gives full consideration to the proposed development from an air and noise pollution and waste management perspective. Whilst the application is also supported by an *Energy and Sustainability Report*, prepared by EDC, which sets out the energy efficiency measures associated with the proposed development, including a district heating system, PV panels and electric vehicle parking. Having regard to the above, we conclude that the proposed development aligns with the overarching policy themes contained within Chapter 5 of the Development Plan.

#### 4.8 Built Heritage Strategy

Chapter 6 of the Development Plan has regard to archaeological and architectural heritage and contains a number of overarching policies which are relevant to the proposed development. In this section, we confirm compliance with the following policies which are addressed in greater detail within the wider planning application documents.

**Policy AH1: Protection of Archaeological Heritage** states the following:

*“It is Council policy to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places (RMP) and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments.”*



**Policy AH2: Protection of Archaeological Material in Situ** states the following:

*“It is Council policy to seek the preservation in situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places, and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the Council will have regard to the advice and/ or recommendations of the Department of Arts, Heritage and the Gaeltacht (DoAHG).”*

**Policy AR4: National Inventory of Architectural Heritage (NIAH)** states the following:

*“It is Council policy to review and update the RPS on foot of any Ministerial recommendations following the completion of the National Inventory of Architectural Heritage (NIAH).”*

**Policy AR5: Building of Heritage Interest** states the following:

*“It is Council policy to:*

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of a streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.*
- ii. Identify buildings of vernacular significance with a view to assessing them for inclusion in the Record of Protected Structures.”*

The proposed development responds to the site’s built heritage through sensitive design and robust and detailed assessment in respect of the heritage assets on site. The proposed development has been assessed from an architectural and archaeological perspective, as contained within the Archaeological and Cultural Heritage and Architectural Heritage Chapters of the EIAR. Furthermore, the planning documentation acknowledges the ‘proposed protected structure’ status of a number of the buildings within the wider site boundary and assesses them accordingly. Having regard to the aforementioned assessments, we conclude that the proposed development aligns with the overarching policy themes contained at Chapter 6 of the Development Plan.

#### **4.9 Community Strategy**

Chapter 7 of the Development Plan has regard to social infrastructure and community development and contains a number of overarching policies which are relevant to the proposed development. In this section, we confirm compliance with the following policies which are addressed in greater detail within the wider planning application documents.



**Policy SIC3: Universal Access** states the following:

*“It is Council policy to promote and support universal design whereby all environments can be used to the greatest extent possible by all people, regardless of age, ability or disability.”*

**Policy SIC4: Safer Living Environment** states the following:

*“It is Council policy to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County.”*

**Policy SIC6: Community Facilities** states the following:

*“It is Council policy to support the development, improvement and provision of a wide range of community facilities distributed in an equitable manner throughout the County.”*

**Policy SIC10: Health Care Facilities** states the following:

*“It is Council policy to support the Health Service Executive and other statutory and voluntary agencies in the provision of appropriate healthcare facilities - including the system of hospital care and the provision of community-based primary care facilities, mental health and wellbeing facilities. It is Council policy to encourage the integration of appropriate healthcare facilities within new and existing communities.”*

**Policy SIC11: Childcare Facilities** states the following:

*“It is Council policy to encourage the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. The Council will encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.”*

The proposed development comprises 3,889 sq m of non-residential floorspace which includes a medical centre and community centre facility comprising a multi-purpose hall, changing rooms, meeting rooms, storage and associated facilities. The submission is also supported by a *Social Infrastructure Audit*, prepared by Tom Phillips + Associates, which demonstrates that there is sufficient social infrastructure in the surrounding area to support the proposed development. Furthermore, from a universal access perspective, the planning application submission is supported by a Universal Access Statement, prepared by Reddy A + U which confirms that the development will comply with Part M from a universal design perspective. On this basis, we conclude that the proposed development aligns with the overarching policy themes contained at Chapter 7 of the Development Plan.



#### 4.10 Principles of Development

Chapter 8 of the Development Plan has the stated aims of ensuring orderly and sustainable development through the use of objectives and standards for development management. Development standards pertinent to the subject site are summarised below.

##### 4.10.1 Urban Design Principles

**Policy UD1: Urban Design Principles** of the Development Plan states the following:

*“It is Council policy to ensure that all development is of high-quality design that assists in promoting a ‘sense of place’. The Council will promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.”*

The proposed development complies with the ‘Urban Design Manual – A Best Practice Guide’ (2009), and the ‘Design Manual for Urban Roads and Streets’ (2013). ILTP has prepared the enclosed *DMURS Compatibility Statement*, dated March 2022 which confirms compliance with same.

##### 4.10.2 Design Statements

**Policy UD2: Design Statements** of the Development Plan requires the preparation of Design Statements for residential developments:

*“It is Council policy that, for all medium-to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as required by the Planning Authority) a ‘Design Statement’ shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the ‘Urban Design Manual – A Best Practice Guide’ (DoEHLG, 2009).”*

In accordance with this policy, Reddy Architecture + Urbanism has prepared a detailed *Architectural Design Report*, dated March 2022 in respect of the proposal, which, *inter alia*, demonstrates that the layout and design of the proposed development conforms with best practice.

##### 4.10.3 Public Realm Design

**Policy UD3: Public Realm Design** of the Development Plan states the following in respect of public realm:

*“It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced*



*public realm and should demonstrate that the highest quality in public realm design is achieved.”*

The proposed development will result in the redevelopment of a publicly owned underutilised site. It will provide enhanced public realm, especially at the Dundrum Road boundary where the removal of a notable section of the existing perimeter wall will activate the street and significantly enhance the relationship between the application site and the existing public realm. The design of the proposed buildings has also maximised the amount of active frontage at ground floor level to ensure natural surveillance and a positive relationship between the buildings and proposed public realm.

In addition to this, the proposed development provides a number of new access points and connections between the application site and surrounding streets, enhancing the permeability of the public realm within the surrounding area. Importantly, the proposed development will also provide a significant quantum of public open space which incorporates large areas of green space, existing mature landscape features and shared surface/hard landscaped areas.

In accordance with this policy, Aecom has prepared a report titled *Landscape Architecture and Public Realm Design Concept Report* dated March 2022, which illustrates the range of design measures proposed to ensure that the development complements the surrounding area and contributes positively to an enhanced public realm.

#### 4.10.4 Shared Space Layouts

**Policy UD5: Shared Space Layouts** of the Development Plan states the following:

*“It is Council policy to promote safer and more attractive streets and public realm for all road users throughout the County by pro-actively engaging with, and adhering to, the ‘shared space’ concept and guidance set out in the ‘Design Manual for Urban Roads and Streets’ (2013).”*

The proposed development includes a number of shared streets/ homezones which provide an environment which is pedestrian focused. We further confirm that the proposed development, including the shared streets/ homezones have been designed in line with DMURS principles, as outlined in the *DMURS Compatibility Statement*, prepared by ILTP.

#### 4.10.5 Building Height Strategy

**Policy UD6: Building Height Strategy** of the Development Plan states the following in respect of building height:

*“It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County.”*

Appendix 9 ‘Building Height Strategy’ further details Development Plan policy in relation to building height.

In relation to a ‘Residual Suburban Area’ (i.e. those areas not already included within the boundaries of the cumulative control area identified in section 4.7 of the Strategy), section 4.8 of the Building Height Strategy states:

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

Section 4.8. further states:

*“This maximum height (3-4 storeys) for certain developments clearly cannot apply in every circumstance. There will be situations where a minor modification up or down in height could be considered. The factors that may allow for this are known as ‘Upward or Downward Modifiers’. There will be occasions where the criteria for Upward and Downward Modifiers overlap and could be contradictory, for instance: when in close proximity to both a DART station yet within the Coastal Fringe. In this kind of eventuality a development’s height requires to be considered on its own merits on a case-by-case basis. The presumption is that any increase or decrease in height where ‘Upward or Downward Modifiers’ apply will normally be one floor or possibly two.”*

The Strategy acknowledges that greater height could be provided on lands that are in close proximity to high quality public transport nodes, where the development would contribute to the promotion of higher densities in the area. It further notes that sites of 0.5ha or more could set their own context and may have potential for greater height away from boundaries with existing residential development.

We have applied the ‘Upward Modifiers’ outlined in Section 4.8.1 of the Building Height Strategy to the proposed development.

**Table 4.1: Assessment against criteria in respect of Upward Modifiers outlined in the Building Height Strategy**

Upward Modifier Criteria	Scheme Compliance with Criteria
<p>a.) The development would create urban design benefits, for example:</p> <ul style="list-style-type: none"> <li>• It would enclose main public or green spaces to their benefit,</li> <li>• It would enclose a main street or mark a major cross-roads and/or transport interchange to the benefit of the legibility, appearance or character of the area,</li> <li>• It would beneficially frame an important view</li> </ul>	<p>The proposed development will open up a currently insular site which is inaccessible to the public and provide a new residential community, associated community facilities and a significant quantum of public open space. In our view, as well as delivering significant planning gain, the proposed scheme strikes an appropriate balance between the delivery of housing and compact growth, as required by national and regional policy, and a sensitive response to the existing built and natural heritage that characterises the lands.</p> <p>The proposed development includes a number of new pedestrian and cycle links which provide connection between the subject lands and the surrounding area. Given the current insular nature of the lands, the proposed connectivity</p>



	<p>results in a significant enhancement to permeability in the local area.</p> <p>Having regard to the above, we consider that the proposed development would give rise to urban design benefits.</p>
<p><b>b.)</b> The development would provide major planning gain, such as:</p> <ul style="list-style-type: none"> <li>• Significant improvements to the public realm,</li> <li>• The provision or significant enhancement of a public transport interchange,</li> <li>• The provision of new or improved transport infrastructure.</li> </ul>	<p>As set out above, the proposed development will open up a currently insular site which is inaccessible to the public and provide a new residential community, associated community facilities and a significant quantum of public open space.</p> <p>The redevelopment of the lands, in addition to providing the planning gain referred to above, will activate the site and result in a positive interface between the site and the surrounding lands. The proposals to sensitively remove sections of perimeter wall are considered to result in significant improvements to surrounding public realm.</p>
<p><b>c.)</b> The development would have civic, social or cultural importance, for example:</p> <ul style="list-style-type: none"> <li>• It would provide new facilities or enhance existing facilities in such fields as culture, education, leisure or health,</li> <li>• It would provide or enhance public space or social facilities especially in areas where such facilities are deficient,</li> <li>• It would enable important cultural, historic or archaeological sites, landscape and natural features or trees to be retained and enhanced.</li> </ul>	<p>The proposed development has civic, social and cultural importance arising from the significant number of new houses proposed, the non-residential uses, including a new community centre, medical centre, childcare facility and a significant quantum of high quality public open space for both the future residents and the existing local community.</p> <p>In this regard, we also note the new positive interface between the subject lands and Rosemount Green at this location which is facilitated by the proposed removal of a significant section of perimeter wall. The enhanced permeability in this location will provide for an increased movement and fluidity of pedestrians and cyclists between the two public spaces, providing greater opportunities for a range of users and activities. The proposed open space, together with its connectivity with the existing open space to the south, will significantly enhance the green infrastructure network in the local area.</p> <p>Furthermore, in addition to this, the site layout and landscape proposals have been designed to protect the setting of the heritage buildings, as well as ensure a positive relationship between the new built form and the existing historic landscape. Existing landscape features such as trees, the walled garden and open parkland are incorporated into the Masterplan and SHD proposal which, in addition to protecting the site's natural assets, ensures that the open character of the lands is retained.</p>



<p><b>d.)</b> The built environment or topography would permit higher development without damaging the appearance or character of the area, for example:</p> <ul style="list-style-type: none"> <li>• In an area where the location or scale of existing buildings would allow the recommended height to be exceeded with little or no demonstrable impact on its surroundings,</li> <li>• In a dip or hollow, behind a rise, or near a large tree screen, where the impact of a higher building would have little or no additional impact on its surroundings</li> </ul>	<p>The proposed development ranges between 2 and 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor) in height and has been designed to sensitively respond to the site’s heritage buildings, the surrounding neighbouring development and the Institutional objective policy requirement to retain the open character of the lands.</p> <p>The lower building heights are located towards the edge of the site, contributing to a sensitive transition between the surrounding existing development, which is predominantly two storey in height, and the proposed 6 storey buildings.</p> <p>The enclosed Townscape and Visual Impact Assessment (TVIA) (contained at Chapter 13 of the EIAR) concludes that the proposed development, through the introduction of new mid to large scale buildings, together with the changes to the wider landscape/ open space, would result in a substantial change to the lands in townscape and visual terms. Positively, the TVIA acknowledges the retention of key site features, for example, the main heritage buildings, the walled garden and the mature trees (in their majority). In terms of the relationship of the proposed development with the surrounding area, the TVIA states that the currently completely insular site will be transformed into a modern, outwardly bold, high density residential development. It then goes onto conclude that the townscape impact of the development is deemed to be moderate/ positive.</p>
<p><b>e.)</b> A development would contribute to the promotion of higher densities in areas with exceptional public transport accessibility, whilst retaining and enhancing high quality residential environments. (Areas with exceptional public transport accessibility are defined as areas within a 500m walkband on either side of the Luas corridor, a 500m walkband around the DART stations, a 500m walkband on either side of the N11 and 100m walkband on either side of a QBC). Densities should be higher adjacent to these corridors and nodes and grade down towards neighbouring areas so that they are lower in close proximity to residential areas.</p>	<p>The subject site is located approx. 450 meters (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours. As well as providing a direct route into Dublin city centre, the Luas provides a direct route into Dundrum Town Centre, albeit just one stop to the south.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals.</p>
<p><b>f.)</b> The size of a site, e.g. 0.5ha or more, could set its own context for development and may have potential for greater building height away from boundaries with existing residential development.</p>	<p>The application site is significant in scale given its siting in an existing built-up area and therefore has the potential to set its own context for development. The proposed building height strategy builds upon this and places the taller elements of the scheme in less sensitive locations, with two storey building</p>



	<p>heights adjacent to the neighbouring low rise development.</p> <p>Refer to the TVIA (at Chapter 13 of the EIAR) for further details in this regard.</p>
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Furthermore, we note the applicability of the ‘downward modifiers’ contained at Section 4.8.2 of the Building Height Strategy. Downward modifiers are considered to apply to the development where it would have the potential to adversely affect “residential living conditions through overlooking, overshadowing or excessive bulk and scale” and “..the setting of a Protected Structure” (point no. 1 and 2 of the Downward modifier criteria, respectively). In regard to downward modifiers in respect of protected structures, we note that it is Council policy to:

*“It is Council policy to protect its outstanding architectural heritage through Architectural Conservation Areas. Key objectives are to enhance and protect architectural conservation areas, heritage sites, Protected Structures and their settings. New developments should respond to local character and protect and enhance the built heritage, and new buildings should not have an adverse effect in terms of scale, height, massing, alignment and materials.”*

The proposed development ranges between 2 and 6 storeys in height (with 7 storey elements at Block 03 and 10 due to lower ground floor). In our opinion, allowing for the ‘upward modifiers’ that could be applied to this development site, a maximum height of 6 storeys could be permissible at the site when considered in the context of the Development Plan. We acknowledge the importance of locating such height at appropriate locations, having regard to the applicable ‘downward modifier’ highlighted above. It is our view that the proposed design strategy, and importantly, the building height strategy, sensitively responds to the immediate setting of the proposed protected structure through a reduced scale of built form. We further consider that the proposed separation distances ensure that the new built form responds sensitively to the Main Hospital Building and its setting. Similarly, the proposed building height strategy has been designed to mitigate significant adverse impact upon neighbouring amenity, with the height tapering from 5-6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor) at the more central parts of the site, tapering to 2-3 storeys towards the site boundary.

It is however acknowledged that the application of the upward and downward modifiers is subject to a degree of subjective assessment, leaving the potential for a decision maker to reach a different conclusion surrounding the application of the modifiers.

Having regard to the above, and given that the proposed development exceeds the general height restriction of 3-4 storeys for a ‘Residual Suburban Area’, we address the issue of building height as a material contravention within the enclosed *Material Contravention Statement*, prepared by Tom Phillips + Associates.

As part of this (and in Section 3.11 of this Statement), we have demonstrated the acceptability of the building height proposed, having regard to the provisions of the Building Height Guidelines (2018) (specifically SPPR 3). Furthermore, we note that the proposed development includes a series of new buildings (blocks) planned in a Masterplan context across the application site. The building height strategy adopted in respect of the proposed development generally includes the tapering of height at the site edges (2-3 storeys), where



in close proximity to existing neighbouring development, with the increased heights centrally located within the site, where furthest from existing development.

The design strategy in respect of building height is to taper heights around the edge of the site in closest proximity to existing residential properties in order to minimise potential impacts on the residential amenities of these properties in relation to potential overlooking, overshadowing and overbearing impact.

In conclusion, in our view, the proposed building height is acceptable and appropriate having regard to the surrounding existing context. Refer to the conclusions of the TVIA (Chapter 13 of the EIAR and the Daylight and Sunlight Assessments for full details surrounding the acceptability of the proposal in this regard.

#### 4.10.6 Urban Tree Planting

**Policy UD7: Urban Tree Planting** of the Development Plan states the following:

*“It is Council policy to promote urban tree planting throughout the County in accordance with the provisions of ‘dlr TREES: A Tree Strategy for Dún Laoghaire-Rathdown 2011 – 2015’ and to preserve existing trees where possible and appropriate.”*

The planning application submission is supported by a full *Arboricultural Assessment* which seeks to protect the existing mature trees that strongly contribute to the special characteristics of the subject site. Further to this, the proposed development includes the planting of a number of new trees, detailed in the *Landscape Architecture + Public Realm Design Report*, prepared by Aecom. We consider that the proposal aligns with the objectives of this policy.

#### 4.11 Development Management – Residential Development

At the outset of Chapter 8, the Development Plan states the following:

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

*The DoECLG Apartment Guidelines contain certain ‘Specific Planning Policy Requirements’ which became mandatory on foot of the Planning and Development (Amendment) Act 2015 that was signed into law by the President on 29th December 2015. The ‘Specific Planning Policy Requirements’ set out in the DoECLG Apartment Guidelines take precedence over the Dún Laoghaire-Rathdown standards and specifications as set out in Section 8.2.3.3 of the 2016 – 2022 County Development Plan.”*



We note that the 2015 Apartment Guidelines as listed above have since been superseded by the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018) (amended in 2020)*. Whilst we consider the above statement to apply to the updated standards too, contraventions in respect of Section 8.2.3.3 of the Development Plan are addressed in the *Material Contravention Statement* accordingly.

#### 4.11.1 Dwelling Size and Mix

Section 8.2.3.2(i) of the Development Plan requires that residential schemes provide a range of housing types and sizes, particularly having regard to the County's higher than national average proportion of population aged over 65, and the need to encourage mobility in the housing market.

In accordance with the Development Plan, a variety of dwelling unit types and sizes are proposed as part of the scheme, which will be suitable for a variety of household types. The scheme has also been designed to cater for the possibility of future conversion to age appropriate living.

Furthermore, the proposed development will be 100% affordable housing, with 20% delivered under Part V, and the remaining 80% delivered in line with the LDA Act 2021.

#### 4.11.2 Residential Density

Section 8.2.3.2(ii) of the Development Plan states that site densities should be determined with reference to the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009)*.

The *Development Plan* states *inter alia*:

*“As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location and accessibility to public transport.”*

The proposed development will have a net residential density of 150 units per hectare (gross residential density of 102 units p/ha).

The locational characteristics of the site in the context of residential density is further discussed in relation to national guidelines and Policy RES5 in Section 3.3, 3.5 and 4.3.1 of this Statement.

This is appropriate for the application site, having regard to *National Planning Framework*, and the Apartment Guidelines which promotes higher residential densities at well located, serviced urban locations.

#### 4.11.3 Private Open Space – Houses

Section 8.2.3.2(iv) of the Development Plan states:



*“All houses (terraced, semi-detached, and detached) should have an area of private open space behind the front building line. The private open space standards to be applied in new residential developments in Dún Laoghaire-Rathdown are set out in Section 8.2.8.4 (i) below.”*

Each of the proposed houses within the development are provided with private gardens behind the front building line. The quantum of private open space for houses is provided in Section 4.12.2 below.

#### 4.11.4 Refuse Storage and Services

Section 8.2.3.2(v) of the Development Plan requires that adequate refuse areas are provided.

Refuse storage has been designed in consultation with AWN who have been appointed to provide the Waste Chapter of the EIAR. As part of this, we confirm that each residential unit will have adequate storage provision to facilitate the recycling policy of DLRCC and each building will have access to their own respective bin store (including provision for non-residential uses).

We further confirm that waste areas are easily accessible for residents/ occupiers and refuse collectors. The waste storage facility will also be adequately ventilated to minimise odours and potential nuisance from vermin/fly and ensuring the avoidance of nuisance for habitable rooms above. Waste storage issues have been considered at the initial apartment design stage to ensure access for all, including people with disabilities. Sufficient access and egress is provided to enable receptacles to be moved easily from the storage area to an appropriate collection point within the site.

The proposed development therefore complies with the Development Plan in this regard.

#### 4.12 Apartment Development

Section 8.2.3.3 of the Development Plan states that apartment developments should be of high-quality design and site layout having due regard to the character and amenities of the surroundings. We confirm that this is the case, as demonstrated in the application of the standards below.

The Apartment Guidelines (2018) (updated in December 2020) provide a number of Specific Planning Policy Requirements (SPPRs) and standards, including certain minimum and maximum standards for apartment units. We note that where any conflict arises between an SPPR and the Development Plan, the Guidelines supersede the Development Plan. Notwithstanding this, any contraventions identified are addressed accordingly in the enclosed *Material Contravention Statement*.

The enclosed *Housing Quality Assessment*, dated May 2021, prepared by Reddy Architecture + Urbanism, demonstrates compliance with the relevant standards both for houses and apartments.



#### 4.12.1 Design Standards

Section 8.2.3.3(i) of the Development Plan states that all apartment developments shall accord with or exceed all aspects of Government Guidance in relation to residential development best practice.

In this regard, we confirm that the proposed development complies in full with the relevant national guidelines in respect of residential development and other technical assessments such as flood risk assessment. From the residential perspective, this has been demonstrated in this Statement and further within the *Planning Report*, *Material Contravention Statement* and *Housing Quality Assessment*.

#### 4.12.2 Dual Aspect

Section 8.2.3.3(ii) of the Development Plan states:

*“Apartment developments are expected to provide a minimum of 70% of units as dual aspect apartments. North facing single aspect units will only be considered under exceptional circumstances. A relaxation of the 70% dual aspect requirement may be considered on a case-by-case basis where an applicant can demonstrate, to the satisfaction of the Planning Authority, that habitable rooms of single aspect units will be adequately served by natural light and/ or innovative design responses are used to maximise natural light.”*

The apartment component (including duplex units) of the proposed development comprises 52% dual aspect units. The *Housing Quality Assessment* provides further detail in this regard. This falls below the minimum of 70% dual aspect apartment units as required by Section 8.2.3.2 of the Development Plan. On this basis, we highlight this as a material contravention of the Development Plan. Refer to the *Material Contravention Statement* for full details in this regard.

#### 4.12.3 Mix of Units

Section 8.2.3.3(iii) of the Development Plan, states:

*“Mix of Units – Apartment developments should provide a mix of units to cater for different size households, such that larger schemes over 30 units should generally comprise of no more than 20% 1 bed units and a minimum of 20% of units over 80 sq m. Schemes with less than 30 apartments will be assessed on a case-by-case basis according to their unit numbers, configuration and location but should generally accord to a percentage ratio of 40/40/20% mix for 1/2/3+ bedroom units respectively. Some one-bed or two-bed units could be provided on the ground floor to potentially cater for elderly people ‘downsizing’ from more traditional housing types and should, where possible, have direct access onto public open spaces.”*

The proposed development comprises of 977 no. residential units; 940 no. apartments, 17 no. duplex units and 20 no. houses. The below table sets out the unit mix relating to the apartment component of the scheme, inclusive of the duplex units.

**Table 4.2: Proposed apartment development unit mix.**

	Apartments	Duplexes	Total	
Studio	53		53 (5.5%)	
1 bed	423		423 (44%)	
2 bed (3 person)	37		357 (37.3%)	
2 bed	317	3		
3 bed	110	14	124 (12.9%)	124 (12.9%)
4 bed			0	
	<b>940</b>	<b>17</b>	<b>957</b>	

The percentage of 1 no. bedroom units contained within the proposed apartment development (44%) (49.4% including studio units) exceeds the general maximum of 20% 1 no. bedroom units set out by Section 8.2.3.3 of the Development Plan. Notwithstanding that the Apartment Guidelines supersede the housing mix requirement set out in Section 8.2.3.3(iii) of the Development Plan (as stated at Section 4.10 of this Statement), we note this as a material contravention of the Development Plan. We provide detailed justification for this material contravention within the enclosed *Material Contravention Statement*.

We do however note that the proposed development meets the further housing mix Development Plan requirement in respect of housing mix for a minimum of 20% of units to be over 80 sq m.

#### 4.12.4 Separation between Blocks

Section 8.2.3.3(iv) of the Development Plan, states:

*“All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.*

*The minimum clearance distance of circa 22 metres between opposing windows will normally apply in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable.”*

The proposed design strategy has sought to maximise separation distances between opposing windows to ensure a high standard of residential accommodation within the scheme and also mitigate adverse impact upon neighbouring development. There are however a number of instances where the separation distances between opposing windows, both within and outside of the development, fall below 22 metres.

Whilst we identify this as a material contravention of the Development Plan (refer to the *Material Contravention Statement* for further detail), we confirm that despite the reduced separation distances, the design strategy, which includes stepped height in places and staggered windows, ensures that the proposed development does not give rise to unacceptable impact upon the proposed standard of accommodation or surrounding neighbouring amenity. The results of the daylight, sunlight and overshadowing assessments are considered to evidence the above position, demonstrating that in the very few instances where the BRE Guideline target values are not met, the impact is minor in nature.

#### 4.12.5 Internal Storage

Section 8.2.3.3(v) of the Development Plan, states that internal storage standards for apartments shall accord with or exceed the levels outlined in Table 8.2.1, an extract of which is provided below.

Table 8.2.1: Minimum storage space requirements	
One Bedroom	3 sq.m.
Two Bedroom	7 sq.m.
Three Bedroom	9 sq.m.

**Note:** No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit.

Figure 4.3: Extract from Table 8.2.1 of the Development Plan.

In this regard, the proposed apartment component of the development has been designed in accordance with the Apartment Guidelines. We note that the storage requirements for one bedroom and three bedroom units are the same in both the Apartment Guidelines and the Development Plan. These units therefore comply with the storage requirements set out in Table 8.2.1 of the Development Plan.

However, as set out in the *Housing Quality Assessment (HQA)*, prepared by Reddy A+U, the two bedroom units have been designed in accordance with the Apartment Guidelines standard, opposed to the Development Plan requirement set out in Table 8.2.1. The proposed storage provision for the two bedroom apartment units therefore falls short of the Development Plan requirements in this regard and is identified as a material contravention, notwithstanding that the Apartment Guidelines supersede the housing mix requirement set out in Section 8.2.3.3(v) of the Development Plan (as stated at Section 4.10 of this Statement). Refer to the *Material Contravention Statement* for further details.

#### 4.12.6 Penthouse Development

Section 8.2.3.3(vi) of the Development Plan states the following:

*“The addition of a penthouse level – which typically consists of high-quality roof level living accommodation in an apartment development - may be acceptable where living space constitutes the equivalent of one storey and is set back from the edge of the building. A penthouse level should have regard to the overall design of an apartment*

*block and should be finished with high quality materials and not have a negative visual impact on the skyline and/or streetscape (Refer also to the Building Height Strategy set out in Appendix 9)."*

Blocks 7 and 10 have set back levels which could be considered to constitute penthouse development. Having regard to the justification set out in respect of building height and quality in earlier sections of this Statement, we conclude that the proposed development complies with Section 8.2.3.3(vi) in this regard.

#### 4.12.7 Minimum Apartment Floor Areas

Section 8.2.3.3(vii) of the Development Plan states that all apartment developments shall accord with or exceed the prescribed National Guidelines for minimum overall apartment floor areas, as set out in the Table 8.2.2. below.

<b>One Bedroom</b>	55 sq.m.
<b>Two Bedroom</b>	85 - 90 sq.m.
<b>Three Bedroom</b>	100 sq.m.

Figure 4.4: Extract from Table 8.2.2 of the Development Plan.

All of the proposed units (except for those that have been designed to exceed the minimum floor areas set out in Apartment Guidelines in order to comply with SPPR 3), fall short of the Development Plan minimum apartment floor areas as contained in Table 8.2.2 of the Development Plan. The *Housing Quality Assessment* (HQA) provides full details in terms of proposed apartment floor areas. We therefore identify a material contravention on the basis that the proposed apartment component of the development does not comply in full with the minimum standards set out in Section 8.2.3.3(vii) and Table 8.2.2 of the Development Plan. Notwithstanding this, we confirm that the standard of accommodation proposed by the apartment development is considered to be of a high quality given full compliance with the Apartment Guidelines and the wider social and amenity facilities proposed.

#### 4.13 Residential Development – General Requirements

##### 4.13.1 Habitable Room Sizes

Section 8.2.3.5(ii) of the Development Plan states that all habitable rooms for apartment development shall accord with the prescribed National Guidelines/ Standards.

As set out in the *Housing Quality Assessment*, the proposed development complies in full with this requirement.

##### 4.13.2 Phased Development

Section 8.2.3.5(iv) of the Development Plan states:

*“(iv) Phased Development*

*It is policy of the Planning Authority that no large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development. A phasing schedule for any such development shall be submitted with a planning application."*

The proposed development is supported by a phasing plan which, due to the scale of development proposed, breaks the delivery of the development down into phases. The submission includes a Phasing Drawing Dwg. No. DCD-RAU-02-SW\_ZZ-DR-A-1006 'Site Plan, Phasing Plan, SHD' that illustrates the proposed phases.

Further to this, the *Construction Environmental Management Plan* (CEMP) provides a detailed overview of the construction phasing, as set out below.

Phase	Description	*Approx % of the total Development	Estimated Construction Period (Months)
1	Block 10	16%	18
2	Blocks 02	13%	17
3	Blocks 03, 04, & 05 and the walled garden.	38%	20
4	Blocks 06 & 07 and the community park.	28%	23
5	Blocks 08 & 09	5%	10
Total 977 residential units + Other uses.		100%	76**
<small>*Measured by unit numbers. **The construction of the clusters overlap.</small>			

**Figure 4.5: Extract from the CEMP prepared by BMCE showing the phasing strategy for the proposed development.**

Further to the above, the CEMP also confirms that Phase 01 includes the following:

- *Block 10: 158 no. apartments including half-basement car parking and a creche.*
- *Entrance road from Dundrum Road and pedestrian and cycle paths crossing the site to Rosemount Park. This pedestrian and cycle route may be in a temporary location during construction of all phases depending on construction requirements and access.*
- *Second access road off the Dundrum Road.*

Having regard to components included within Phase 01, we confirm that the delivery of key infrastructure, including vehicular, pedestrian and cyclist routes is prioritised in the early phases of development. Furthermore, the delivery of the majority of the social infrastructure will align with the delivery of the majority of the residential development, with Block 10 and the creche coming forward in advance of that. Lastly, we confirm that all piped infrastructure and services will be delivered on a site wide basis as enabling works prior to Phase 01. In addition to this, we note that the subject site is located in a well-established and serviced urban area, which benefits from a wide range of social infrastructure and amenities, including schools, local retail and sports facilities. In our opinion the proposed phasing strategy accords with Section 8.2.3.5 of the Development Plan.

## 4.14 Sustainable Travel and Transport

### 4.14.1 Transport related documentation

In line with Section 8.2.4 of the Development Plan, we confirm that this planning application submission is supported by the following documents:

- A Statement confirming DMURS compliance;
- A Traffic and Transport Assessment;
- A Mobility Management Plan;
- A Public Lighting Plan and Details; and
- Construction Environmental Management Plan.

### 4.14.2 Car Parking Standards

#### *Residential Car Parking Provision*

Table 8.2.3 of the Development Plan stipulates car parking standards for residential development. We note that the application of the car parking standards is “*dependent upon design and location*”.

Land use	Standards
Residential Dwelling	1 space per 1-bed unit and per 2-bed unit 2 spaces per 3-bed unit+ (depending on design and location).
Apartments, Flats, Sheltered housing	1 space per 1-bed unit 1.5 spaces per 2-bed unit 2 spaces per 3-bed unit+ (depending on design and location)

Figure 4.6: Extract from Table 8.2.3 ‘Residential Land Use – Car Parking Standards’ of the Development Plan.

Below is a full breakdown of the proposed residential car parking provision for the development.

Table 4.2: Detailed breakdown of the proposed residential car parking provision.

Proposed Unit Type/ Land Use	Size/ No. of Units	DLRCC Parking Standards	DLRCC Parking Requirement	Proposed Car Parking Allocation	Proposed Car Parking Provision
1 bed studios and apartments	476	1 space per unit (standard)	476	0.15 spaces per unit	<b>73</b>
2 bed apartments and duplex	357	1.5 spaces per unit	536	0.5 spaces per unit	<b>171</b>
3 bed apartments and duplex	124	2 spaces per unit	248	1 space per unit	<b>132</b>



3 bed houses	7	2 spaces per unit	14	1 space per unit	7
4 bed houses	13	2 spaces per unit	26	1.5 spaces per unit	20
<b>Allocated Residential Subtotal</b>	<b>977</b>		1,300		<b>402</b>
Additional 15% of Residential Parking for Visitor Parking					62
12 no. Car Club					12
15 no Travel Club					15
<b>Total Residential Car Parking</b>	<b>977</b>			<b>0.50</b>	<b>489</b>
Total Residential Motorcycle Parking			4 per 100 car parking spaces	5% of Residential Units	49
Disabled Parking			4% of total spaces	4% of total spaces	4% of total spaces

Having regard to the proposed car parking provision set out in Table 4.2 above, we note that the residential parking provision falls short of the standards prescribed for residential dwellings and apartments.

In this regard, we refer to Section 8.2.4.5 of the Development Plan which sets out further commentary in relation to car parking standards which includes provision for reduced car parking standards for development, dependent upon consideration against a number of criteria. In addition to this, we demonstrate that the Apartment Guidelines also provide for reduced car parking provision in appropriate locations. This is addressed after we deal with the provision of Section 8.2.4.5 of the Development Plan below.

#### ***Policy support for reduced car parking provision***

Section 8.2.4.5 of the Development Plan provides for reduced car parking standards and provides the following criteria.

*“Reduced car parking standards for any development (residential and non-residential) may be acceptable dependant on:*

- *The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/business areas.*
- *The proximity of the proposed development to public transport.*
- *The precise nature and characteristics of the proposed development.*
- *Appropriate mix of land uses within and surrounding the proposed development.*



- *The availability of on-street parking controls in the immediate area.*
- *The implementation of a Travel Plan for the proposed development where a significant modal shift towards sustainable travel modes can be achieved.*
- *Other agreed special circumstances where it can be justified on sustainability grounds.*

Whilst the proposed development does not comply in full with the numerical car parking standards set out in the aforementioned tables contained within the Development Plan, below we address the criteria set out by Section 8.2.4.5 which provides a flexibility clause surrounding the provision of reduced car parking standards. In our view, the proposed development accords with the vast majority of the listed criteria and justifies the proposed reduced quantum of car parking.

**Table 4.3: Applicant’s Response to Section 8.2.4.5 of the Development Plan in respect of reduced car parking provision.**

Criteria for reduced car parking standards under Section 8.2.4.5 of the Development Plan	Justification surrounding compliance of the proposed development.
<p>The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/business areas.</p>	<p>As existing, the application site is located approximately 1,600 metres from Dundrum Town Centre, a Town Centre and significant employment location. With the proposed development in place, which includes a number of new pedestrian and cyclist access points, the distance to Dundrum Town Centre will reduce to 1,400 metres.</p> <p>Dundrum Business Park, a large employment location, is also approximately 210 metres to the north of the site.</p> <p>There are also a number of schools in close proximity, namely, Our Lady’s National School, Jesus and Mary College, Our Lady’s Grove and Our Lady’s Grove Primary School which jointly would employ a notable number of people within the County.</p> <p>Whilst approximately 2,500 metres from the site, University College Dublin (UCD) is within reasonable reach of the site and therefore considered relevant for the purposes of addressing this criteria. UCD, which is a significant employer and educational institute, can be reached by foot within approximately 30 mins and by bike within approximately 10 mins.</p> <p>We therefore conclude that the subject site is located in close proximity to a Town Centre and multiple employment destinations. Furthermore, we confirm that all employment</p>



	<p>locations and educational institutes referred to above are accessible via sustainable modes of transport as addressed below.</p>
<p>The proximity of the proposed development to public transport.</p>	<p>The subject site is located approx. 450 meters (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours. As well as providing a direct route into Dublin city centre, the Luas provides a direct route into Dundrum Town Centre, albeit just one stop to the south.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals.</p> <p>Further to this, the site is less than a 15 minute walk from Dublin Bus Routes on Goatstown Road which provides services into Sandyford Business District (a significant employment location) at 20 minute intervals.</p> <p>Notably, the 142 Dublin Bus Route provides services into UCD from Bird Avenue which is within a 10 minute walk of the site.</p> <p>We therefore conclude that the subject site is well connected by public transport to key employment and educational destinations, as well as providing access to surrounding social infrastructure. The public transport options in close proximity connect the site to a wide range of key destinations.</p>
<p>The precise nature and characteristics of the proposed development.</p>	<p>The mixed use nature of the scheme ensures the provision of local services and facilities required to support the future occupiers of the residential component of the development. The wider Masterplan proposal, which includes an Enterprise Centre (i.e. employment floorspace) and additional community uses, is considered to further contribute to the overall sustainability of the development from a reduced car parking perspective.</p> <p>In addition to this, the proposed car parking provision has been formulated having regard to the specific unit mix proposed. As a result, the proposed car parking ratio has been considered in the context of the number of larger units (i.e. 3 bedroom +) which are more likely to depend upon car ownership and parking.</p> <p>Furthermore, we note that the residential car parking spaces will be allocated in line with the management regime for the residential development. As part of this, parking spaces will</p>



	<p>be allocated at the contract stage in line with the car parking allocation ratios set out in the TTA.</p> <p>The development also includes significant amenity in the form of high quality public open space which integrates into the existing public open space to the south (Rosemount Green).</p> <p>Furthermore, in terms of sustainable modes of transport, the internal street layout and the provision of cycle and pedestrian connectivity through the site has been designed to promote sustainable travel patterns for both the existing and new community.</p> <p>The car parking proposals are also inclusive of a number of Car Club and Travel Club spaces, in addition to delivery and servicing bays which will facilitate online shopping etc. The cycle parking provision is extensive, including facilities for residents to service their bikes.</p> <p>In respect of the above, we confirm that the nature and characteristics of the proposed development support a lesser reliance on cars and contribute to the creation of a sustainable development, in transportation terms.</p>
<p>Appropriate mix of land uses within and surrounding the proposed development.</p>	<p>The proposed development will include for a variety of local facilities, which means that many services will be available within the development and within a short walk of the new residential development proposed. This will reduce the need to travel and also encourage more people to use local facilities.</p> <p>Further to this, we draw further attention to the proximity of the site to Dundrum Town Centre which provides a full range of retail and other services within walking distance.</p>
<p>The availability of on-street parking controls in the immediate area.</p>	<p>We note that there are a number of local streets in the surrounding area which are not subject to on-street parking controls. Whilst we acknowledge the potential for concern relating to the overspill of car parking from the development as a result of the reduced provision, we highlight that a number of mitigation measures are proposed, or embedded into the design strategy, to avoid unacceptable impact in this regard, having regard to the following: the proposed car parking management strategy, the special measures contained within the MMP, the locational characteristics of the site in the context of both public transport and significant employment locations, the specific nature and characteristics of the development, including its</p>



	mixed use nature and internal infrastructure to support cycling, walking and local services.
The implementation of a Travel Plan for the proposed development where a significant modal shift towards sustainable travel modes can be achieved	A <i>Mobility Management Plan</i> (MMP) prepared by ILTP is enclosed with this planning application. The MMP proposes special measures to enable modal shift towards sustainable travel modes.
Other agreed special circumstances where it can be justified on sustainability grounds.	The applicant, the LDA as a Government Agency, is committed to delivering a low carbon development with the emphasis on sustainable travel modes and reduced private car dependency in line with the strategic objectives of the National Planning Framework.  Further to this, we highlight a transition from more traditional commuting patterns to reduced commuting due to a greater prevalence of home-based working that is expected to continue post-covid. Reliance on car use/ ownership for commuting purposes is therefore also expected to be reduced.

We do however acknowledge that assessment against the criteria set out in Section 8.2.4.5, which provides for the flexible application of standards, is subject to the opinion of a decision maker surrounding whether the site and development qualify for reduced standards, in the context of the design and locational criteria. On the basis, that it is further acknowledged that there is the potential for the Board to reach a different conclusion surrounding compliance with the criteria, we highlight the proposed residential car parking provision, which falls below the numerical car parking standards set out in Table 8.2.3 of the Development Plan, as a material contravention. Refer to the enclosed *Material Contravention Statement* for full details.

In addition to the policy provision for reduced car parking in the Development Plan, the Apartment Guidelines support the provision of reduced car parking standards, given the locational characteristics of the site.

***Non-Residential Car Parking Provision***

Table 8.2.4 stipulates maximum car parking standards for non-residential development. Below is a detailed breakdown of the proposed car parking provision in respect of non-residential development.

**Table 4.4: Detailed breakdown of the proposed non-residential car parking provision.**

Proposed Unit Type/ Land Use	Size/ No. of Units	DLRCC Development Plan Parking Maximum Standards (For Designated areas along public transport corridors)	DLRCC Maximum Parking Provision	Proposed Car Parking Provision
Café	78 sq m	1 per 15 sq m GFA (max)	5.2	0
Medical 3 no. consulting rooms	245 sq m	2 spaces per consulting room	6	6
Restaurant	307 sq m	1 per 15 sq m GFA (max)	20.5	5
Retail (Blocks 03 and 07)	1,112 sq m	1 per 50 sq m GFA*	22.24	19
Community	1684 sq m	1 per 50 sq m GFA (max)	33.7	17
Creche	463 sq m	1 per staff member (including set down)	5 (+ set down)	11 (including 5 no. staff spaces and 3 drop off)
<b>Total Non-Residential Parking</b>	<b>3,889</b>		<b>127</b>	<b>58</b>
<b>Non-Residential Motorcycle Parking</b>		4 per 100 spaces		<b>21</b>
<b>Disabled Parking</b>				<b>4% of total</b>

The proposed non-residential parking provision does not provide the ‘maximum’ number spaces permissible by Table 8.2.4 but provides an appropriate number of spaces having considered the sites locational characteristics, the local scale and nature of the non-residential proposed and associated local catchment. It is therefore our view that the proposed development is acceptable in this regard.

#### ***Other parking requirements***

Further in line with Section 8.2.4.5 of the Development Plan, the proposal includes the provision of 4% of all parking spaces as accessible for disabled users and 1 fully equipped EV charging point per 10 residential units. The scheme has been further designed so that increased EV charging can be provided over time. It also provides for 4% of the car parking spaces to be reserved for parent and child parking.



In summary, the proposed development provides 547 No. car parking spaces (489 no. residential spaces and 58 no. non-residential spaces). The enclosed *Traffic and Transport Assessment* prepared by ILTP also addresses the proposed car parking provision.

In addition to the spaces referred to above, the proposed development includes a minimum of 10% of residential units as fully equipped with Electric Vehicle (EV) charging points. Provision will be made for all spaces to be EV compatible in the future. Furthermore, a total of 70 no. motorcycle spaces are proposed (5% of the number of residential units within the development, plus additional for the non-residential). Car share schemes, such as Go Car, will also be provided. Refer to Dwg. No. DCD-RAU-ZZ-SW\_ZZ-DR-A-1009 for full details of car parking provision.

As also noted within the enclosed *Traffic and Transport Assessment*, the proposed car parking provision does not fully accord with the Development Plan in that it provides a reduced car parking ratio of 0.5 spaces per residential unit (including the proposed visitor and non-residential spaces). This aligns with the LDA's commitment to deliver low carbon development with an emphasis on sustainable modes of travel and reduced private car dependency, as required by the strategic objectives of the National Planning Framework.

As set out previously in relation to density, the application site is well located in close proximity to high frequency public transport and within easy walking distance of Dundrum Town Centre and Dundrum Business Park, both significant employment locations. The proposed car parking provision (as demonstrated in the *Traffic and Transport Assessment*) has been allocated by unit type to ensure that parking is an option for potential occupiers (for example, families) with a wider range of travel needs and destinations. The proposed development is also supported by a *Mobility Management Plan* to ensure that a modal shift towards sustainable transport is supported by appropriate measures and realised.

Having regard to the factors set out above, we consider that the characteristics of the application site and proposed development lend themselves to reduced car parking provision. We therefore confirm that that proposed parking provision is acceptable in line with Section 8.2.4.5 of the Development Plan which provides for reduced car parking standards. Nevertheless, for the reasons outlined above, residential car parking is addressed in the *Material Contravention Statement* on the basis that the proposed provision falls short of the standards prescribed by Table 8.2.3 of the Development Plan.

#### **4.14.3 Parking and Loading Bays**

Section 8.2.4.6 of the Development Plan provides minimum dimensions for car parking and loading bays, including disabled and parent and child spaces. We confirm that the proposed development complies with Section 8.2.4.6 in this regard.

#### **4.14.4 Cycle Parking**

The location of the proposed cycle parking facilities is illustrated in the *Housing Quality Assessment* prepared by Reddy A+U. Details of compliance with the relevant policy requirements are set out below.

##### ***Residential Cycle Parking***

Dún Laoghaire-Rathdown County Council's *Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018)* outlines the bicycle parking for residential developments. In summary, 1 short stay (visitor) parking space per 5 units and 1 long stay parking space per unit is required, as per the below extract.

Table 4.1 Cycle parking for residential development		
Residential Development type	1 short stay (visitor) parking space per: (Minimum of 2 spaces)	1 long stay parking space per: (Minimum of 2 spaces)
Apartments, Flats, Sheltered housing	5 units	1 unit
Houses - 2 bed dwelling	5 units	1 unit
Houses - 3+ bed dwelling	5 units	1 unit
Sheltered housing	5 units	1 unit
Student Accommodation	5 bedrooms	2 bedrooms

**Figure 4.6: Extract from DLRCC's *Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018)* showing cycle parking requirements for residential development.**

Notwithstanding the above, we note that the Apartment Guidelines (2020) also refer to cycle parking. Whilst the cycle parking guidelines are not within a SPPR and remain at the discretion of the Planning Authority, we provide cycle parking provision in line with these higher standards. On this basis, the proposed development provides 1 no. space per bedroom and 1 no. visitor space per 2 no. apartments and therefore comply in full with the Apartment Guidelines.

Having regard to the above, the proposed development provides 1 no. cycle parking space per bedroom (long stay spaces) and 1 no. visitor parking space per 2 no. apartments (short stay) in line with the Apartment Guidelines. The total residential cycle parking provision will therefore be 1,670 no. long stay spaces and 516 no. short stay spaces (a total of 2,186 no. spaces).

Full details of the proposed cycle parking provision are set out in Section 5.8 of the *Traffic and Transport Assessment* and on Dwg. Nos. DCD-RAU-02-SW\_ZZ-DR-A-1053 and 1054. We confirm that from a quantum perspective, the proposed provision aligns with the Apartment Guidelines and therefore comprises 1 space per bed space, exceeding the Draft County Development Plan requirements. In terms of wider cycle facilities, refer to the *Housing Quality Assessment* that provides an audit of the proposed cycle facilities, demonstrating compliance with the Council's cycle standards.

The parking facilities are proposed in line with DLRCC's cycle parking requirements.

### **Non-Residential Cycle Parking Provision**

Dún Laoghaire-Rathdown County Council's *Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018)* also sets out cycle parking requirements for non-residential development. The relevant extracts are below:

Table 4.2 Cycle parking for non-residential development		
Development type	1 short stay (visitor) parking space per: (Minimum of 2 spaces)	1 long stay parking space per: (Minimum of 2 spaces)
Auditorium, Theatre, Cinema	10 seats	5 Staff
Amusement Centre, Entertainment	10 visitors	5 Staff
Bank, Building Societies, Estate Agents, Betting Shop	100m <sup>2</sup> GFA	5 staff
Bars, Lounges, Function Rooms, Dance Hall, Private Dance, Clubs, Discotheques, Night-club	100m <sup>2</sup> PFA	5 staff
Bowling Alley	Lane	Lane
Fast foods	50m <sup>2</sup> PFA	50m <sup>2</sup> PFA
Cafés, Restaurants	100m <sup>2</sup> PFA	5 staff
Childcare Services	10 children	5 Staff
Health Clinics and Group Medical Practices – doctor, dentist, vet, consultant	2 consulting rooms	5 Staff
Institutions, Community Centres, Library, Museum, Art Gallery	100m <sup>2</sup> GFA	5 Staff
Retail – Food (supermarkets)	100m <sup>2</sup> GFA	5 staff
Retail – Comparison	100m <sup>2</sup> GFA	5 Staff
Retail – Shopping Centres and Stores	100m <sup>2</sup> GFA	5 staff

**Figure 4.7: Relevant Extracts from DLRC’s Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018) showing cycle parking requirements for non-residential development.**

For the non-residential component of the development, 110 no. long stay spaces and 78 no. short stay spaces are proposed (a total of 188 no. spaces). As confirmed within the TTA, the proposed non-residential cycle parking provision complies in full with the Development Plan requirements in this regard.

#### 4.14.5 Motorcycle Parking

Section 8.2.4.8 of the Development Plan states that it is an objective of the Council to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces.

The proposed development provides a total of 547 no. car parking spaces (including visitor and car club) and 70 no. motorcycle spaces. We therefore confirm that the proposal exceeds the minimum motorcycle parking standard.

#### 4.14.6 Access Across Public Open Space

Section 8.2.4.9(vi) of the Development Plan states:

*“The Planning Authority will not normally grant permission for a development which requires or entails vehicular access over public open space or a non-paved route. The applicant would be required to clearly indicate the necessary right of way or entitlement to carry out the proposed works.”*



The proposed development provides a number of openings within the boundary wall to enable permeability and connectivity with the surrounding area. The proposed works do not entail works beyond the Applicant's boundary and therefore do not conflict with this policy requirement.

We do note that the introduction of openings at the boundary wall will facilitate the movement of pedestrians across a non-paved route (Rosemount Green) into the proposed development site. In addition to confirming that no works are proposed to Rosemount Green, we note that Rosemount Green is in DLRC ownership and fully accessible to the public.

For the avoidance of doubt, no vehicular access across public open space or a non-paved route outside of the site boundary is proposed. We therefore confirm no conflicts with this policy.

#### 4.14.7 Design of Underground and Multi-Storey Car Parks

Section 8.2.4.10 of the Development Plan sets out a number of requirements in respect of underground car parks. The proposed podium parking is not directly akin to underground car parking but shares similar characteristics; we therefore set out a number of design considerations below which demonstrates that the proposed podium parking has been designed in line with best practice.

The majority of the car parking is provided by way of podium parking/ at half-basement level, whereby, alike underground parking, the parking is integrated within the building. It is confirmed that the car parks will be well-lit in line with Part M regulations and fully accessible to all users by ramp or lift. In terms of ventilation, we also confirm that the podium car parks are designed to meet the ventilation requirements set out in relevant Technical Guidance documents and associated Standards. Where natural ventilation is being provided, a minimum aggregate free area not less than 2.5% of its floor area will be provided on opposing elevations. All mechanical extract systems will achieve a minimum of 10 air changes per hour.

#### 4.14.8 Childcare Facilities – Parking/Access

Section 8.2.4.11 of the Development Plan states:

*“All pedestrian routes leading to a childcare facility from any parking area, play area, or nearby road and footpath shall be suitably designed to meet specified accessibility requirements in accordance with Part M of the Building Regulations. Car parking and cycle parking standards for childcare facilities are set out in the parking requirement tables above. Details of the number of staff, number of rooms and number of children with their age profile should be provided to allow a determination of parking requirements in accordance with the Department of Health and Children’s Childcare (Pre-School) Regulation’s requirements.*

*For new childcare facilities, the availability of existing on-street car parking spaces and any part-time hours of operation will be considered as part of the Development Management process.”*



The proposed childcare facility has been designed in accordance with the Tusla (2018) *Quality and Regulatory Framework: Full Day Care Service and Part-Time Day Care Service* which sets out design requirements for childcare provision. The breakdown of the proposed facility in terms of capacity and staff numbers is set out in Section 3.7 of this Statement. Further to this, we note that the proposed parking provision is set out in Section 4.9.2 of this Statement and confirms that 11 no. spaces in total are provided for the proposed childcare facility, which allows for staff parking and set down.

#### 4.14.9 Electrically Operated Vehicles

Section 8.2.4.12 of the Development Plan encourages the use of Electric Vehicles and states, in relation to residential development:

*“Residential developments (with private car spaces including visitor car parking spaces) - A minimum of one car parking space per ten residential units should be equipped with one fully functional Electric Vehicle Charging Point.”*

In relation to non-residential development, the Section 8.2.4.12 states:

*“Non-residential developments (with private car parking spaces including visitor car parking spaces e.g office developments) - A minimum of one car parking space per ten car parking spaces should be equipped with one fully functional Electric Vehicle Charging Point.”*

The proposed development provides Electric Vehicle Charging points at a rate of 1 per 10 units for the residential component (i.e. 98 no. spaces each equipped with a fully functional EV charging point) and 1 per 10 spaces for the non-residential component (i.e. 6 spaces equipped with one fully functional EV charging point). We further confirm that all residential car parking spaces are provided with ducting to allow the provision of future EV charging. The proposed development therefore complies with the Development Plan in this regard.

#### 4.14.10 Emergency Access

Section 8.2.4.15 of the Development Plan states:

*“In some circumstances large-scale developments, which could result in a significant level of peak and/or off-peak travel, and residential developments greater than 300 units shall provide for duplicate access or other means approved by the Planning Authority for emergency use/access. This shall also allow access for pedestrians and cyclists. The Councils Transportation Section will ascertain whether an additional access is required. This will be dealt with on a case-by-case basis through the pre-planning process.”*

The proposed development comprises two vehicular access points which will provide for emergency access, should it be required. The proposal therefore complies with the above.



## 4.15 Retail Development

### 4.15.1 Assessment of Retail Development Proposals

Section 8.2.6.1 of the Development Plan provides for the assessment of retail development proposals.

As stated in Section 4.5 of this Statement, while the proposed development includes a number of small retail units, we highlight that they have been proposed in order to provide for the development which will introduce a significant number of new people to the area. On this basis, it is not envisaged that the proposed retail units will serve a wider area or conflict with established retail provision. It is also noted that the type of retail provision proposed aligns with the land zoning objective which lists 'Shop-Neighbourhood' as Open for Consideration. We therefore conclude that the proposed development will not conflict with Section 8.2.6.1 of the Development Plan.

### 4.15.2 Convenience Shop

Section 8.2.6.3 of the Development Plan states the following:

*"A small/local convenience shop will be open for consideration within a residential area (lands zoned Objective 'A' – "To protect and/or improve residential amenity"). When assessing any such proposals, the Council will have regard to the distance from the proposed development to established local shopping facilities and to its impact on the amenity of adjoining dwellings. Local convenience shops shall not have a floorspace greater than 100 sq.m. net. (Refer also to Policy RET7, Section 3.2.2.7)."*

As stated above, the proposal includes a number of small retail units to serve the development, ranging between 78 sq m and 425 sq m. The proposed retail provision is considered to align with the land zoning objective which lists 'Shop-Neighbourhood' as Open for Consideration. In the definition of use classes, contained at Section 8.3.12 of the Development Plan, 'Shop-Neighbourhood' is defined as:

*"A neighbourhood shop is one which primarily serves a local community and does not generally attract business from outside that community. They will primarily serve a 'walk-in' population and will typically have limited carparking."*

We confirm that this reflects the scale and nature of the proposed retail units.

Consideration has also been given to the retail provision in the context of Section 8.2.6.3 of the Development Plan which has specific regard to 'small/ local convenience shops'. Whilst no definition is provided in respect of small convenience shops, we note from the definition of 'Shop-Major Convenience' that convenience goods are listed as: *"Convenience goods would include: food, alcoholic and non-alcoholic beverages, tobacco and non-durable household goods."*

On this basis, we confirm that the retail units within the scheme are not proposed as convenience stores as per the above definition, rather small-scale neighbourhood shops that will serve the new community. The 100 sq m is therefore not considered to apply. The occupiers of the proposed retail units have not yet been secured and will be secured in line with relevant policy provisions.



#### 4.16 Landscape, Heritage and Biodiversity

In line with Section 8.2.8.1 of the Development, due to the scale and nature of the proposed development, this planning submission is supported by a *Landscape Plan*.

##### 4.16.1 Biodiversity

Section 8.2.7.1 of the Development Plan refers to the potential sensitivities within the County surrounding habitats, plants, animals and bird species, as set out in further detail in Appendix 14 'Green Infrastructure Strategy'.

In this regard, we confirm that the planning application is supported by a full Environmental Impact Assessment Report, including a Biodiversity Chapter and a Natura Impact Statement.

#### 4.17 Open Space and Recreation

##### 4.17.1 Public/ Communal Open Space – Quantity and Quality

Section 8.2.8.2 of the Development Plan relates to 'Public/Communal Open Space Quantity'.

This section states, in relation to Residential/ Housing Developments:

*"Open Space: For all developments with a residential component – 5+ units - the requirement of 15 sq m - 20 sq m of Open Space per person shall apply based on the number of residential/housing units. For calculation purposes, open space requirements shall be based on a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. A lower quantity of open space (below 20 sq m per person) will only be considered acceptable in instances where exceptionally high quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2 (iii) below.*

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

***It is Council Policy to retain the open space context of Institutional Lands which incorporate significant established recreational or amenity uses, as far as is practicable. In the event of permission for development being granted on these lands, open space provision in excess of the normal standards will be required to maintain the open character of such parts of the land as are considered necessary by the Council. For this purpose, a minimum open space provision of 25% of the total site area - or a population-based provision in accordance with the above occupancy criteria – will be required, whichever is the greater.***

*There may also be a requirement to provide open space in excess of the 25% if an established school use is to be retained on site in order to facilitate the future needs of the school (refer also to Section 8.2.3.4(xi))."*



[Our emphasis.]

Section 8.2.8.3 'Public/ Communal Open Space – Quality' of the Development Plan has regard to the quality of public/ communal open space from a design, accessibility and permeability, biodiversity, SuDS and green roofs perspective. As set out below, the proposed open space will deliver a high-quality open space which responds to important existing landscape features. As part of this, a significantly enhanced level of permeability and connectivity will be provided throughout the site and surrounding area. Further to this, we confirm that the landscape scheme has fully incorporated the aforementioned considerations.

The application site is subject to an INST objective due to its former institutional use and is therefore, in line with the above, required to provide open space in excess of the normal standards in order to maintain the open character of the lands.

The proposed development provides c. 3.05 ha (c. 30,513.9 sq m) 'public open space', c. 31.8 % of the total site area. This significantly exceeds the minimum open space requirement of 25%. The total 'open space' provision (inclusive of both communal and public open space) is c. 3.68 ha.

If applying the population-based criteria in respect of the 'open space' provision (inclusive of both communal and public open space), the proposed development provides 21 sq m per person. If then applying the population-based criteria in respect of the 'public open space' only, the proposed development provides 17.39 sq m per person.

The proposed development derives from a landscape-led masterplanning exercise which, in consultation with the DLRCC Parks Department, determined the sensitive and compatible arrangement of built form within an existing mature landscape.

As a result, the proposed development maintains the open character of the lands, together with the incorporation of the distinct, mature and characterful landscape features such as the walled garden and mature trees. The proposed public open space has been designed to protect the landscape character of the site whilst ensuring the provision of large, accessible and usable areas of open space.

The proposed development provides open space of exceptional quality and unlocks a significant quantum of urban greenery that is currently inaccessible to the public. It is considered that the proposed quantum of open space provided by the development is acceptable.

#### 4.17.2 Private Open Space for Houses

Section 8.2.8.4(i) 'Private Open Space – Quantity' refers to the private open space requirement for houses. It sets out the following standards:

- 3 bedroom houses to have a minimum of 60 sq m
- 4 bedroom (or more) houses to have a minimum of 75 sq m

It further states that in instances where an innovative design response is provided on site, a relaxation in the quantum of private open space may be considered on a case-by-case basis.



The proposed development includes 20 no. houses with private rear gardens which have been broadly designed in line with the standards set out in Section 8.2.8.4(i). It is however noted that a number of the gardens do not comply with the above minimum standards, as identified within the *Material Contravention Statement*. Nevertheless, we note that the standard of residential accommodation proposed by the scheme is of a high quality, providing residents with excellent standard of residential amenity, including excellent levels of daylight and open space. With specific regard to the proposed houses, notwithstanding the shortfall of rear gardens in the context of the Development Plan numeric standards, we highlight their full compliance with the *Quality Housing for Sustainable Communities Guidelines* (2007) which provides the national guidelines in respect of house design, including the design and quality of rear gardens. This is further detailed in the *Housing Quality Assessment* (HQA) prepared by Reddy A + U. We further note the overall quantity and quality of open space provided across the site and consider this to compensate the minor shortfalls in private rear garden size.

#### 4.17.3 Separation Distances for Houses

Section 8.2.8.4 'Separation distances' states that a minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, normally resulting in a minimum rear garden depth of 11 metres. The policy also sets out instances where this standard can be relaxed.

The proposed design strategy has sought to maximise separation distances between opposing windows to ensure a high standard of residential accommodation within the scheme and also mitigate adverse impact upon neighbouring development. There are however a small number of instances where the separation distances between opposing windows associated with the proposed houses, both within and outside of the development, fall below 22 metres.

Although the proposed development is considered to be acceptable in this regard, we identify the separation distances between opposing windows across the scheme which fall below 22 metres as a material contravention of the Development Plan. Refer to the *Material Contravention Statement* for further details. Whilst this is identified as a material contravention, we confirm that despite the reduced separation distances, the design strategy, which includes staggered windows and indirect views, ensures that the proposed development does not give rise to unacceptable impact upon the proposed standard of accommodation or surrounding neighbouring amenity.

#### 4.17.4 Boundaries

Section 8.2.8.4 'Boundaries' states that suitable boundary treatments should be provided, achieving an adequacy level of privacy and 'soft' design.

The proposed development complies in full with this requirement and is detailed as part of the landscaping proposals.

#### 4.17.5 Private Open Space for Apartment Developments

Section 8.2.8.4 'Private Open Space for Apartment Developments' requires that every apartment should have direct access to its own area of private open space in form of a balcony, winter garden or patio area. The following minimum balcony areas apply:

Table 8.2.5: Balconies / Winter Gardens: Minimum Private Open Space Standards	
No. of bedrooms	Minimum square metres
One	6 sq.m.
Two	8 sq.m.
Three	10 sq.m.
Four +	12 sq.m.

Figure 4.8: Extract from Table 8.2.5 of the Development Plan.

As set out in the *Housing Quality Assessment (HQA)*, prepared by Reddy A+U, the proposed apartment units have been designed in accordance with the Apartment Guidelines, which now supersede the Development Plan requirements set out in Table 8.2.5 (as set out in Section 4.10 of this Statement). The proposed balcony and terraces for the apartment units therefore fall short of the Development Plan requirements in this regard. A material contravention is therefore identified in respect of Section 8.2.8.4(iv) and Table 8.2.5 of the Development Plan in respect of private amenity space. Refer to the *Material Contravention Statement* for full details.

In summary, we confirm that the proposed apartment component of the development complies in full with the Apartment Guidelines requirements for private amenity space. Notwithstanding the compliance of the proposed development with the Apartment Guidelines, it is also worth noting that the standard of residential accommodation proposed by the scheme is of a high quality, providing residents with excellent standard of residential amenity, including excellent levels of daylight and open space.

#### 4.17.6 Play Facilities

In Section 8.2.8.5 ‘Apartments – Play Facilities’, the Development Plan states that in terms of play facilities for children regard shall be had to the *‘Sustainable Urban Housing: Design Standards for New Apartments’ (2007)* which in turn states:

*“Play needs around apartment buildings should be catered for:*

- *Within the private open space associated with individual apartments.*
- *Within small play spaces (circa 85-100sq.m.) 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 buildings, in any scheme of 25 or more units.*
- *Within play areas (200-400sq.m.) for older children and young teenagers in a scheme of 150 or more apartments.”*



In terms of play provision, the extensive open space network proposed provides for a broad variety of play and play spaces, both formal and informal. There are two designated playgrounds located to the north of the site and in the community park in the south of the site with local play opportunities for residents within the communal podium spaces. There are further informal play opportunities throughout the site.

Having regard to the above, and the extensive quantum of open space proposed, we confirm that the proposed development complies with the above and provides significant opportunity for play in respect of a range of ages and activities.

#### 4.17.7 Trees and Hedgerows

Section 8.2.8.6 of the Development Plan states the following:

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

*Arboricultural assessments carried out by an independent, qualified arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation...”*

The existing landscape at the subject site is characterised by a significant number of large mature trees. As set out previously, the proposed development derives from a landscape-led masterplanning exercise which, in consultation with the DLRC Parks Department, determined the sensitive and compatible arrangement of built form within an existing mature landscape. As a result, the proposed development maintains the open character of the lands, together with the incorporation of the distinct, mature and characterful landscape features such as the walled garden and mature trees.

The planning application submission is supported by a detailed *Arboricultural Assessment* which concludes that 169 no. of the 299 no. trees assessed and included within the condition assessment are proposed for removal to facilitate the proposed development. It will also be necessary to remove 13 no. Hedges and one Fruit Orchard. The majority of the trees proposed for removal are Category C trees. The Assessment further notes that the loss of the tree vegetation has been mitigated against as much as possible with the retention of a lot of the more prominent trees on these grounds and in particular the main groups of trees around the front of the existing buildings and on the entrance avenue which will help screen and blend the proposed development into its surrounds. New tree planting is also proposed as part of the landscaping which will complement the development and its incorporation into the surrounding area. It will also help to provide good quality and sustainable long-term tree cover and as it establishes and grows in size, it will be continuously mitigating any negative impacts created with the loss of the existing tree vegetation to facilitate the proposed development.

We therefore conclude that the proposed development complies with the Development Plan in this regard.



#### 4.18 Environmental Management

Section 8.2.9 of the Development Plan has regard to Environmental Management in respect of Air Pollution, Noise Pollution, Environmental Impact Assessment, Appropriate Assessment, Hours of Construction and Light Pollution.

In this regard, we note that the planning application is supported by a full *Environmental Impact Assessment Report* and *Natura Impact Assessment* which provide detailed and robust assessment of any potential environmental impacts arising from the proposed development. Furthermore, we note that a *Construction Environmental Management Plan* is enclosed which provides details surrounding the management of the construction process together with a number of mitigation measures to ensure that adverse environmental impact do not arise during the construction phase.

We conclude that the proposed development complies with the relevant policy requirements in this regard.

#### 4.19 Archaeological and Architectural Heritage

In line with Section 8.2.4 of the Development Plan, we confirm that this planning application submission is supported by the following documents:

- Chapter 14 of the EIAR provides a full and detailed ‘Archaeology and Cultural Heritage’ assessment, supported by extensive archaeological survey work, including a geophysical survey and test trenching.
- Chapter 15 of the EIAR provides a full and detailed ‘Architectural Heritage’ assessment.
- *Perimeter Wall Condition Report*, prepared by Alastair Coey Architects, dated March 2022
- *Gate Lodge Condition Report*, prepared by Reddy A+U

#### 4.20 Community Facilities

##### 4.20.1 Childcare

Section 8.2.12.1 of the Development Plan states:

*“In assessing individual planning applications for childcare facilities the Planning Authority will have regard to the following:*

- *Suitability of the site for the type and size of facility proposed.*
- *Adequate sleeping/rest facilities.*
- *Adequate availability of indoor and outdoor play space.*
- *Convenience to public transport nodes.*
- *Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.*
- *Local traffic conditions.*
- *Number of such facilities in the area. In this regard, the applicant shall submit a map showing locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.*
- *Intended hours of operation.*



*Applications for childcare facilities in existing residential areas will be treated on their merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria.”*

The proposed childcare facility has been addressed in Section 3.7 of this Statement, including a breakdown of the capacity of the facility and the number of children that it can provide for, in line with the relevant guidance. This is further supported by the Section 4.1 of the *Social Infrastructure Audit* which provides a rationale for the size of the facility proposed, having regard to the number of existing facilities in the surrounding area.

Furthermore, we note the location of the site close to public transport connections, including the Windy Harbour Luas stop, c. 450 m from the site. The TTA, prepared by ILTP, also has regard to the traffic impact of the proposed development, including the non-residential uses, and demonstrates that the development will not give rise to unacceptable impact in this regard. Section 4.9.8 also has regard to the car parking provision in respect of childcare facilities. Lastly, we confirm that the proposed facility will operate between 7.00 and 19.00 unless otherwise agreed with DLRCC.

Having regard to the above, we confirm that the proposed childcare facilities align with the Development Plan requirements in this regard.

#### 4.20.2 Medical Surgeries/Centres for Medical Practitioners

Section 8.2.12.2 of the Development Plan refers to medical practices of various scales and intensities.

The proposed development, which includes 245 sq m of medical floorspace, is not considered to conflict with the policy requirements in this regard.

#### 4.20.3 Community Facilities

Section 8.2.12.3 of the Development Plan states:

*“In assessing planning applications for leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities, new school provision and other community orientated developments, regard will be had to the following:*

- *Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local or County facilities.*
- *Practicalities of site in terms of site location relating to uses, impact on local amenities, desirability, and accessibility.*
- *Conformity with the requirements of appropriate legislative guidelines*
- *Conformity with land use zoning objectives.”*



The proposed development provides 3,889 sq m of non-residential uses, including a community centre, a medical facility, childcare facilities, each designed to serve the local community in association with the significant residential development proposed. Each of the proposed non-residential uses conform with the land use zoning objective for the lands and comply with any other applicable policy requirements or specific guidelines/ regulations.

The non-residential uses within the scheme, including the community facilities, have been designed to serve the existing local community and the new community arising from the proposed development. The proposed community facilities go hand in hand with the significant public open space proposed as part of the development. The new development, due to its scale, will provide a new local destination, supported by community facilities and other local facilities. In our opinion, the proposed development will result in significant enhancements to local provision in terms of community facilities and open space, as well as enhancing the green infrastructure network within Dundrum. We therefore conclude that the proposed development complies with the Development Plan in this regard, as well as providing significant public benefits to the local community.

## 5.0 EMERGING POLICY

### 5.1 *Dún Laoghaire-Rathdown County Council County Development Plan, 2022-2028*

The *Dún Laoghaire-Rathdown County Council Draft County Development Plan, 2022-2028* went on public display on 12 January 2021.

The County Development Plan 2022-2028 was adopted by elected members on 10<sup>th</sup> March 2022. It is understood that the adopted Plan will come into force 6 weeks after it was adopted on 21<sup>st</sup> April 2022.

The likely content of the new County Development Plan has been addressed in greater detail in Appendix A of this Statement. This draws upon the draft wording and associated material alterations that is in the public domain.

### 5.2 Emerging Dundrum Local Area Plan

Chapter 9, ‘Specific Local Objectives’ of the *Dún Laoghaire-Rathdown County Development Plan* sets out local objectives for the Clonskeagh/Dundrum area. Objective No. 134 is relevant to the subject site and states:

*“To prepare a Local Area Plan for Dundrum”* (page 243, Chapter 9 of Development Plan)

In line with the above, *Dún Laoghaire-Rathdown County Council* are in the process of preparing a Local Area Plan (LAP) for Dundrum. At this stage, an ‘Issues Paper’ has been prepared and consultation on the paper has taken place; it gives an overview of the main development issues facing Dundrum.

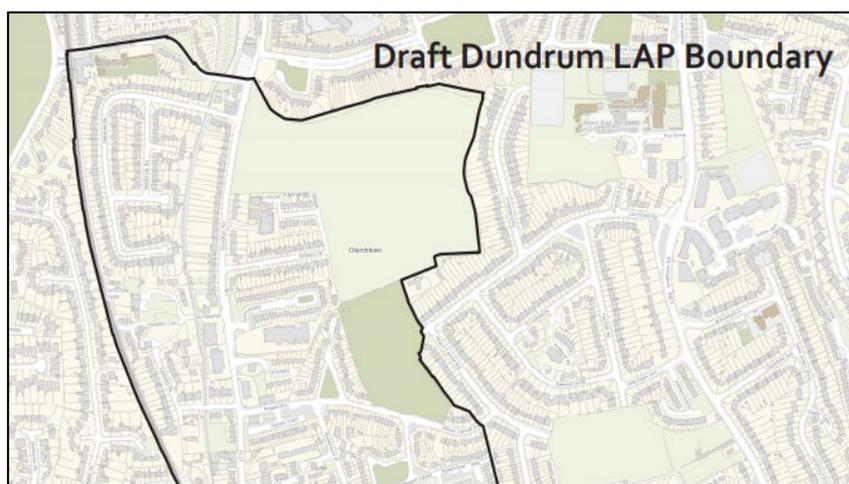


Figure 5.1: A Map showing the subject land’s location within the Draft Dundrum LAP Boundary

On page 6 of the Issue Paper, the Housing section refers directly to the Central Mental Hospital site and highlights its redevelopment as an opportunity to significantly contribute to new housing stock in the Dundrum area. The relevant extract is below:



*“While the rate of housing delivery in the area declined dramatically during the downturn, the likely development of two large sites for housing (Dundrum Phase II and the **Central Mental Hospital**) could see a marked reversal of this trend and a very sizeable increase in the housing stock of the Plan area.”*

Although the Dundrum LAP is at a very early stage in the plan making process, we confirm that the Masterplan and proposed SHD accord with the broad principles of the emerging documents. Importantly, the proposed development will make a significant contribution to housing delivery in the area as specifically referred to on page 6.



## 6.0 CONCLUSION

In summary, the proposed development will provide for, *inter alia*, 977 no. apartments on underutilised lands, in an existing urban area in Dublin.

The development will make a strong contribution to housing delivery by providing a significant quantum of residential units in a variety of housing types and sizes. The proposed residential development will be 100% affordable housing, in line with the requirement of Part V of the *Planning and Development Act 2000* and the *Land Development Agency Act 2021*.

The proposed non-residential uses and public open space will contribute to the Dundrum area from a placemaking perspective, providing a new destination, sensitively stitched into an existing community, for both future occupiers and existing residents.

We contend that the proposed development is generally in accordance with the following national and local policy documents:

16. *National Planning Framework (Ireland 2040 – Our Plan)*;
17. *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031*;
18. *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)*;
19. *Urban Design Manual: A Best Practice Guide (2009)*;
20. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December 2020)*;
21. *Quality Housing for Sustainable Communities (2007)*;
22. *Childcare Facilities – Guidelines for Planning Authorities (2001)*;
23. *Part V of the Planning and Development Act 2000: Guidelines (2017)*;
24. *Design Manual for Urban Roads and Streets (DMURS) (2019)*;
25. *The Planning System and Flood Risk Management (2009)*;
26. *Urban Development and Building Heights, Guidelines for Planning Authorities (2018)*;
27. *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*;
28. *Architectural Heritage Protection Guidelines for Planning Authorities (2011)*.
29. *Dún Laoghaire-Rathdown County Development Plan 2016-2022*; and
30. *Dún Laoghaire-Rathdown County Development Plan 2022-2028*.

In conclusion, we contend that the development of the application site, as per the enclosed plans and particulars, is fully in accordance with the proper planning and sustainable development.

Yours Faithfully,

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**Lizzie Donnelly**  
**Associate**  
**Tom Phillips + Associates**



**APPENDIX A - Planning Statement of Consistency relating to the Compliance of the Proposed Development with the *Dún Laoghaire-Rathdown County Development Plan 2022-2028* (Including Proposed Material Alterations)**

**PLANNING STATEMENT OF CONSISTENCY**

***Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028 (including Proposed Material Alterations)***



## 1.0 INTRODUCTION

This secondary Statement of Consistency relates to the *Draft Dún Laoghaire-Rathdown Development Plan 2022-2028*, including the proposed material alterations.

The Draft County Development Plan 2022-2028 went on public display on 12 January 2021.

The County Development Plan 2022-2028 was adopted by elected members on 10<sup>th</sup> March 2022. It is understood that the adopted Plan will come into force 6 weeks after it was adopted on 21<sup>st</sup> April 2022.

The likely content of the new County Development Plan has been addressed in this Statement and draws upon the draft wording and associated material alterations that are in the public domain at the time of writing.

We note that while the *Dún Laoghaire-Rathdown Development Plan 2016-2022* remains in legal effect at the point of the lodgement, we expect that the new County Development Plan 2022-2028 will be in legal effect at the time that the decision is made by An Bord Pleanála.

This secondary Statement of Consistency assesses the main policies outlined in all chapters of the Draft Plan. The proposed scheme is assessed in greater detail against the relevant Development Management standards, as outlined in Chapter 12.



## 2.0 LOCAL POLICY COMPLIANCE

The *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, which was adopted on 16<sup>th</sup> March 2016, is the current statutory plan for the area (at the time of writing).

The Draft *Dún Laoghaire-Rathdown Development Plan 2022-2028* went on public display on 12 January 2021.

The County Development Plan 2022-2028 was adopted by elected members on 10<sup>th</sup> March 2022. It is understood that the adopted Plan will come into force 6 weeks after it was adopted on 21<sup>st</sup> April 2022.

This Statement refers to the draft wording and associated material alterations that are in the public domain at the time of writing. For the avoidance of doubt, we note that the as adopted wording of the County Development Plan 2022-2028 is not yet available to the public.

## 2.1 Core Strategy of Draft Plan

The Core Strategy, which forms part of the *Draft Plan* (contained within Chapter 2), articulates the medium-to-longer term quantitatively-based strategy for the spatial development of the *Dún Laoghaire-Rathdown area*. In this regard, the *Draft Plan* states that:

*“The central focus of the Core Strategy is on residential development and in ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for the projected demand for new housing, over the lifetime of the Plan. As set out in Section 10(2A) of The Act, the Core Strategy shall inter alia:*

- *Provide relevant information to demonstrate that the Development Plan and the Housing Strategy are consistent with the NPF, RSES and with specific planning policy requirements (SPPR’s) specified in Section 28 Guidelines.*
- *Take account of any policies of the Minister in relation to national and regional population targets.*
- *Provide details in respect of the area in the Development Plan already zoned for residential and mixed-use zonings and the proposed number of housing units to be included in the area.*
- *Provide details in respect of the area in the Development Plan proposed to be zoned for residential use and mixed-use zonings and how the zoning proposals accord with national policy that development of land shall take place on a phased basis.*
- *Set out a settlement hierarchy for the area of the Development Plan.*
- *Provide relevant information to show that, in setting out objectives for retail development, the Planning Authority has had regard to any Section 28 Guidelines.”*

Furthermore, the Core Strategy examines the following factors: population growth trends, population projections for the Core Strategy, housing delivery, planning and construction activity, evaluation of housing demand, housing target for the Core Strategy, and Residential Development Capacity Audit.

As part of the Core strategy, it is an objective to prepare a HNDA analysis, as outlined in policy objective CS1:

*“It is a Policy Objective to accord with the Housing Strategy and Housing Needs Demand Assessment 2022—2028 and to carry out a regional HNDA post adoption of the Plan and to consider varying the Plan if required. (Consistent with NPO 37 of the NPF).”*

The Core Strategy Housing Target, as shown in Table 2.1 below, provides a housing target of 20,669 units for Dún Laoghaire-Rathdown for the period of 2020-2028.

**Table 2.1: Core Strategy Housing Target. (Source: Draft Dún Laoghaire Rathdown County Development Plan 2022-2028, as amended.)**

	2016	Q1 2028 – RSES High Growth Scenario
Population	218,000	256,125
Increase in Population	N/A	38,125
Total Housing Stock	86,962	110,969
Housing Target (2016 – Q1 2028)	N/A	24,007
Minus CSO Housing Completions (2017 – Q1 2021) + Estimated Completions Q2 2021 – Q1 2022)	N/A	5,492
Housing Target (Q2 2022 – Q1 2028)	N/A	18,515

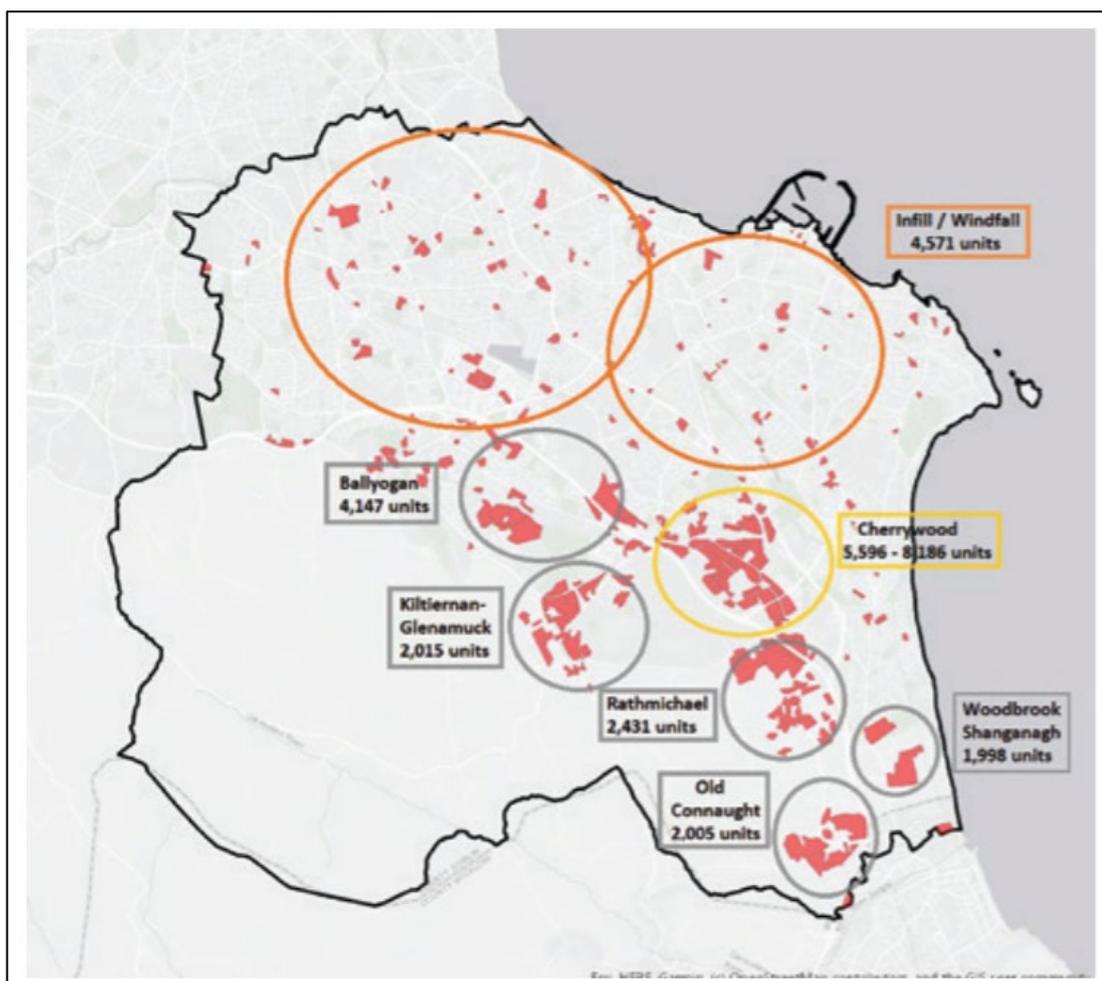


Figure 2.1: Residential Development Capacity Audit – Aggregate Data. (Source: Draft Dún Laoghaire Rathdown County Development Plan 2022-2028.)

The proposed development, that will provide 977 no. residential units, accords in full with the draft stated objective in relation to contributing to the County’s projected housing needs. The proposed development will make a significant contribution in this regard.

## 2.2 Strategic Regeneration Sites

Section 2.6.2 ‘Active Land Management’ of the Draft County Development Plan contains **Policy Objective CS13: Strategic Regeneration** which is set out below;

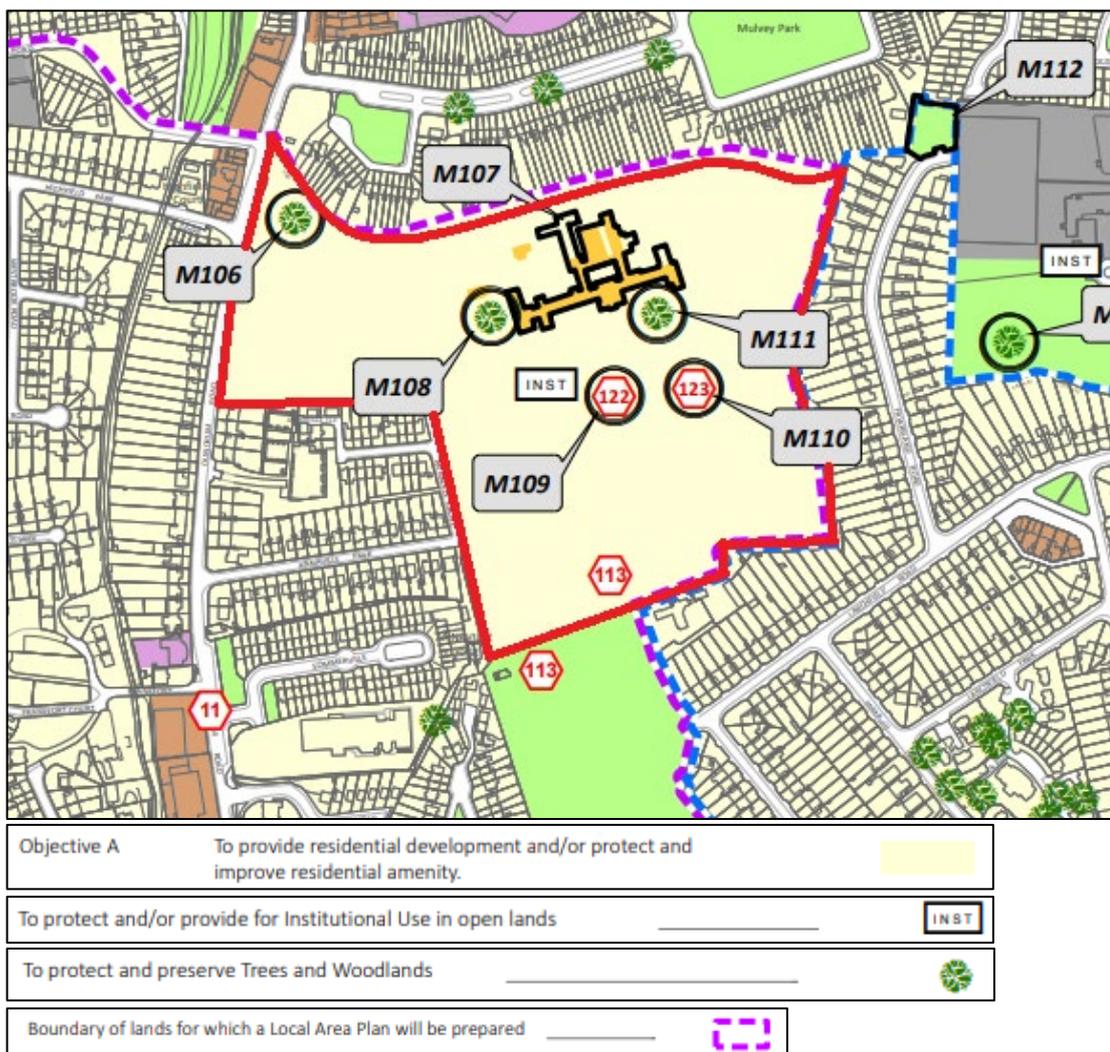
*“It is a Policy Objective to support the development and renewal of strategic regeneration sites in the County.”*

We note that the ‘The former Dundrum Central Mental Hospital’ is identified, along with four other sites, as a ‘strategic regeneration site’. We further note that these sites have been identified in recognition of their potential role in increasing the efficiency of urban land-use and delivering compact growth targets.

In this regard, the proposed development aligns with the draft objective for such sites. Given the scale and nature of the proposed development and subject lands, including the significant number of residential units proposed, we outline the role that the lands can play in contributing to the delivery of compact growth in the County and wider Dublin Metropolitan Area, also in line with the objectives of the *National Planning Framework (NPF)* and the *Eastern and Midland Regional Assembly and Economic Strategy 2019-2031 (RSES)*.

### 2.3 Land Use Zoning Designation and Mapped Objectives

In the Draft County Development Plan, the application site is zoned Objective A – ‘To provide residential development and improve residential amenity while protecting the existing residential amenities’, as shown in Figure 1.1 below.



M106	New Tree symbol added
M107	Central Mental Hospital building footprint added
M108	New Tree symbol added
M109	New SLO symbol added
M110	New SLO symbol added
M111	New Tree symbol added

Figure 2.2: Extract from Map No. 1 of the Draft Plan, illustrating the zoning objective and policy designations associated with the application site (indicative site boundary in red), incorporating the proposed material alterations.

Table 13.1.2 of the Draft County Plan, the contents of which are set out in Table 2.2 below outlines 'Residential' as being 'Permitted in Principle'. This table reflects the Proposed Amendments version of the Draft County Development Plan.

Table 2.2: Uses permitted in principle and open for consideration for lands zoned objective 'A'. (Source Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028, as amended), with proposed uses in bold.

<b>ZONING OBJECTIVE 'A'</b>
<i>'To provide residential development and improve residential amenity while protecting the existing residential amenities'</i>
<b>Permitted in Principle</b>
<i>Assisted Living Accommodation, <b>Community Facility<sup>a</sup>, Childcare Service<sup>a</sup>, Doctor/Dentist etc.<sup>a</sup>, Education<sup>a</sup>, Health Centre/ Healthcare Facility<sup>a</sup>, Open Space, Public Services, Residential, Residential Institution, Travellers Accommodation.</b></i>
<b>Open For Consideration</b>
<i>Allotments, Aparthotel, Bring Banks/Bring Centres, Build to Rent, Carpark<sup>c</sup>, Caravan/Camping Park-Holiday, Caravan Park-Residential, Cemetery, Cultural Use, Embassy Enterprise Centre, Funeral Home, Garden Centre/Plant Nursery, Guest House, Home Based Economic Activities, Hotel/Motel, Household Fuel Depot, Industry-Light, Part Off-License, Office Based Industry<sup>b</sup>, Offices less than 200sq.m.<sup>a</sup>, Offices in excess of 200 sq.m.<sup>c</sup>, Service Station, Place of Public Worship Public House, <b>Restaurant, Service Garage, Shop Neighbourhood, Student Accommodation, Sports Facility, Tea Room/Café, Veterinary Surgery, Residential – Build to Rent.</b></i>
<i>a: Where the use will not have adverse effects on the 'A' zoning objective, 'to provide residential development and/or protect and improve residential amenity'.</i>
<i>b: less than 200sq.m.</i>
<i>c: Only applies to A zoned lands subject to Specific Local Objective 122. c: Only as an ancillary component of and directly connected to the primary use and/or ancillary to public transport and/or active travel modes.</i>

The non-residential uses proposed as part of the development include: Retail ('Shop Neighbourhood'), Restaurant ('Restaurant') Community ('Community Facility'), Medical ('Doctor/Dentist etc.') and a childcare facility ('Childcare Service'). Each of these uses are 'Open for Consideration' under the zoning objective.

We note that the 'Doctor/Dentist etc.' use is subject to caveat (a) which notes that the use is open for consideration "where the use will not have adverse effects on the 'A' zoning objective." On this basis, we confirm that the proposed medical centre is of an appropriate scale for the subject site, having regard to the predominant residential nature of the development. It is envisaged that the medical centre, like all non-residential uses within the



scheme, will serve a very local population. The proposed car parking and cycle parking provision is considered to adequately provide for this use, mitigating any potential traffic and transportation related impacts.

The purple dashed line, which encompasses the application site, refers to a *'Boundary of lands for which a Local Area Plan will be prepared'*. This represents the *Dundrum Local Area Plan*, which is currently being prepared but yet to be published. This is further addressed in Section 5.2 of the main *Statement of Consistency* in respect of the current *Development Plan*.

The application site is also subject to the INST objective, a number of *Specific Local Objectives* (SLOs) and tree symbols. These are addressed at Section 2.3.1, 2.3.2, and 2.3.3 of this Statement, respectively.

Furthermore, we note that the extent of proposed protected structure to the rear of the main hospital building was reduced as part of the material alterations to the Draft County Development Plan (included as an amendment (M107)).

The strategic housing development, inclusive of 977 no. residential units and 3,889 sq m of the above listed non-residential uses accord with land use zoning Objective A.

### 2.3.1 Specific Local Objective No. 113

The *Draft County Development Plan* introduces Specific Local Objective (SLO) No. 113 at the southern part of Central Mental Hospital lands. The *Draft Plan* also introduces a corresponding SLO designation on lands at the northern periphery of Rosemount Green, to the south of the subject site. The SLO is set out below;

*“Any integration of / or connectivity between the Central Mental Hospital lands with the adjoining residential area should include the development of enhanced sporting facilities/ infrastructure for existing and future residents.”*

In line with the above, the proposed development introduces enhanced permeability and connectivity with adjoining lands, including the existing open space at Rosemount Green. Through the removal of key sections of the existing perimeter wall, the proposal integrates the proposed open space provision with Rosemount Green to the south. As well as enhancing the public open space provision for existing and future residents, the Masterplan provides a new community centre facility, inclusive of a multi-purpose hall and changing rooms.

The proposed development accords with this policy requirement and we consider that the redevelopment of this site provides a significant opportunity to deliver new community facilities and infrastructure for both existing and future residents.

### 2.3.2 Specific Local Objective No. 122

The Material Alterations to the Draft Plan introduces SLO No. 122 to the Central Mental Hospital lands, which provides flexibility for the subject site in respect of the quantum of office floorspace permissible under the zoning objective A. The SLO is set out below:



*“To allow offices in excess of 200 sq. metres in the former Central Mental Hospital buildings which are included on the Record of Protected Structures. Any application for offices in excess of 200 sq. metres shall (i) relate only to the former Mental Hospital Buildings with any extension to the building in office use to be only small ancillary structures, (ii) shall include a report that demonstrates that other suitable uses that are permitted in principle or open for consideration have been explored and that the reasons for discounting same relate to the proper planning and sustainable development of the area.”*

The proposed SHD component of the wider Masterplan proposal does not propose office floorspace, aside from ancillary offices associated with the commercial, community, childcare and café uses. We therefore confirm that the SLO is not applicable in this instance.

### 2.3.3 Specific Local Objective No. 123

The *Material Alterations* to the *Draft Plan* introduces SLO No. 123 to the Central Mental Hospital lands, in connection with the *Strategic Regeneration Sites* designation (referred to at Section 2.2 of this Statement). This designation was not included in the original draft and is noted as follows;

*“To ensure that, as Strategic Regeneration Sites, residential provision on the Central Mental Hospital Site and the Old Shopping Centre site will provide for a balanced mix of housing tenure, including affordable homes, and an acceptable mix of larger flexible units, and lifetime adaptable homes to ensure balanced, sustainable communities in Dundrum.”*

As noted above, the proposed development provides a range of residential unit types, including one bedroom, two bedroom, three bedroom, and four bedroom apartments and houses, which will cater to a range of tenures, to meet the needs and requirements of all sectors of the community. A proposal for the provision of Part V housing has been issued to the Local Authority for approval and a validation letter, agreeing to the principal of the proposed provision has been received.

### 2.3.4 Tree Symbols

Three trees and woodland designations were added to the Land Use Zoning Map pertaining to the subject site (Map No. 1 - M106, M108 and M111) at material alteration stage, with an aim to protect and preserve trees and woodlands.

The existing landscape at the subject site is characterised by a significant number of large mature trees. As set out previously, the proposed development derives from a landscape-led masterplanning exercise which, in consultation with the DLRCC Parks Department, determined the sensitive and compatible arrangement of built form within an existing mature landscape. As a result, the proposed development maintains the open character of the lands, together with the incorporation of the distinct, mature and characterful landscape features such as the walled garden and mature trees.

The planning application submission is supported by a detailed *Arboricultural Assessment* which notes that the loss of the tree vegetation has been mitigated against as much as possible



with the retention of a lot of the more prominent trees on these grounds and in particular the main groups of trees around the front of the existing buildings and on the entrance avenue which will help screen and blend the proposed development into its surrounds.

New tree planting is also proposed as part of the landscaping which will complement the development and its incorporation into the surrounding area. It will also help to provide good quality and sustainable long-term tree cover and as it establishes and grows in size, it will be continuously mitigating any negative impacts created with the loss of the existing tree vegetation to facilitate the proposed development.

We therefore conclude that the proposed development complies with the Development Plan in this regard.

## 2.4 Climate Action

Chapter 8 has regard to energy efficiency in buildings, renewable energy, decarbonising motorised transport and urban greening and contains a number of overarching policies which are relevant to the proposed development. In this section, we confirm compliance with the following policies which are addressed in greater detail within the wider planning application documents.

Section 3.4.2.4 contains **Policy Objective CA13: Solar Energy Infrastructure** which states the following:

*“It is a Policy Objective to encourage and support the development of solar energy infrastructure, including photo voltaic (PV) and solar thermal and seasonal storage facilities infrastructure in appropriate locations, as a renewable energy resource which can contribute to the transition to a low carbon climate resilient County. It is also a policy objective to support Ireland’s renewable energy commitments by facilitating utility scale PV installations for the production of electricity provided they do not negatively impact upon the environmental quality, amenity or heritage of the area.”*

Section 3.4.2.5 contains **Policy Objective CA14: District Heating** which states the following:

*“It is a Policy Objective to support the development of district heat networks and the utilisation of waste heat recovery in the County as a renewable or low energy resource which can contribute to the transition to a low carbon climate resilient County. The Planning Authority will support the development of a Council wide District Heat policy following on from the forthcoming National Policy Framework for District Heat. (Consistent with RPO 7.38 of the RSES).”*

Section 3.4.3.2 contains **Policy Objective CA16: Electric Vehicles** which states the following:

*“It is a Policy Objective to support, the Government’s Electric Transport Programme by progressively electrifying our mobility systems by facilitating the rollout of Electric Powered Vehicle Recharging Parking Bays across the County and on public roads and other suitable location. The provision of e-bike chargers will be supported subject to the availability of Funding. (Consistent with NSO 4 of the NPF and RPO 7.42 of RSES).”*

Section 3.4.4.1 contains **Policy Objective CA17: Urban Greening** which states the following:

*“It is a Policy Objective to promote urban greening - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy placemaking. Significant developments shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES).”*

The proposed development, from an urban greening perspective, includes public, private and communal landscaped open space and incorporates SUDS measures that have been developed in conjunction with the project ecologist in relation to the enhancements of biodiversity within the scheme. Refer to the enclosed *Landscape Architecture and Public Realm Design Report* for full details.

In terms of energy efficiency and renewable energies, the proposed development incorporates solar panels, a district heating network and facilities for electric vehicle charging.

We therefore confirm compliance with the above overarching policies.

## 2.5 Neighbourhood – People, Homes and Place

Chapter 4 of the County Draft Development Plan sets out the policy objectives aimed at creating and maintaining successful neighbourhoods and protecting residential amenities throughout DLR over the lifetime of this Development Plan, 2022-2028. These policy objectives are set out across three sections under five themes aimed at ensuring that the people and the amenities they require are a priority, that the delivery of new homes is provided for in an appropriate and sustainable manner and that DLR becomes ‘the’ place to live, work and visit.

In this section, we confirm compliance with the following policies which are addressed in greater detail within the wider planning application documents.

### 2.5.1 Sustainable Communities

Section 4.2.1.2 contains **Policy Objective PHP3: Planning for Sustainable Communities** which states:

*It is a Policy Objective to:*

- *Plan for communities in accordance with the aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’ and any amendment thereof.*
- *Ensure that an appropriate level of supporting neighbourhood infrastructure is provided or that lands are reserved for Sustainable Neighbourhood Infrastructure (SNI), in conjunction with, and as an integral component of, residential development in new residential communities as identified in the Core Strategy (see Figure 2.9, Chapter 2).*



- *Identify, provide and/or improve (as appropriate) supporting sustainable neighbourhood infrastructure in tandem with residential development in renewal/ redevelopment areas and existing residential neighbourhoods. Create healthy and attractive places to live consistent with NPO 4 of the NPF and RPO 9.10 of the RSES.*

Section 4.2.1.4 contains **Policy Objective PHP5: Community Facilities** which states:

*“It is a Policy Objective to:*

- *Support the development, improvement, and provision of a wide range of community facilities throughout the County where required.*
- *Facilitate and support the preparation of a countywide Community Strategy”*

Section 4.2.1.5 of contains **Policy Objective PHP6: Childcare Facilities** which states:

*“It is a Policy Objective to:*

- *Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs.*
- *Encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.”*

Section 4.2.1.8 contains **Policy Objective PHP9: Health Care Facilities** which states:

*“It is a Policy Objective to:*

- *Support the Health Service Executive and other statutory and voluntary agencies in the provision of appropriate healthcare facilities - including the system of hospital care and the provision of community-based primary care facilities, mental health and wellbeing facilities.*
- *Encourage the integration of appropriate healthcare facilities within new and existing communities.”*

## **2.6 Homes**

### **2.6.1 Residential Density**

Section 4.3.1.1 relates to residential density and contains **Policy PHP18: Residential Density** which states the following:

*“It is a Policy Objective to:*

- *Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/ brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*



- *Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.”*

The proposed development, including 9 No. blocks ranging between 2 and 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor), complies with national guidelines pertaining to residential density and compact growth as demonstrated at Section 3.0 of the main *Statement of Consistency*. Throughout this planning application submission, we demonstrate that the proposed development provides for an appropriate residential density and has been designed to provide a good levels of residential amenity of future residents of the scheme, in addition to preserving the existing residential amenity of adjoining residents. The proposal is therefore considered to comply with the above policy.

## 2.6.2 Residential Amenity

Section 4.3.1.3 contains **Policy PHP20: Protection of Existing Residential Amenity** which states the following:

*“It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.”*

In their current use, the subject lands are largely disconnected from the surrounding area, with the large perimeter walls being the main interface between neighbouring development and the site. The nature of the perimeter wall, the lack of built form within the site and the extensive open space is considered to result in very little impact, from a residential amenity perspective, upon adjacent neighbouring development. In fact, the subject lands, as existing, are insular and largely unintegrated into the surrounding area. As noted by the TVIA, the proposed development will result in a modern, outwardly bold, high density residential development.

As a result, it is acknowledged that the proposed development will give rise to a change in the way that neighbouring development experiences the subject lands. In terms of potential impact arising, we have given careful consideration to the impact of the development upon neighbouring amenity and sought to minimise the potential for such impacts throughout the masterplanning and SHD design process.

Refer to Section 5.5.2 of the *Planning Report* for further detail in this regard, including confirmation that the proposed development will not give rise to significant adverse impact from a daylight, sunlight and overshadowing, overlooking. Loss of privacy or overbearing impact.

## 2.6.3 Development on Institutional Lands

Section 4.3.1.4 contains **Policy PHP21: Development on Institutional Lands** which states the following:



*“It is the Policy Objective to retain the open character and/or recreational amenity of land parcels that are in institutional use (such as religious residential or other such uses) and are proposed for redevelopment.”*

*Where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the zoning objectives of the area being adhered to and the open character and recreational value of the lands being retained. Where institutional lands – identified by an ‘INST’ objective on Development Plan Maps – are proposed to be developed:*

- A minimum of 25% of the entire INST land parcel, as determined by the Planning Authority, will be required to be retained as accessible public open space. In determining the area to which the “INST” objective applies the planning authority shall have regard to the existing and historical land use and associations between land uses, and the extent to which any lands contribute to the open character and setting of the core institutional function.*
- This provision must be sufficient to maintain the open character of the site with development proposals structured around existing features and layout, particularly by reference to retention of trees, boundary walls and other features as considered necessary by the Council (refer also to Section 12.3.8.11).*
- The provision must be sufficient to maintain and/or improve the recreational value of the site particularly with regard to adding to the sustainable neighbourhood infrastructure of the area.*
- Any proposal for development other than that directly related to an existing social infrastructure and/or institutional uses, will require the preparation and submission of a masterplan.*
- Average net densities should be in the region of 35 - 50 units p/ha. In certain instances, higher densities may be permitted where it can be demonstrated that they can contribute towards the objective of retaining the open character and/or recreational amenities of the lands.*
- In cases of rationalisation of an existing institutional use, as opposed to the complete cessation of that use, the future anticipated needs of the existing use, including extensions or additional facilities related to the residual institutional use retained on site should be taken into account and accounted for in the master plan for development on the lands in question.”*

In terms of compliance with the above, we note the following points:

- The subject lands are state owned and no longer required for institutional use. It is highlighted as a national priority, and part of the LDA’s remit, to optimise state lands to deliver compact urban development and affordable housing. We therefore confirm that the subject lands have been identified, at a national level, to contribute to the fulfilment of the above stated objective and are not required for an alternative institutional use.*



- The redevelopment of the application site is supported by a comprehensive Masterplan which fully accounts for the provisions of the Institutional policy objectives attached to the lands. The Masterplan has been developed by a multidisciplinary project team, in consultation with Dún Laoghaire Rathdown County Council (DLRCC). The enclosed *Masterplan Document*, dated March 2022, provides further details of this process including the key design parameters and demonstrates that the proposed SHD scheme is has evolved in line with the Masterplan. The process and engagement with DLRCC are also further discussed in Section 2.7 of the *Planning Report* prepared by Tom Phillips + Associates.
- In terms of the built heritage assets, embracing the built heritage was one of the core vision themes in the development of the Masterplan. As well as ensuring the sensitive design and siting of new built form in the setting of the heritage buildings, the Masterplan incorporates the adaptive re-use of a number of existing buildings and sensitive interventions to the boundary wall. In line with the Masterplan, this SHD proposal seeks to deliver the sensitive renovation and adaptive re-use of the Gate Lodge into a café and a number of interventions to the boundary wall including the removal of sections to provide permeability and lowering of sections on Dundrum Road to enhance the public realm. Further to this, the SHD includes new built form in the setting of the Main Hospital Building, Chapel and Infirmary which has been designed sensitively to respond to the heritage value and importance of the buildings. In addition to this, the site layout and landscape proposals have been designed to protect the setting of the heritage buildings, as well as ensure a positive relationship between the new built form and the existing historic landscape.
- There are a number of natural assets within the Masterplan boundary as well as built heritage, including the landscape which due to its historic importance and overall open character, formed a strong basis for a landscape-led masterplanning process and the site layout as currently proposed. As set out in the Architectural Heritage chapter of the EIAR and the Landscape Report, the character of the existing landscape embodies both the historical and current function of the Central Mental Hospital, as a mental health facility whereby the landscape is considered to play an integral role in recovery and rehabilitation. Existing landscape features such as trees, the walled garden and open parkland are incorporated into the Masterplan and SHD proposal which, in addition to protecting the site's natural assets, ensures that the open character of the lands is retained.
- The success of the Masterplan (and therefore SHD proposal) in retaining the open character of the lands, in addition to the incorporation of existing landscape features, is largely owed to the significant quantity of publicly open space proposed. The public open space constitutes 32% of the SHD site area and is characterised by a hierarchy of open spaces which provides for a range of activities and users.
- In terms of density, the proposed SHD scheme provides a net density of 150 units p/h and a gross density of 102 units p/h which, in our opinion, successfully retains the open character of the lands. Referring to the Draft Development Plan policy objectives surrounding residential density (i.e. Policy PHP18) we note that the Draft Development Plan states that it is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of the areas with the need to provide for sustainable residential development. We also acknowledge the specific



policy requirements relating to density that accompanies the Institutional designation of the subject lands whereby a residential density range (35-50 units p/ha) is applicable, which is to be considered in the context of achieving the objective to retain the open character of the lands. Whilst we consider that the proposed residential density is acceptable having regard to considerations surrounding open character, quantum of open space, standard of accommodation, positive relationship with built heritage assets and neighbouring development, compliance with the Institutional objective requirement for density of 35-50 unit p/ha is addressed in the accompanying *Material Contravention Statement*. Notwithstanding this, given that the proposed development is considered to successfully retain the open character of the lands, we consider that the residential density is acceptable.

- As well as meeting the policy requirements of the Institutional objective, the above elements, which include the adaptive reuse of the heritage and natural assets, will support the creation of a sustainable and distinctive neighbourhood.

As demonstrated by the bullet points above, in our opinion, the proposed development complies with the policy requirements relating to the institutional nature of the lands in full. In summary, the proposed development balances the requirements arising from the Institutional designations of the land, and the need to provide a sustainable urban residential development which optimises the delivery of housing on a well-located, brownfield, underutilised and serviced site. This policy requirement is further addressed in respect of Section 12.3.8.11 below.

#### 2.6.4 Housing Mix

Section 4.3.2.2 contains **Policy Objective PHP26: Housing Mix** which states the following:

*“It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) and any future Regional HNDA.”*

In accordance with the Development Plan, a variety of dwelling unit types and sizes are proposed as part of the scheme, which will be suitable for a variety of household types. The scheme has also been designed to cater for the possibility of future conversion to age-appropriate living. Furthermore, the proposed development will be 100% affordable housing, with 20% delivered under Part V, and the remaining 80% delivered in line with the LDA Act 2021.

#### 2.6.5 Social Housing

Section 4.3.2.6 contains **Policy Objective PHP30: Provision of Social Housing** which states the following:

*“It is a Policy Objective to promote the provision of social housing in accordance with the Council’s Housing Strategy and Government policy as outlined in the DoHPLG ‘Social Housing Strategy 2020’”*



The proposed development will be an 100% affordable housing scheme. 20% of the units will be provided in line with Part V of the *Planning and Development Act 2000* (as amended) with the remaining 80% delivered as affordable housing under the *Land Development Agency Act 2021*.

We therefore confirm that the proposed development is subject to the requirements of the Part V of the *Planning and Development Act 2000* (as amended). 196 no. units, as agreed with DLRCC, will be provided as Part V units.

A letter from Dún Laoghaire–Rathdown County Council, dated 21<sup>st</sup> March 2022, is enclosed with this Application and notes the engagement of the Applicant with regard to Part V requirements.

## 2.7 Place

The following overarching policies relate to quality design and placemaking and are considered relevant to the proposed development. The scheme is assessed in greater detail against the specific development management standards below.

Section 4.4.1.1 contains **Policy Objective PHP35: Healthy Placemaking** which states the following:

*“It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES.”*

Section 4.4.1.2 contains Policy **Objective PHP35: Inclusive Design and Universal Access** which states the following:

*“It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES.”*

Section 4.4.1.5 contains **Policy Objective PHP38: Safer Living Environment** which states the following:

*“It is a Policy Objective to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County.”*

The proposed development has been designed in line with inclusive design and universal access principles as demonstrated in the *Architectural Design Report*. We further note that the public open space provision has been designed to provide for a range of users and activities. In this regard, we also note that the scheme has been designed in line with DMURS principles, as outlined in the *DMURS Compatibility Statement*, prepared by ILTP.

In respect to the creation of a safe environment, we highlight that the public realm throughout the site has been designed to ensure the delivery of a safe place to live, work and visit. In this regard, the following key design principles have been incorporated into the design strategy,



including: the maximisation of active frontages and natural surveillance, non-residential uses at ground floor, legible routes throughout site and a comprehensive lighting scheme. The *Management Strategy Report*, prepared by Savills, makes reference to a number of security measures that will be considered to supplement the above and ensure the safety of the development.

We therefore confirm compliance with the above policy requirements.

### 2.7.1 Public Realm Design

Section 4.4.1.3 contains **Policy Objective PHP36: Public Realm Design** which states the following:

*“It is a Policy Objective that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.”*

The proposed development will result in the redevelopment of a publicly owned underutilised site. It will provide enhanced public realm, especially at the Dundrum Road boundary where the removal of a notable section of the existing perimeter wall will activate the street and significantly enhance the relationship between the application site and the existing public realm. The design of the proposed buildings has also maximised the amount of active frontage at ground floor level to ensure natural surveillance and a positive relationship between the buildings and proposed public realm.

### 2.7.2 Shared Space Layouts

Section 4.4.1.4 contains **Policy Objective PHP37: Shared Space Layouts** which states the following:

*“It is a Policy Objective to promote safer and more attractive streets and public realm for all road users throughout the County by proactively engaging with, and adhering to, the ‘shared space’ concept and guidance set out in the ‘Design Manual for Urban Roads and Streets’ (2013).”*

The proposed development includes a number of shared streets/ homezones which provide an environment which is pedestrian focused. We further confirm that the proposed development, including the shared streets/ homezones have been designed in line with DMURS principles, as outlined in the *DMURS Compatibility Statement*, prepared by ILTP.

### 2.7.3 Design Statements

Section 4.4.1.8 contains **Policy PHP41: Design Statements** which states the following:

*“It is a Policy Objective that, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as otherwise required by the Planning Authority) submit a ‘Design Statement’ and shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the ‘Urban Design Manual - A Best Practice Guide’*



*(DoEHLG, 2009) and incorporates adaptability of units and/or space within the scheme.”*

In accordance with this policy, Reddy Architecture + Urbanism has prepared a detailed *Architectural Design Report*, dated March 2022 in respect of the proposal, which, *inter alia*, demonstrates that the layout and design of the proposed development conforms with best practice.

#### 2.7.4 Building Design and Height

Section 4.4.1.6 contains **Policy Objective PHP39: Building Design and Height** which states the following:

*“It is a Policy Objective to:*

- *Encourage high quality design of all new development.*
- *Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).”*

Appendix 5 ‘*Building Height Strategy*’ further details *Draft Plan* policy in relation to building height. Furthermore, Section 4.4 of the Draft Development Plan notes the following in respect of building height:

*“The Council policy in relation to building height throughout the County is detailed in three policy objectives as set out in the Building Height Strategy (BHS) (Appendix 5):*

- *Policy Objective BHS 1- Increased Height.*
- *Policy Objective BHS2 – Building Height in areas covered by an approved Local Area Plan or Urban Framework Plan (UFP must form part of the County Plan).*
- *Policy Objective BHS 3 - Building Height in Residual Suburban Areas.*

*The BHS also contains a detailed set of performance-based criteria for the assessment of height so as to ensure protection of the unique amenities of the County whilst also allowing increased height.*

*In accordance with the policies set out in the BHS, where an argument is being made for increased height and/or a taller building and the Applicant is putting forward the argument that SPPR 3 of the ‘Urban Development and Building Height; Guidelines for Planning Authorities’ (2018) applies, the Applicant shall submit documentation to show that compliance with the criteria as set out in Table 5.1 ‘Performance Based Criteria’ of the BHS (see Appendix 5).”*

Appendix 5 ‘*Building Height Strategy*’ further details the Draft County Development Plan policy in relation to building height.

Section 4.4 sets out building height policies referred to above (BHS 1, 2 and 3). On the basis that the subject site is within c.450 m of the Windy Arbour Luas Stop, **Policy Objective BHS 1: Increased Height** is considered to apply to the proposed development, which states:

*“It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún*



*Laoghaire and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area. (NPO 35, SPPR 1& 3).*

*Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the areas mentioned above. In those instances, any such proposals must be assessed in accordance with the performance-based criteria set out in table 5.1 which is contained in section 5. The onus will be on the applicant to demonstrate compliance with the criteria.*

*Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.”*

Having regard to Policy BHS 1, we confirm that the proposed development complies with SPPR 3 of the Building Height Guidelines, as demonstrated in Section 3.11 of the main Statement of Consistency. We further demonstrate compliance with the performance-based criteria contained at Table 5.1 of Appendix 5 of the Draft County Development Plan.

**Table 2.3: Assessment of proposed development against the Performance Based Criteria contained at Table 5.1 of the Draft County Development Plan.**

<b>Compliance for All Such Proposals</b>	<b>Scheme Compliance with Criteria</b>
<b>At County Level</b>	
Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.	The subject development inherently complies with the overarching themes of the NPF by proposing a compact, well-designed, sustainable form of residential development on an underutilised suburban site located in close proximity to a range of social and commercial facilities and public transport services. The development accords with the NPF’s aims to consolidate Dublin through the development of underutilised, infill sites in locations that benefit from high quality public transport links. Refer to Section 3.0 of the main Statement of Consistency for full details of compliance with national and regional policy objectives.
Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.*	<p>The subject site is located approx. 450 meters (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours. As well as providing a direct route into Dublin city centre, the Luas provides a direct route into Dundrum Town Centre, albeit just one stop to the south.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services into Dublin city centre at hourly intervals.</p> <p>Further to this, the site is less than a 15 minute walk from Dublin Bus Routes on Goatstown Road which provides</p>



	<p>services into Sandyford Business District (a significant employment location) at 20 minute intervals.</p> <p>Notably, the 142 Dublin Bus Route provides services into UCD from Bird Avenue which is within a 10 minute walk of the site.</p> <p>We therefore conclude that the subject site is well connected by public transport that provides frequent services to key employment and educational destinations, as well as providing access to surrounding social infrastructure. The public transport options in close proximity connect the site to a wide range of key destinations, including access to other means of public transport for example, the DART and high frequency bus routes from the city centre.</p> <p>In terms of capacity, we note that the public transport that serves the site, namely the Luas and Dublin Bus routes, are high-capacity modes of public transport. The TTA, prepared by ILTP provides an assessment of capacity and frequency to demonstrate this. This includes results of site surveys undertaken to determine capacity and frequencies and information known in respect of Luas/ bus capacity.</p> <p>The TTA concludes that the city bound Luas (in the AM peak hour (8.00-9.00) has a theoretical capacity of 7,344 persons per direction per hour, or 6,606 persons per direction per hour if using the assumed operational capacity. This is based upon a Luas capacity of 408 persons and a frequency of 3 min intervals.</p>
<p>Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks.. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.</p> <p><b>DM Requirement –</b></p> <p>Landscape and visual assessment by suitably qualified practitioner.</p> <p>Urban Design Statement.</p> <p>Street Design Audit (DMURS 2019).</p>	<p>The proposed development brings a currently insular site into active use, including a number of pedestrian and cyclist links that connect it to the surrounding residential areas. As a high security mental health facility, the site is currently inaccessible to the public and surrounded by a 4-5m high perimeter wall. As well as making a significant contribution to the delivery of housing in line with national policy objectives, the proposed development enhances the Dundrum Area from a placemaking and regeneration perspective. The proposed development will deliver significant civic benefits, including a significant quantum of public open space, community facilities, local facilities and high-quality housing which will contribute to the overall vibrancy and quality of Dundrum as a place to live. Furthermore, the proposal includes the removal of sections of perimeter wall at both Dundrum Road and adjacent to Rosemount Green to the south of the site. This is considered to greatly enhance the relationship between the subject lands and the surrounding public realm, providing increased permeability and resultant movement of people, an enhanced network of community facilities and spaces and increased active frontage and natural surveillance.</p> <p>For further details, refer to the accompanying <i>Townscape/ Landscape and Visual Impact Assessment</i>, prepared by Macroworks (contained at Chapter 13 of the EIAR), the</p>

	<p><i>Architectural Design Statement</i>, prepared by Reddy A+U, the <i>Stage 1 Quality Audit</i> and <i>DMURS Compatibility Statement</i>, both prepared by ILTP.</p>
<p>Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.</p>	<p>We note that no protected views and prospects apply the subject site and none were identified during pre-application consultation with the Local Authority.</p> <p>Nevertheless, we confirm that the proposed development will not give rise to significant visual impacts as evidenced by the enclosed <i>Townscape/ Landscape and Visual Impact Assessment</i>, prepared by Macroworks. This assessment considers the visual impact of the development proposed when viewed from 17 no. viewpoints from a range of locations external to the site.</p>
<p>Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.</p>	<p>The site has been assessed for carrying capacity, as outlined in the enclosed engineering documentation, prepared by Barrett Mahony Consulting Engineers and ILTP Consulting.</p>
<p><b>At District/Neighbourhood/Street Level</b></p>	
<p>Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.</p> <p><b>DM Requirement –</b></p> <p>Proposal should demonstrate compliance with the 12 criteria as set out in “Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities” 2009.</p> <p>Street Design Audit (DMURS 2019).</p>	<p>The proposal is designed to maintain the site’s open character through the provision of significant public open space and to retain as much of the site’s valuable natural environment as possible including important features such as the walled garden and the mature trees on the site. The landscape strategy for the lands will enhance and complement the adjoining existing public open space (Rosemount Green) and promote the provision of pedestrian and cycle routes through the site. In addition, the site’s existing built environment is also incorporated into the proposed development through sensitive interventions and placement of buildings in the immediate setting of the Proposed Protected Structure complex, which will be adapted and re-used as an enterprise/innovation centre as part of the wider Masterplan proposal. Intervention to the site’s iconic boundary wall represents a balance between achieving increased permeability and connectivity into the surrounding area and a sensitive approach aimed at retaining the vast majority of an important heritage asset.</p> <p>In terms of improving permeability and connectivity, the site’s primary interface with the surrounding road network is onto Dundrum Road and proposes the part-removal of the boundary wall in this location in order to open up the site (heretofore fully enclosed) and facilitate public interaction between the development and the adjoining roadway. This also facilitates permeability through the site and provides a new urban edge and contemporary streetscape to the overall site.</p> <p>Furthermore, we confirm that the 12 no. urban design criteria have been addressed in full in both Section 3.0 of the main <i>Statement of Consistency</i> and the <i>Architectural Design Report</i>. A Stage 1 Quality Audit is also enclosed.</p>

<p>Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.</p> <p><b>DM Requirement –</b></p> <p>Design Statement.</p>	<p>The subject development comprises a series of individual buildings all designed in a different architectural style of varying scale, form and height. There are no ‘uninterrupted walls of building in the form of slab blocks’.</p> <p>The design also proposes to open up the existing wall onto Dundrum Road, providing relief from the existing road and creating new access routes into the site.</p> <p>Refer to the accompanying <i>Architectural Design Report</i> for further details.</p>
<p>Proposal must show use of high quality, well considered materials.</p> <p><b>DM Requirement –</b></p> <p>Design Statement.</p> <p>Building Life Cycle Report.</p>	<p>A simple palette of materials, the use of setbacks at penthouse levels and the introduction of a variety of balcony types provide appropriate visual variety to the elevations and the massing of the buildings.</p> <p>The quality of the proposed materials is further detailed in the <i>Material and Finishes Report</i> appended to the <i>Architectural Design Report</i>. The application is also accompanied by a <i>Building Lifecycle Report</i> prepared by Reddy A+U.</p>
<p>Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage.</p> <p><b>DM Requirement –</b></p> <p>Must also meet the requirements of “<i>The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009</i>”.</p>	<p>Intervention to the site’s iconic boundary wall represents a balance between achieving increased permeability and connectivity into the surrounding area and a sensitive approach aimed at retaining the vast majority of an important heritage asset.</p> <p>In terms of improving permeability and connectivity, the site’s primary interface with the surrounding road network is onto Dundrum Road and proposes the part-removal of the boundary wall in this location in order to open up the site (heretofore fully enclosed) and facilitate public interaction between the development and the adjoining roadway. This also facilitates permeability through the site and provides a new urban edge and contemporary streetscape to the overall site.</p> <p>Refer to the accompanying <i>Site-Specific Flood Risk Assessment</i> prepared by Barrett Mahony Consulting Engineers.</p> <p>The stream and marine frontage requirement is not applicable to the site.</p>
<p>Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.</p>	<p>In terms of improving permeability and connectivity, the site’s primary interface with the surrounding road network is onto Dundrum Road and proposes the part-removal of the boundary wall in this location in order to open up the site (heretofore fully enclosed) and facilitate public interaction between the development and the adjoining roadway. This also facilitates permeability through the site and provides a new urban edge and contemporary streetscape to the overall site.</p>



<p>Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.</p> <p><b>DM Requirement –</b></p> <p>Design Statement.</p>	<p>The proposed development will deliver a good range of uses including residential, crèche, café, retail, medical and community. These uses will all contribute to the range of services available to the existing area and future neighbourhood being created on site. In terms of dwelling typologies, the proposal will deliver a range of residential unit types that will serve a wide range of household types. The unit mix will include 1, 2 and 3+ bedroom apartments together with studios, duplex units and houses.</p> <p>This unit mix will ensure that a variety of unit types to complement the predominant two storey family housing that characterises the area will be provided in this development.</p> <p>Refer to the accompanying <i>Architectural Design Report</i> for further details.</p>
<p>Proposal should provide an appropriate level of enclosure of streets or spaces.</p> <p><b>DM Requirement –</b></p> <p>Design Statement.</p>	<p>The proposed development will deliver a series of significant new public open spaces that can be accessed by a range of thoroughfares primarily by pedestrians and cyclists. The creation of these spaces enables buildings predominantly ranging in height from 2 – 6 storeys to be established on the site. The framing of these significant public spaces by buildings in this height range provides an appropriate sense of scale and enclosure in what is a very significant 11.39 ha (overall) landholding.</p> <p>Refer to the <i>Architectural Design Report</i> for further details.</p>
<p>Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.</p>	<p>The proposed development achieves higher residential densities and increased building height (when compared to surrounding existing development) while maintaining a human scale of development. The scale and siting of the buildings achieves a sense of enclosure which contributes to the quality of the development from a placemaking perspective, without giving rise to significant visual impact or sense of overbearing. The active non-residential uses at ground floor, together with the high quality landscaping proposals which create high quality public realm, ensure a positive interface between people and built form.</p>
<p>Proposal must make a positive contribution to the character and identity of the neighbourhood.</p>	<p>The proposed development has civic, social and cultural importance arising from the significant number of new houses proposed, the non-residential uses, including a new community centre, medical centre, childcare facility and a significant quantum of high quality public open space for both the future residents and the existing local community.</p> <p>In this regard, we also note the new positive interface between the subject lands and Rosemount Green at this location which is facilitated by the proposed removal of a significant section of perimeter wall. The enhanced permeability in this location will provide for an increased movement and fluidity of pedestrians and cyclists between the two public spaces, providing greater opportunities for a</p>

	<p>range of users and activities. The proposed open space, together with its connectivity with the existing open space to the south, will significantly enhance the green infrastructure network in the local area.</p> <p>Furthermore, in addition to this, the site layout and landscape proposals have been designed to protect the setting of the heritage buildings, as well as ensure a positive relationship between the new built form and the existing historic landscape. Existing landscape features such as trees, the walled garden and open parkland are incorporated into the Masterplan and SHD proposal which, in addition to protecting the site's natural assets, ensures that the open character of the lands is retained.</p>
<p>Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.</p>	<p>The proposed development includes a series of new buildings planned in a Masterplan context across the 9.6 ha extent of the site ranging in height from 2-6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor). The prevailing height of the subject proposal is predominantly 4-6 storeys. The design strategy in respect of building heights is to taper heights around the edge of the site (2 and 3 storeys) in closest proximity to existing residential properties in order to minimise potential impacts on the residential amenities of these properties in relation to overlooking, overshadowing and overbearing, gradually increasing in height towards the centre. As noted above, there are parts of the development with 6 storey elements (with 7 storey elements at Block 03 and 10 due to lower ground floor) and these are centrally located. The topography of the site has also been used, where possible, to minimise visual impact yet deliver buildings to an appropriate height and scale.</p> <p>As demonstrated throughout this submission, the proposed development would not give rise to unacceptable impact upon neighbouring amenity.</p> <p>Refer to <i>Daylight and Sunlight – Impact of Neighbouring Properties Report</i> and the <i>Transient Overshadowing Assessment</i> prepared by GIA for full details in respect of daylight, sunlight and overshadowing. We note that the proposed development achieves an excellent level of compliance with the BRE Guidelines in this regard.</p>
<p><b>At Site/Building Scale</b></p>	
<p>Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.</p> <p><b>DM Requirement –</b></p> <p>Must address impact on adjoining properties/spaces</p>	<p>As outlined above, the planning application submission is supported by full daylight, sunlight and overshadowing assessments both in relation to impact on neighbouring development and the internal performance of the development. The GIA reports demonstrate excellent compliance in both contexts.</p> <p>In terms of ventilation, the proposed units are well served by windows, with 52% of the development dual aspect in nature. The proposed units are therefore considered to be well ventilated.</p>



	<p>In terms of views, a number of the proposed units are characterised by views onto open space or the site’s heritage assets. In respect of any units that face outwards, towards neighbouring residential development, good levels of privacy and outlook are maintained through the provision of generous separation distances. The proposed development is therefore considered to provide an acceptable level of outlook and privacy for future occupiers of the scheme and existing neighbouring development.</p>
<p>Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance “Site Layout Planning for Daylight and Sunlight” (2nd Edition).</p> <p>Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.</p>	<p>As set out in detail in the enclosed Daylight and Sunlight reports, the proposed development is assessed having regard to the BRE ‘<i>Site Layout Planning for Daylight and Sunlight</i>’ (2nd edition) or BS 8206-2: 2008 – ‘<i>Lighting for Buildings – Part 2: Code of Practice for Daylighting</i>’, which confirms that daylight and sunlight assessment undertaken accords in full with the methodology set out in the above referenced guidance.</p> <p>Further to this, a sample of the proposed units have also been assessed in line with the new European Standard on daylight – ‘EN 17037:2018 Daylight in buildings’</p> <p>We note that whilst a number of shortfalls are evident, these are minor in nature and are compensated by the overall quality of the scheme from a standard of accommodation and amenity perspective. For example, where an internal courtyard is unable to meet the BRE Guideline target value for hours of sunlight on the ground, all effected residents would have access to a fully sunlight roof garden, in addition to their private balconies and the open space across the site. Further to this, the proposed buildings within the development have been given careful consideration in terms of site planning and the arrangement of apartments in each building in order to maximise the number of dual aspect apartments.</p> <p>Refer to the <i>Architectural Design Report</i> for full details of compensatory design measures.</p>
<p>Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.</p>	<p>Refer to Section 5.5.2 of the <i>Planning Report</i>, prepared by Tom Phillips + Associates which demonstrates the acceptability of the proposed development in detail.</p>
<p>Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.</p>	<p>Chapter 15 of the EIAR provides a detailed assessment of the potential impact of the proposed development on Architectural Heritage. Whilst the extent of existing built form, which is identified as a Proposed Protected Structure(s) in the Draft County Development Plan (as per the proposed material alterations) is not within the SHD site boundary, Chapter 15 assesses the impact of the proposed development upon the setting of these buildings.</p> <p>Furthermore, the proposed SHD scheme does include intervention in respect of the perimeter wall and Gate</p>



	<p>Lodge, both identified as having value from an architectural heritage perspective. Refer to the <i>Gate Lodge Condition Report</i> and Drawings and the <i>Perimeter Wall Survey Report</i> and Drawings prepared by Reddy A+U and Alastair Coey Architects which provide details of the proposed intervention.</p> <p>The relevant assessments conclude that the proposed development would not give rise to significant adverse impact in this regard.</p>
<b>County Specific Criteria</b>	
<p>Having regard to the County's outstanding architectural heritage which is located along the coast, where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.</p> <p><b>DM Requirement –</b></p> <p>An urban design study and visual impact assessment study should be submitted and should address where appropriate views from the sea and/or piers.</p>	<p>The proposed development is not located in the coastal area noted. This criterion is therefore not applicable to this assessment.</p>
<p>Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.</p> <p><b>DM Requirement –</b></p> <p>An urban design study and visual impact assessment study should be submitted.</p>	<p>The proposed development is not located in the mountain foothill landscape area. This criterion is therefore not applicable to this assessment.</p>
<p>Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage).</p>	<p>An extensive pre-application consultation process has been undertaken with DLRCC. This is outlined in greater detail in the enclosed <i>Planning Report</i>.</p>
<p>Specific assessments such as assessment of microclimatic impacts such as down draft.</p>	<p>A detailed microclimate assessment has been undertaken and is contained at Chapter 16 of the EIAR. It concludes that safety and pedestrian comfort is maintained in accordance with the Lawson Comfort and Distress Criteria with the proposed development in place.</p> <p>Refer to Chapter 16 of the EIAR for full details.</p>



<p>Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.</p>	<p>This planning application is supported by a full biodiversity assessment enclosed as Chapter 8 of the EIR and a <i>Natura Impact Statement</i>.</p> <p>The various assessments are supported by a full suite of ecology surveys including bat surveys and wintering birds.</p> <p>The NIS concludes with the following:</p> <p><i>“Following the implementation of the mitigation measures outlined, the construction and presence of this development would not be deemed to have a significant impact. No significant impacts are likely on Natura 2000 sites, alone in combination with other plans and projects based on the implementation of mitigation measures.”</i></p> <p>In terms of birds, two seasons of wintering bird surveys have taken place covering the 20/21 and 21/22 seasons. Refer to Appendix 8.1 and 8.2 for the survey reports and full conclusions. In summary, no direct impacts to any of the SPAs within the zone of influence are expected, indirect effects on the SPAs are considered unlikely. It further concludes that while some disturbance impacts may occur to the SPI species (Black-headed gull) recorder, this would not be deemed to be of potential significance.</p> <p>A full assessment has also been undertaken in respect of bats, the conclusions of the survey works are as follows:</p> <p><i>“No bats were roosting in buildings on site. A bat roost within a Horse Chestnut tree will be lost. Foraging activity within the darker areas of the site may be reduced due to the presence new buildings and lighting. It would be expected that with a sensitive light strategy foraging activity in the vicinity of the existing buildings on site would increase. A pre construction, inspection will be carried out on onsite trees with bat roosting potential, that are to be removed. The proposed development will result in a long term/low adverse/not significant/negative impacts on bats.”</i></p> <p>In terms of bats, we further note that the project ecologist liaised closely with the M+E engineers to ensure the proposal of bat sensitive lighting across the scheme.</p> <p>In terms of collisions, given that the maximum height of the proposed development is 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor) and the limited bird activity recorded in respect of the site, it is not considered that bird collisions are likely to present as an issue in this scenario.</p>
<p>Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.</p>	<p>We note that the application site is currently served by the EIR network which enters the site from Dundrum Road. A Virgin Media network extends around the perimeter wall. The EIR in support of this planning application has regard to the impact of the proposed development upon the existing telecommunication network. It concludes that the</p>



	proposed development would have a neutral impact upon telecommunications in the surrounding area.
An assessment that the proposal maintains safe air navigation.	Due to the distance of the site from the airport and the medium rise scale of the tallest building within the scheme, it is not considered that the proposed development will give rise to any impacts in this regard.
Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.	<p>The planning application is accompanied by an Environmental Impact Assessment Report (EIAR), which includes a Biodiversity chapter addressing the potential impacts of new development on the ecology of the site. The application also includes a <i>Natura Impact Assessment</i> (Stage 2 Appropriate Assessment).</p> <p>These assessments enable the robust assessment of the proposed development upon the receiving environment and are supported by extensive survey work.</p>
Additional criteria for larger redevelopment sites with taller buildings.	Justification for taller buildings is outlined in detail in the enclosed Material Contravention Statement, prepared by Tom Phillips + Associates
Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.	<p>The proposed development will deliver a new mixed use urban quarter on a large former institutional infill site. The proposed development is designed around a series of new internal streets and spaces or character areas, which serve to create a diverse and animated development. The scheme will deliver a gross density of 102 units per ha (or c. 150 units per ha in net density terms) through the provision of a range of architectural styles and contrasting scales within the development.</p> <p>As noted above, the proposed development responds to the scale of adjoining development through the graded use of heights (lower around the edges (2-3 storeys) through the site and the creation of generous separation distances between the taller elements of the scheme and neighbouring properties.</p> <p>The relationship of new development to the Proposed Protected Structure complex on the site has been fully considered as part of the design process and assessed as part of this application submission.</p> <p>Refer to the TVIA (contained at Chapter 13 of the EIAR), Chapter 15 'Architectural Heritage' of the EIAR, the Masterplan Report and Architectural Design Report prepared by Reddy A + U.</p>
For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.	The subject site is located in an existing built-up area, surrounded by existing development, including proposed protected structures in the immediate setting of the proposed development. Due to the associated site constraints this criterion is not considered applicable to the proposed development. However, as demonstrated above, the proposed development achieves an excellent level of compliance with the BRE Guidelines and relevant EU standards.



Referring back to the aforementioned guidelines in relation to sustainable urban development and apartment development, there is a suite of national planning policy that requires the delivery of higher density development to achieve national objectives surrounding housing delivery. In the absence of finite land supply, increased building height is an essential component of achieving the required higher densities whilst maintaining a high standard of living accommodation and achieving sustainable communities.

In this context, the building height guidelines provide a mechanism through which building heights (and therefore densities), higher than those that may be permissible under the Development Plan, can be permitted.

The proposed development, including 9 No. blocks ranging between 2 and 6 storeys (with 7 storey elements at Block 03 and 10 due to lower ground floor), complies with the Building Height Guidelines and the performance-based criteria contained at Appendix 5 of the Draft County Development Plan, as demonstrated by the full suite of site-specific assessment enclosed with this submission. The proposed development provides for an appropriate residential density and has been designed to provide a good levels of residential amenity of future residents of the scheme, in addition to preserving the existing residential amenity of adjoining residents.

## 2.8 Transport and Mobility

The following overarching policies relate to transport and mobility and are considered relevant to the proposed development. The scheme is assessed in greater detail against the specific development management standards below.

Section 5.4.1 contains **Policy Objective T3: Development of Sustainable Travel and Transport** which states the following:

*“It is a Policy Objective to promote, facilitate and cooperate with other transport agencies in securing the implementation of the transport strategy for the County and the wider Metropolitan Area as set out in Department of Transport’s ‘Smarter Travel, A Sustainable Transport Future 2009–2020’ including the modal share targets and the NTA’s ‘Greater Dublin Area Transport Strategy 2016-2035’, the RSES and the MASP. (Consistent with NPOs 26, 64 of the NPF and RPOs 5.2, 5.3, 8.4, 8.7, 8.8 and 8.9 of the RSES)”*

Section 5.5.1 contains **Policy Objective T10: Walking and Cycling** which states the following:

*“It is a Policy Objective to secure the development of a high quality, fully connected and inclusive walking and cycling network across the County and the integration of walking, cycling and physical activity with placemaking including public realm improvements. (Consistent with NPO 27 and 64 of the NPF and RPO 5.2 of the RSES)”*

Section 5.6.2 contains **Policy Objective T16: Travel Plans** which states the following:

*“It is a Policy Objective to require the submission of Travel Plans for developments that generate significant trip demand (reference also Appendix 3 for Development*



*Management Thresholds). Travel Plans should seek to reduce reliance on car based travel and encourage more sustainable modes of transport over the lifetime of a development. (Consistent with RPO 8.7 of the RSES)”*

Section 5.6.3 contains **Policy Objective T17: Car Sharing Schemes** which states the following:

*“It is a Policy Objective to support the set up and operation of car sharing schemes to facilitate an overall reduction in car journeys and car parking requirements.”*

Section 5.6.4 contains **Policy Objective T18: Carparking Standards** which states the following:

*“It is a Policy Objective to manage carparking as part of the overall strategic transport needs of the County in accordance with the parking standards set out in Section 12.4.5.”*

Section 5.7.4 contains **Policy T25: Traffic and Transport Assessments and Road Safety Audits** which states the following:

*“It is a Policy Objective to require Traffic and Transport Assessments and/or Road Safety Audits for major developments – in accordance with the TII’s ‘Traffic and Transport Assessment Guidelines’ (2014) - to assess the traffic impacts on the surrounding road network and provide measures to mitigate any adverse impacts - all in accordance with best practice guidelines.”*

Section 5.7.8 contains **Policy T29: Street Lighting** which states the following:

*“It is a Policy Objective to provide and maintain street lighting on the public road/footway/cycleways throughout the County in accordance with commonly accepted best practice, the Council’s public lighting masterplan and the upgrade of sodium lights to LEDs.”*

Having regard to the above policy requirements, we highlight that the locational characteristics of the subject site, in the context of public transport accessibility and significant employment locations, is considered to support the provision of reduced car parking and emphasis on sustainable travel. In addition to the location of the lands, the nature and characteristics of the proposed development is considered to encourage and support the use of sustainable modes of transport and minimise reliance on car use, including through the provision of non-residential local services and facilities, removal of sections of perimeter wall to provide enhanced permeability between site and surrounding area and the internal site layout and proposed pedestrian and cyclist connections.

Full details of the transport proposals and assessment is contained within the *Traffic and Transport Assessment* (TTA). In addition to the TTA, full details of the aspects of the proposal relevant to the above policies can be found in the following documents: DMURS Compatibility Statement, Traffic and Transport Assessment, Mobility Management Plan (contained in the TTA), Public Lighting Plan and Details, and a Construction Environmental Management Plan.

In terms of walking and cycling, the provision of the proposed new cycle (and pedestrian) link through the proposed development provides a strategic new link that significantly augments the existing and planned cycle network in the area. It provides new connections for existing



communities as well as the new planned community and will promote sustainable travel in the area. In addition, it links with the existing pedestrian/cycle crossing on Dundrum Road and provides access to low volume traffic routes to the north and south of the subject lands. This additional strategic link through the proposed development represents a significant contribution to the local mobility.

Furthermore, with the implementation of the proposed internal infrastructure, the 15-minute walking catchment of the site would significantly increase to the east and south of the subject lands particularly. This very significant increase in catchment will further promote the use of walk and cycle modes for the new development and importantly benefits the existing community by providing shorter walk and cycle route.

On the above basis, we confirm full compliance with the above transport related policies.

## 2.9 Retail

Chapter 7 has regard to the County's towns and villages as well as overarching Council policy in respect to retail provision. The scheme is assessed in greater detail against the specific development management standards below.

Section 7.3.1.1 contains **Policy Objective RET1: Retail Planning Guidelines** which states the following:

*"It is a Policy Objective of the Council to have regard to the 'Retail Planning Guidelines for Planning Authorities' and the accompanying 'Retail Design Manual' published by the Department of the Environment, Community and Local Government in 2012 in determining planning applications for retail development."*

Section 7.5.5.1 contains **Policy RET7: Local Shops** which states the following:

*"It is a Policy Objective of the Council to facilitate the provision of local convenience shops in residential areas where there is a clear deficiency of retail provision, subject to protecting residential amenity."*

Section 7.6.1.1 contains **Policy RET8: Assessment of Retail Proposals** which states the following:

*"It is a Policy Objective of the Council to ensure that applications for new retail development shall accord with the retail policies of the Development Plan and are objectively assessed as set out in the Retail Planning Guidelines for Planning Authorities (2012)."*

We note that at the heart of the Council's retail strategy is a hierarchy of retail locations that form the basis for determining the quantum and location of new retail development. While the proposed development includes a number of small retail units, we highlight that they have been proposed in order to provide for the development which will introduce a significant number of new people to the area, in line with the land zoning objective which lists 'Shop-Neighbourhood' as Open for Consideration. On this basis, it is not envisaged that the proposed retail units will serve a wider area or conflict with established retail provision.



Notwithstanding this, we confirm that the scale of the proposed units is proportionate to the scale of the development and the number of new residents expected. We further confirm that due to the local nature of the proposed units, it is not expected that they will conflict with the vitality or viability of existing retail provision or Dundrum Town Centre. This planning application submission is also supported by a *Transport and Traffic Assessment* which has regard to the traffic impacts associated with the non-residential uses proposed, as well as the residential component. Lastly, we confirm that the design and siting of the non-residential uses within the scheme, including the small retail units, provide activation and natural surveillance at street/ public realm level, contributing to the quality of the open spaces. Having regard to the above, we confirm that the proposed development does not conflict with the retail related policies referred to above. In our view, the non-residential uses proposed ensure the delivery of a distinctive and sustainable new community.

## 2.10 Green Infrastructure and Biodiversity

Chapter 8 contains policies relating to landscape, biodiversity and green infrastructure and are considered relevant to the proposed development. The scheme is assessed in greater detail against the specific development management standards below.

Section 8.3.1 contains **Policy GIB1: Green Infrastructure Strategy** which states the following:

*“It is a Policy Objective to continue to implement, and update, the DLR Green Infrastructure (GI) Strategy, to protect existing green infrastructure and encourage and facilitate, in consultation with relevant stakeholders, the development, design and management of high quality natural and semi-natural areas. This recognises the ecosystems approach and the synergies that can be achieved with regard to sustainable transport, provision of open space, sustainable management of water, protection and enhancement of biodiversity.”*

Section 8.7.1.1 contains **Policy GIB18: Protection of Natural Heritage and the Environment** which states the following:

*“It is a Policy Objective to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas (SPAs), Special Areas of Conservations (SACs), proposed Natural Heritage Areas (pNHAs) and Ramsar sites (wetlands) - as well as non-designated areas of high nature conservation value known as locally important areas which also serve as ‘Stepping Stones’ for the purposes of Article 10 of the Habitats Directive.”*

Section 8.7.1.2 contains **Policy GIB19: Habitats Directive** which states the following:

*“It is a Policy Objective to ensure the protection of natural heritage and biodiversity, including European Sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.”*



Section 8.7.1.4 contains **Policy GIB21: Designated Sites** which states the following:

*“It is a Policy Objective to protect and preserve areas designated as proposed Natural Heritage Areas, Special Areas of Conservation, and Special Protection Areas. It is Council policy to promote the maintenance and as appropriate, delivery of ‘favourable’ conservation status of habitats and species within these areas.”*

Section 8.7.1.5 contains **Policy GIB22: Non-Designated Areas of Biodiversity Importance** which states the following:

*“It is a Policy Objective to protect and promote the conservation of biodiversity in areas of natural heritage importance outside Designated Areas and to ensure that notable sites, habitats and features of biodiversity importance - including species protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979, the Habitats Directive 1992, Flora (Protection) Order, 2015, Annex I habitats, local important areas, wildlife corridors and rare species - are adequately protected. Ecological assessments will be carried out for all developments in areas that support, or have potential to support, features of biodiversity importance or rare and protected species and appropriate mitigation/ avoidance measures will be implemented. In implementing this policy, regard shall be had to the Ecological Network, including the forthcoming DLR Wildlife Corridor Plan, and the recommendations and objectives of the Green City Guidelines (2008) and ‘Ecological Guidance Notes for Local Authorities and Developers’ (Dún Laoghaire-Rathdown Version 2014).”*

Section 8.7.1.11 contains **Policy GIB28: Invasive Species** which states the following:

*“It is a Policy Objective to prepare an ‘Invasive Alien Species Action Plan’ for the County which will include actions in relation to Invasive Alien Species (IAS) surveys, management and treatment and to also ensure that proposals for development do not lead to the spread or introduction of invasive species. If developments are proposed on sites where invasive species are or were previously present, the applicants will be required to submit a control and management program for the particular invasive species as part of the planning process and to comply with the provisions of the European Communities Birds and Habitats Regulations 2011 (S.I. 477/2011).”*

Section 8.7.1.12 contains **Policy GIB29: Nature Based Solutions** which states the following:

*“It is a Policy Objective to increase the use of Nature Based Solutions (NBS) within the County, and to promote and apply adaption and mitigation actions that favour NBS, which can have multiple benefits to the environment and communities. NBS has a role not only to meet certain infrastructure related needs (e.g. flooding management), and development needs, but also to maintain or benefit the quality of ecosystems, habitats, and species.”*



The proposed development is supported by a significant landscaping proposal which ensures the delivery of high-quality open space, including the retention of special landscape features such as mature trees, and local biodiversity enhancements and the delivery of a significant SuDS scheme. Furthermore, from an ecological and Habitats Directive perspective, the planning application is supported by an Appropriate Assessment Screening and Natural Impact Statement (NIS) and full ecological impact assessment contained within the Biodiversity Chapter of the EIAR. Having regard to the following sections which address the development management standards, we confirm that the proposed development complies with the overarching themes contained within Chapter 8 of the Draft County Development Plan.

## 2.11 Open Space, Parks and Recreation

Chapter 9 relates to open space, parks and recreation and seeks to ensure the protection and enhancement of strategically important open spaces and parks to provide a wider range of benefits for the County. The overarching policies relevant to the proposed development are set out below. The scheme is assessed in greater detail against the specific development management standards below.

Section 9.2.1.3 contains **Policy OSR4: Public Open Space Standards** which states the following:

*“It is a Policy Objective to promote public open space standards generally in accordance with overarching Government guidance documents ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’, (2009), the accompanying ‘Urban Design Manual - A Best Practice Guide’, and the ‘Sustainable Urban Housing: Design Standards for new Apartments’, (2018).”*

Section 9.3.1.1 contains **Policy OSR5: Public Health, Open Space and Healthy Placemaking** which states the following:

*“It is a Policy Objective to support the objectives of public health policy including Healthy Ireland and the National Physical Activity Plan (NPAP) 2016, to increase physical activity levels across the whole population thus creating a society, which facilitates people whether at home, at work or at play to lead a more active way of life (consistent with RPO 9.16).”*

Section 9.3.1.3 contains **Policy OSR7: Trees, Woodland and Forestry** which states the following:

*“It is a Policy Objective to implement the objectives and policies of the Tree Policy and the forthcoming Tree Strategy for the County, to ensure that the tree cover in the County is managed, and developed to optimise the environmental, climatic and educational benefits, which derive from an ‘urban forest’, and include a holistic ‘urban forestry’ approach.”*



Section 9.4.1.5 contains **Policy OSR13: Play Facilities and Nature Based Play** which states the following:

*“It is a Policy Objective to support the provision of structured, and unstructured play areas with appropriate equipment and facilities, incorporating and facilitating Nature-based Play with respect to the provision of Play Opportunities throughout the County. These play facilities will also seek to maximise inclusivity and accessibility, to ensure that the needs of all age groups and abilities - children, teenagers, adults and older people - are facilitated in the public parks and open spaces of Dún Laoghaire – Rathdown.”*

The proposed development is supported by a significant landscaping proposal which ensures the delivery of high-quality open space, including play space provision, the retention of special landscape features such as mature trees and local biodiversity enhancements and the delivery of a significant SuDS scheme. The landscaping strategy comprises a strong hierarchy of public spaces, ranging from open parkland and a central square to eco-corridors and tree lined areas which foster habitat creation to intimate pockets of space which provide opportunity for quiet/ passive activity. From a placemaking perspective, the variation of open spaces within the development is considered to play a key role in the fostering of a sustainable mixed and balanced community with a variety of recreational needs.

In terms of play provision, the extensive open space network proposed provides for a broad variety of play and play spaces, both formal and informal. There are two designated playgrounds located to the north of the site and in the community park in the south of the site with local play opportunities for residents within the communal podium spaces. There are further informal play opportunities throughout the site. Having regard to the following sections which address the development management standards, we confirm that the proposed development complies with the overarching themes contained within Chapter 9 of the Draft County Development Plan.

## 2.12 Environmental Infrastructure and Flood Risk

Chapter 10 sets out the policies of the Council in relation to a range of infrastructure, pollution, flood risk and coastal protection. We address the overarching policies considered relevant to the proposed development below. The scheme is assessed in greater detail against the specific development management standards below.

Section 10.2.2.2 contains **Policy EI3: Wastewater Treatment Systems** which states the following:

*“It is a Policy Objective that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, either directly or indirectly. It is a Policy Objective to promote the changeover from septic tanks to collection networks where this is feasible and to strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems in order to minimise the risk of groundwater pollution.”*



Section 10.2.2.4 contains **Policy EI4: Water Drainage Systems** which states the following:

*“It is a Policy Objective to require all development proposals to provide a separate foul and surface water drainage system – where practicable. (Consistent with RPO 10.12)”*

Section 10.2.2.6 contains **Policy EI6: Sustainable Drainage Systems** which states the following:

*“It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).”*

Section 10.2.2.7 contains **Policy EI7: Water Supply and Wastewater treatment and Appropriate Assessment** which states the following:

*“It is a Policy Objective to require that all developments relating to water supply and wastewater treatment are subject to screening for Appropriate Assessment to ensure there are no likely significant effects on the integrity, defined by the structure and function, of any European sites<sup>1</sup> and that the requirements of Article 6 of the EU Habitats Directive are met. (Consistent with RPO 10.7 of the RSES).”*

Section 10.2.2.8 contains **Policy EI8: Groundwater Protection and Appropriate Assessment** which states the following:

*“It is a Policy Objective to ensure the protection of the groundwater resources in and around the County and associated habitats and species in accordance with the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (Groundwater) Regulations, 2010. In this regard, the Council will support the implementation of Irish Water’s Water Safety Plans to protect sources of public water supply and their contributing catchment.”*

Section 10.2.2.9 contains **Policy EI9: Drainage Impact Assessment** which states the following:

*“It is a Policy Objective to ensure that all new development proposals include a Drainage Impact Assessment that meets the requirements of the Council’s Development Management Thresholds Information Document (see Appendix 3) and the Stormwater Management Policy (See Appendix 7.1).”*

Section 10.3.2.2 contains **Policy Objective EI13: Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling** which states the following:

*“It is a Policy Objective:*

*To support the principles of the circular economy, good waste management and the implementation of best international practice in relation to waste management in order for the County and the Region to become self-sufficient in terms of resource and waste management and to provide a waste management infrastructure that supports this objective.*

*To aim to provide a supporting waste management infrastructure in the County for the processing and recovery of waste streams such as mixed municipal waste in accordance with the proximity principle.*



*To provide for civic amenity facilities and bring centres as part of an integrated waste collection system in accessible locations throughout the County and promote the importance of kerbside source segregated collection of household and commercial waste as the best method to ensure the quality of waste presented for recycling is preserved.*

*To ensure any waste amenity facilities adhere to the Waste Regional Offices Waste Management Infrastructure siting guidelines.*

*To develop a County wide network of multi material recycling centres, bring centres and a re-use centre and to require the provision of adequately-sized recycling facilities in new commercial and large-scale residential developments, where appropriate.*

*To require the inclusion of such centres in all large retail developments to maximise access by the public.*

*To ensure new developments are designed and constructed in line with the Council's Guidelines for Waste Storage Facilities (an excerpt of which is contained in Appendix 6)."*

Section 10.4.1 contains **Policy EI15: Air and Noise Pollution** states the following:

*"It is a Policy Objective:*

- To implement the provisions of national and EU Directives on air and noise pollution and other relevant legislative requirements in conjunction with other agencies as appropriate. (Consistent with RPO 10.10 of the RSES),*
- To maintain and manage a Dublin County ambient air quality monitoring network in conjunction with the EPA and TII and to make available to the public the resulting air quality measurements via the EPA website [www.epa.ie/air/quality](http://www.epa.ie/air/quality).*
- To support the implementation of objectives of the 'Dublin Agglomeration Environmental Noise Action Plan 2018-2023'."*

Section 10.7.2 contains **Policy Objective EI23: Flood Risk Management** which states the following:

*"It is a Policy Objective to support, in cooperation with the OPW, the implementation of the EU Flood Risk Directive (2001/60/EC) on the assessment and management of flood risks, the Flood Risk Regulations (SI No 122 of 2010) and the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on 'The Planning System and Flood Risk Management' (2009) and relevant outputs of the Eastern District Catchment and Flood Risk Assessment and Management Study (ECFRAMS Study). Implementation of the above shall be via the policies and objectives of the Strategic Flood Risk Assessment set out in Appendix 16 of this Plan."*



This planning application is supported by a full suite of engineering proposals to serve the proposed development, including extensive SuDS proposals which are further detailed in the *Infrastructure Report* prepared by BMCE, dated March 2022. The proposed drainage strategy has been fully considered from a hydrological and ecological perspective, as set out in the Hydrology Chapter of the EIAR and the *Natura Impact Statement*, prepared by Altemar. Furthermore, the SuDS proposals are detailed the *Landscape Report* prepared by Aecom, supported by a *Habitats Management Plan*, prepared by Altemar. A *Site-Specific Flood Risk Assessment*, also prepared by BMCE, is enclosed. The flood risk assessment has been carried out in accordance with *The Planning System and Flood Risk Assessment Guidelines for Planning Authorities* whereby the developed site is shown not to be at a significant risk from flooding and to not create a significant risk to adjoining areas or downstream. Furthermore, the enclosed EIAR gives full consideration to the proposed development from an air and noise pollution and waste management perspective. Whilst the application is also supported by an *Energy and Sustainability Report*, prepared by EDC, which sets out the energy efficiency measures associated with the proposed development, including a district heating system, PV panels and electric vehicle parking. Having regard to the above, we conclude that the proposed development aligns with the overarching policy themes contained within Chapter 10 of the Draft County Development Plan.

## 2.13 Heritage and Conservation

Chapter 11 contains specific objectives and guidance relating to the protection of the County's heritage under the headings of archaeological heritage, architectural heritage and countywide heritage (which includes the DLR Heritage Plan), and important overarching themes which require specific, additional consideration. The following overarching policies are considered relevant to the consideration of the proposed development. The scheme is assessed in greater detail against the specific development management standards below.

Section 11.3.1.1 contains **Policy HER1: Protection of Archaeological Heritage** which states the following:

*"It is a Policy Objective to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments."*

Section 11.3.1.2 contains **Policy HER2: Protection of Archaeological Material in Situ** which states the following:

*"It is a Policy Objective to seek the preservation in situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places, and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the Council will have regard to the advice and/or recommendations of the Department of Culture, Heritage and the Gaeltacht (DCHG)."*

Section 11.4.1.1 contains **Policy Objective HER7: Record of Protected Structures** which states the following:

*“It is a Policy Objective to include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures.”*

Section 11.4.1.2 contains **Policy Objective HER8: Work to Protected Structures** which states the following:

*“It is a Policy Objective to:*

- I. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- II. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the ‘Architectural Heritage Protection Guidelines for Planning Authorities’ published by the Department of the Arts, Heritage and the Gaeltacht.*
- III. Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.*
- IV. Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.*
- V. Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.*
- VI. Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.*
- VII. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.*
- VIII. Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.*
- IX. Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.*
- X. Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES).”*



Section 11.4.1.3 contains **Policy Objective HER9: Protected Structures Applications and Documentation** which states the following:

*“It is a Policy Objective to require all planning applications relating to Protected Structures to contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning Regulations and Chapter 6 and Appendix B of the ‘Architectural Heritage Protection Guidelines for Planning Authorities’, or any variation thereof.”*

Section 11.4.3.2 contains **Policy Objective HER20: buildings of Vernacular and Heritage Interest** which states the following:

*“It is a Policy Objective to:*

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.*
- ii. Encourage the retention and/or reinstatement of original fabric of our historic building stock such as windows, doors, roof coverings, shopfronts, pub fronts and other significant features.*
- iii. Ensure that appropriate materials be used to carry out any repairs to the historic fabric.”*

The proposed development responds to the site’s built heritage through sensitive design and robust and detailed assessment in respect of the heritage assets on site. The proposed development has been assessed from an architectural and archaeological perspective, as contained within the Archaeological and Cultural Heritage and Architectural Heritage Chapters of the EIAR. Furthermore, the planning documentation acknowledges the ‘proposed protected structure’ status of a number of the buildings within the wider site boundary and assesses them accordingly. Having regard to the aforementioned assessments, we conclude that the proposed development aligns with the overarching policy themes contained at Chapter 11 of the Draft County Development Plan.

## 2.14 Development Management

Having regard to the introduction of Chapter 12, we confirm the following:

- In line with Section 12.1.1.2 ‘Design Statements’, this planning application is accompanied by a Design Statement (see *Architectural Design Report* prepared by Reddy A+U);
- In line with Section 12.1.1.3 ‘Landscape Plans’, a Landscape Plan, supported by a landscape design rationale is enclosed with this submission, prepared by Aecom Landscape Architects;



- With consideration to Section 12.1.2 ‘Impacts on the Environment’, relating to Impacts on the Environment, we confirm that the application is supported by a full *Environmental Impact Assessment Report (EIAR)*;
- In accordance with Section 12.1.2.2 ‘Appropriate Assessment’, the planning application is supported by an *Appropriate Assessment Screening and Natura Impact Statement*;
- In line with Section 12.1.2.3 ‘Ecological Impact Assessment’, it is also accompanied by a full ecological assessment, contained within the EIAR at Chapter 8 – Biodiversity;
- In line with Section 12.2.1 ‘Built Environment’, an *Energy and Sustainability Report*, prepared by EDC is enclosed with this application.
- Having regard to Section 12.2.2 ‘Renewable Energy’, we confirm, that the proposed development includes solar panels;
- In accordance with Section 12.2.5 ‘District Heating’, the proposed development includes a district heating system.
- In accordance with Section 12.2.6 ‘Urban Greening’, the proposed development provides extensive planting and habitat creation. It also incorporates significant Nature-Based Solutions (NBS), including SuDS measures such as intensive and extensive green roofs, swales, raingardens/ bioretention pits, permeable paving and integrated constructed wetland.
- In line with Section 12.3.1 ‘Quality Design’, we confirm that the proposed development provides a high quality living environment for residents in respect of the proposed units themselves and the wider open space and site layout. Refer to the *Architectural Design Report* for full details in respect of the design rationale for the development. The enclosed *Housing Quality Assessment*, prepared by Reddy A+U and the *Internal Daylight, Sunlight and Overshadowing Report* and also demonstrates the quality of the scheme from a standard of accommodation perspective.

We further note the design criteria set out in Section 12.3.1.1 ‘Design Criteria’ and consider that compliance is demonstrated throughout this Statement and accompanying documentation.

#### 2.14.1 Childcare Facilities

Section 12.3.2.4 of the Draft County Development Plan states:

*“In assessing individual planning applications for childcare facilities, the Planning Authority will have regard to the following:*

- *Suitability of the site for the type and size of facility proposed.*
- *Adequate sleeping/rest facilities.*
- *Adequate availability of indoor and outdoor play space.*
- *Convenience to public transport nodes.*
- *Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.*



- *Local traffic conditions.*
- *Number of such facilities in the area. In this regard, the applicant shall submit a map showing locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.*
- *Intended hours of operation.*
- *Applications for childcare facilities in existing residential areas will be treated on their merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria.*
- *Detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities. Properties with childcare should include a residential component within the dwelling, and preferably should be occupied by the operator or a staff member of the childcare facility.*
- *For new residential developments, the most suitable facility for the provision of full day care should be a purpose built, ground floor, standalone property.”*

The proposed childcare facility has been addressed in Section 3.7 of the main Statement of Consistency relating to the current Plan, including a breakdown of the capacity of the facility and the number of children that it can provide for, in line with the relevant guidance. This is further supported by the Section 4.1 of the *Social Infrastructure Audit* which provides a rationale for the size of the facility proposed, having regard to the number of existing facilities in the surrounding area.

Furthermore, we note the location of the site close to public transport connections, including the Windy Arbour Luas stop, c. 450 m from the site. The TTA, prepared by ILTP, also has regard to the traffic impact of the proposed development, including the non-residential uses, and demonstrates that the development will not give rise to unacceptable impact in this regard. Section 4.9.8 also has regard to the car parking provision in respect of childcare facilities. Lastly, we confirm that the proposed facility will operate between 7.00 and 19.00 unless otherwise agreed with DLRCC.

Having regard to the above, we confirm that the proposed childcare facilities align with the Draft County Development Plan requirements in this regard.

## 2.14.2 Health Care Facilities

Section 12.3.2.6 of the Development Plan refers to health care facilities of various scales and intensities.

The proposed development, which includes 245 sq m of medical floorspace, is not considered to conflict with the draft policy requirements in this regard.

## 2.15 Quantitative Standards for all Residential Development

### 2.15.1 Residential Size and Mix

Section 12.3.3.1 ‘Residential Size and Mix’ of the Draft Development Plan states:

*“In order to demonstrate compliance with Policy Objective PHP26 and based on the findings of the Draft Housing Strategy and Interim HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located*

*within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County.”*

It further states:

*“The proposed provision of residential units (both houses and apartments), shall provide a mix that reflects existing, and emerging household formation, housing demand patterns and housing demand patterns and trends identified locally and/ or within the County. New residential communities (as set out in the Core Strategy and Figure 2.9 of the Core Strategy Map) shall ensure an appropriate mix including a proportion of larger units. Applications received in both new residential communities and within the residual built up area shall include:*

- *Details of existing and permitted unit types within a 10-minute walk of the proposed development.*
- *A detailed breakdown of the proposed unit type and size including a percentage split between 1/2/3+ bed units which in the case of apartments (and duplexes) shall generally be in accordance with Table 12.1.*
- *A site and/or floor plans that clearly identify proposed units that:*
  - *Are designed and located having regard to the needs of older people and/or persons with a disability.*
  - *Are designed having regard to the concept of lifetime adaptable and/or multigenerational homes.*
- *A statement outlining how the scheme has been designed for the needs of older people and / or persons with a disability and / or lifetime homes.*
- *No more than 10% of the total number of units in any private residential development may comprise of two-bedroom three-person apartment types.*

*Table 12.1 sets out the mix requirements for apartment developments. Duplexes are considered to be apartments for the purposes of mix.”*

Table 12.1 sets out the apartment mix requirements referred to by Section 12.3.3.1 above.

The proposed development comprises of 977 no. residential units; 940 no. apartments, 17 no. duplex units and 20 no. houses.

The quantitative standards in respect of unit mix contained within Section 12.3.3.1 of the Development Plan applies to all residential development, including apartments and houses.

Table 2.4 below demonstrates the percentage of each unit type on a scheme wide basis. The second table (Table 2.5) has regard to the unit mix relating to the apartment component of the scheme, inclusive of the duplex units.

**Table 2.4: Scheme wide unit mix.**

	<b>Apartments</b>	<b>Duplexes</b>	<b>Houses</b>	<b>Total</b>
<b>Studio</b>	53			<b>53 (5.4%)</b>
<b>1 bed</b>	423			<b>423 (43.3%)</b>
<b>2 bed (3 person)</b>	37			<b>357 (36.5%)</b>
<b>2 bed</b>	317	3		



<b>3 bed</b>	110	14	7	<b>131 (13.4%)</b>	<b>144 (14.7%)</b>
<b>4 bed</b>			13	<b>13 (1.3%)</b>	
	<b>940</b>	<b>17</b>	<b>20</b>		<b>977</b>

**Table 2.5: Apartment development unit mix.**

	<b>Apartments</b>	<b>Duplexes</b>	<b>Total</b>	
<b>Studio</b>	53		<b>53 (5.5%)</b>	
<b>1 bed</b>	423		<b>423 (44%)</b>	
<b>2 bed (3 person)</b>	37		<b>357 (37.3%)</b>	
<b>2 bed</b>	317	3		
<b>3 bed</b>	110	14	<b>124 (12.9%)</b>	<b>124 (12.9%)</b>
<b>4 bed</b>			<b>0</b>	
	<b>940</b>	<b>17</b>	<b>957</b>	

Having regard to the apartment development specific requirements of Section 12.3.3.1 and associated Table 12.1, we note that schemes of over 50 units in existing built-up areas are required to generally comply with the following.

In respect of mix of studio/ one/ two bedroom requirements, Table 12. 1 requires:

*“Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios.”*

In respect of 3+ bedroom requirements, Table 12.1 requires:

*“Minimum 20% 3+ bedroom units.”*

As shown in Table 2.4 above, the proposed apartment mix does not comply with Section 12.3.3.1 and Table 12.1 of the Draft Development Plan, as explained below:

- The combined total of proposed studio and one bed units is 49.5% which exceeds the 30% restriction on the combined total of these unit types as set out in Table 12.1.
- The proposed apartment development comprises 12.9% three bed units which falls below the minimum requirement for 20% 3+ bed units as set out in Table 12.1.

We therefore note this as a material contravention of the Draft County Development Plan. Refer to the accompanying *Material Contravention Statement* for further details.

Notwithstanding this, we give consideration to the acceptability of the proposed housing mix from a wider planning assessment perspective. As part of this, we acknowledge the importance of policy objectives surrounding housing mix and the key role that they play in the creation of mixed and balanced sustainable communities. However, when introducing new residential development into an existing built-up area, it is our opinion, that an appropriate housing mix (in terms of unit size and type) should be considered in the context of the wider housing mix within the area surrounding the site, rather than in isolation.



In this regard, we draw attention to the strong prevalence of existing lower density dwelling houses (3 bedrooms +) in the area immediately surrounding the site. The proposed housing mix, which contains a greater proportion of smaller units, responds to this context and recognises the need for further variation of housing types to ensure a genuine mix of housing type in the area.

We therefore confirm that the proposed development responds to a demonstrable undersupply of other housing types in the area, including units suited to smaller households and provides the housing needed to deliver mix and balance, both within the site and within the surrounding area. Importantly, this also aligns with the LDA's vision to transform the subject lands into a leading example of sustainable living which delivers a mix of tenures where people of all ages can live.

### 2.15.2 Residential Density

Section 12.3.3.2 of the Draft County Development Plan sets out the following in relation to residential density:

*"In general, the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009). As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location, and accessibility to public transport. (See policy PHP18, Chapter 4)."*

The proposed development will have a net residential density of 150 units per hectare (gross residential density of 102 units p/ha). This is appropriate for the application site, having regard to *National Planning Framework*, and the Apartment Guidelines which promotes higher residential densities at well located, serviced urban locations.

The locational characteristics of the site in the context of residential density is further discussed in relation to national guidelines and Policy PHP21: Development on Institutional Lands Section 3.0 of the main *Statement of Consistency* and Section 2.6.3 of this secondary Statement.

### 2.16 Residential Development – General Requirements

We note that all policy requirements contained in Section 12.3.4 of the Draft County Development Plan apply to both houses and apartments. Refer to the *Housing Quality Assessment* prepared by Reddy A+U which demonstrates compliance with the relevant standards.

#### 2.16.1 Roads and Footpath Requirements

Section 12.3.4.1 of the Draft County Development Plan sets out the Council's policy in respect of roads and footpath requirements, including the provision of dished kerbs at junctions and vehicular entrances to facilitate people with ease of movement.

We confirm compliance with this policy requirement. Refer to the *DMURS Compatibility Statement* prepared by ILTP for full details.



### 2.16.2 Habitable Rooms

Section 12.3.4.2 relates to the requirements for habitable rooms in terms of minimum size and dimensions and standard of accommodation provided in respect of daylight, sunlight and ventilation. It states that development shall be guided by the BRE guidelines and/ or any updated guidance.

The enclosed *Housing Quality Assessment*, demonstrates compliance with the relevant standards for habitable rooms both for houses and apartments. We further confirm that all habitable rooms within new residential units have access to appropriate levels of natural daylight, sunlight and ventilation. Refer to the *Daylight and Sunlight – Internal Daylight, Sunlight and Overshadowing Report*, prepared by GIA which demonstrates that the proposed development would provide a give rise to excellent daylight and sunlight access across the scheme.

### 2.16.3 Phased Development

Section 12.3.4.4 requires the following in respect of developments over 100 no. residential units:

*“No large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development.*

*In addition, when considering proposals for development within the curtilage of Protected Structures a proposed phasing agreement should be provided (refer to Section 12.11.2.3).*

*A phasing schedule for any such development shall be submitted with a planning application.”*

The proposed development is supported by a phasing plan which, due to the scale of development proposed, breaks the delivery of the development down into phases. The submission includes a Phasing Drawing Dwg. No. DCD-RAU-02-SW\_ZZ-DR-A-1006 ‘Site Plan, Phasing Plan, SHD’ that illustrates the proposed phases. We note that any direct works to the proposed protected structures sit outside of the red line. This is however addressed as part of the masterplan phasing, refer to the *Masterplan Report* for details.

Further to this, the *Construction Environmental Management Plan* (CEMP) provides a detailed overview of the construction phasing, as set out below.



Phase	Description	*Approx % of the total Development	Estimated Construction Period (Months)
1	Block 10	16%	18
2	Blocks 02	13%	17
3	Blocks 03, 04, & 05 and the walled garden.	38%	20
4	Blocks 06 & 07 and the community park.	28%	23
5	Blocks 08 & 09	5%	10
Total 977 residential units + Other uses. <small>*Measured by unit numbers. **The construction of the clusters overlap.</small>		<b>100%</b>	<b>76**</b>

**Figure 2.3: Extract from the CEMP prepared by BMCE showing the phasing strategy for the proposed development.**

Further to the above, the CEMP also confirms that Phase 01 includes the following:

- *Block 10: 158 no. apartments including half-basement car parking and a creche.*
- *Entrance road from Dundrum Road and pedestrian and cycle paths crossing the site to Rosemount Park. This pedestrian and cycle route may be in a temporary location during construction of all phases depending on construction requirements and access.*
- *Second access road off the Dundrum Road.*

Having regard to components included within Phase 01, we confirm that the delivery of key infrastructure, including vehicular, pedestrian and cyclist routes is prioritised in the early phases of development. Furthermore, the delivery of the majority of the social infrastructure will align with the delivery of the majority of the residential development, with Block 10 and the creche coming forward in advance of that. Lastly, we confirm that all piped infrastructure and services will be delivered on a site wide basis as enabling works prior to Phase 01. In addition to this, we note that the subject site is located in a well-established and serviced urban area, which benefits from a wide range of social infrastructure and amenities, including schools, local retail and sports facilities. In our opinion the proposed phasing strategy accords with Section 12.3.4.4 of the Development Plan.

#### 2.16.4 Management Companies and Taking in Charge

Section 12.3.4.5 relates to requirements for taking in charge and requires the following:

*“If a development (or part thereof) is to be Taken in Charge by the Council the applicant shall agree, which areas are to be Taken in Charge, and this shall be clearly indicated on a site layout plan. All areas not to be Taken in Charge by the Council, shall also be clearly indicated on a site layout plan, and shall be maintained and the responsibility of a properly constituted Private Management Company. These details shall be submitted with the planning application.”*

We confirm full compliance and refer to the enclosed Taking in Charge drawing.



### 2.16.5 Refuse Storage and Services

Section 12.3.4.7 requires the following:

*“Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for refuse should be accessible both to the external collector and to the resident and be secured against illegal dumping by non-residents*

*In the case of individual houses, the applicant shall clearly show within a planning application the proposed location and design of bin storage to serve each dwelling and having regard to the number of individual bins required to serve each dwelling at the time of the application and any possible future requirements for refuse storage/collection. (See also Appendix 6).”*

Refuse storage has been designed in consultation with AWN who have been appointed to provide the Waste Chapter of the EIAR. As part of this, we confirm that each residential unit will have adequate storage provision to facilitate the recycling policy of DLRCC and each building will have access to their own respective bin store (including provision for non-residential uses).

We further confirm that waste areas are easily accessible for residents/ occupiers and refuse collectors. The waste storage facility will also be adequately ventilated to minimise odours and potential nuisance from vermin/flies and ensuring the avoidance of nuisance for habitable rooms above. Waste storage issues have been considered at the initial apartment design stage to ensure access for all, including people with disabilities. Sufficient access and egress is provided to enable receptacles to be moved easily from the storage area to an appropriate collection point within the site.

The proposed development therefore complies with the Draft County Development Plan in this regard.

### 2.17 Apartment Development

Section 12.3.5 onwards of the Draft County Development Plan applies to apartment development only. Refer to the *Housing Quality Assessment* prepared by Reddy A+U which demonstrates compliance with the relevant standards.

#### 2.17.1 Dual Aspect in Apartments

Section 12.3.5.1 requires the following:

*“Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018), provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, DLR as a County is classified as a suburban or intermediate location and therefore:*

- *There shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
- *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at*

*a level lower than the 50% minimum outlined above on a case-by case basis, but subject to the achievement of overall high design quality in other aspects.”*

Whilst we demonstrate that the subject site is located in a Central and/or Urban Accessible Location when considered in the context of the Apartment Guidelines, we confirm that the proposed development provides 52% dual aspect and therefore complies with this objective.

### 2.17.2 Separation Between Blocks

Section 12.3.5.2 of the Draft Development Plan, states:

*“All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.*

*A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.”*

The proposed design strategy has sought to maximise separation distances between opposing windows to ensure a high standard of residential accommodation within the scheme and also mitigate adverse impact upon neighbouring development. There are however a number of instances where the separation distances between opposing windows, both within and outside of the development, fall below 22 metres. We do however note the instances referred to by Section 12.3.4.2 whereby reduced separation distances may be acceptable and in this context we confirm that a full daylight and sunlight assessment of the proposed development is enclosed with this planning application.

Although the proposed development is considered to be acceptable in this regard (for the reasons expanded upon below), we identify the separation distances between opposing windows across the scheme (see Figure 3.3 below) which fall below 22 metres as a material contravention of the Draft Development Plan. Refer to the *Material Contravention Statement* for full details in this regard. Whilst this is identified as a material contravention, we confirm that despite the reduced separation distances, the design strategy, which includes stepped height in places and staggered windows, ensures that the proposed development does not give rise to unacceptable impact upon the proposed standard of accommodation or surrounding neighbouring amenity. The results of the daylight, sunlight and overshadowing assessments are considered to evidence the above position, demonstrating that in the very few instances where the BRE Guideline target values are not met, the impact is minor in nature.

### 2.17.3 Internal Storage and External Storage

Section 12.3.5.5 contains Table 12.3 which outlines the minimum storage space requirements for apartment development. It further notes the requirement for bulky storage.

Minimum Requirements
One Bedroom 3 sq.m.
Two Bedroom (3 person) 5 sq. m.
Two Bedroom (4 person) 6 sq. m.
Three Bedroom 9 sq.m.

Figure 2.4: Extract from Table 12.3 of the Draft County Development Plan showing storage requirements.

We confirm that the proposed development complies with this requirement. Refer to the *Housing Quality Assessment* for full details.

#### 2.17.4 Penthouse Development

Section 12.3.5.4 relates to penthouse development: “*which typically consists of high-quality roof level living accommodation in an apartment development*”. Where applicable, the following is required.

*“A penthouse level should have regard to the overall design of an apartment block and should be finished with high quality materials and not have a negative visual impact on the skyline and/or streetscape (refer also to the Building Height Strategy set out in Appendix 5).”*

Blocks 7 and 10 have set back levels which could be considered to constitute penthouse development. Having regard to the justification set out in respect of building height and quality in earlier sections of this Statement, we conclude that the proposed development complies with Section 12.3.5.4 in this regard.

#### 2.17.5 Minimum Apartment Floor Areas

Section 12.3.5.5 states that all apartment developments shall accord with the minimum floor areas set out in the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*.

We confirm that the proposed development complies with this requirement. Refer to the *Housing Quality Assessment* for full details.

#### 2.16.6 Additional Apartment Design Requirements

Section 12.3.5.6 sets out the further requirement for the following:

- Ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres;
- A maximum of 12 apartments per floor per core may be provided in apartment schemes.



We confirm that the proposed development provides minimum floor to ceiling heights of 2.7 metres. In terms of the number of apartments per floor, per core, the scheme generally complies with this requirement. There are instances in Block 05, as referred to in the *Housing Quality Assessment*, where the number of units per core exceeds 12 (13 no. unit per core in total). In this instance, the floors are served by an additional staircase which provides for ample circulation and escape opportunities. Notwithstanding this, due to the minor shortfall in this regard, non-compliance with Section 12.3.5.6 is identified as a material contravention. Refer to the *Material Contravention Statement* for full details.

### 2.17.7 Institutional Lands

Section 12.3.8.11 of the Draft County Development Plan relates to development on Institutional lands and states the following:

*“Where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the area’s zoning objectives and the open character of the lands being retained. There are still a number of large institutions in the established suburbs of the County which may be subject to redevelopment pressures in the coming years. The principal aims of any eventual redevelopment of these lands will be to achieve a sustainable amount of development while ensuring the essential setting of the lands and the integrity of the main buildings are retained. In order to promote a high standard of development a comprehensive Masterplan should accompany a planning application for institutional sites. Such a Masterplan must adequately take account of the built heritage and natural assets of a site and established recreational use patterns. Public access to all or some of the lands may be required. Every planning application lodged on institutional lands shall clearly demonstrate how they conform with the agreed Masterplan for the overall site. Should any proposed development deviate from the agreed Masterplan then a revised Masterplan shall be agreed with the Planning Authority.*

*A minimum public open space provision of 25% of the total site area will be required on Institutional Lands. This provision must be sufficient to maintain the open character of the site - with development proposals built around existing features and layout, particularly by reference to retention of trees, boundary walls and other features as considered necessary by the Council.”*

We have demonstrated in full that the proposed development complies the policy requirements in respect of Institutional lands in Section 2.6.3 of this Statement.

### 2.18 Transport

In line with Section 12.4.1, 12.4.2, 12.4.3 and 12.4.4, we confirm that this planning application submission is supported by the following documents, all prepared by ILTP and EDC:

- *Transport and Traffic Assessment (TTA)*
- *Mobility Management Plan (incorporated within the TTA)*
- *DMURS Compatibility Statement*
- *Stage 1 Quality Audit*
- *Stage 1 Road Safety Audit*
- *Public Lighting Report*

## 2.18.1 Car Parking Standards

Section 12.4.5 refers to Council policy in respect to car parking standards. Section 12.4.5.1 outlines 'Parking Zones' whereby the County has been divided into four parking zones which are allocated via Supplementary Map T2 of the Draft County Development Plan. A different set of parking standards are applied to each of the parking zones and are contained in Table 12.6.

According to Map T2, the subject lands are considered to fall within Parking Zones 2 and 3, with the majority designated as Zone 3. For Zone 2 and 3 locations, the parking requirements are 'standards', for both residential and non-residential car parking.

### *Residential Car Parking*

Figure 2.5 below, shows the Car Parking Zones and Standards, as extracted from Section 12.4.5.6.

Land Use		Zone 1 MTC Areas and Blackrock	Zone 2 Near Public Transport	Zone 3 Remainder of County (non-rural)	Zone 4 Rural
<b>Houses:</b>	<b>Criterion</b>	<b>Maximum</b>	<b>Standard</b>	<b>Standard</b>	<b>Standard</b>
House 1 bed	unit	1	1	1	Case by case
House 2 bed	unit	1	1	1	Case by case
House 3 bed or more	unit	1	2	2	Case by case
<b>Apartments and Sheltered Housing:</b>					
Apt 1 bed	unit	1	1	1*	Case by Case
Apt 2 bed	unit	1	1	1*	Case by Case
Apt 3 bed +	unit	1	2	2*	Case by Case

Figure 2.5: Extract from Table 12.6 'Car Parking Zones and Standards' contained within the Draft County Development Plan.

The proposed development provides the following car parking provision in respect of the residential component of the scheme. The table below compares the proposed provision with the Draft County Development Plan car parking standards. As noted above, the car parking requirements for zone 2 and zone 3 locations are 'standards' and therefore are required to be met to comply with the Draft County Development Plan.

Table 2.6: Proposed Residential Car Parking Provision in context of Draft County Development Plan Requirements.

Proposed Unit Type/ Land Use	Size/ No. of Units	DLRCC Draft Development Plan Standards	DLRCC Parking Requirement	Proposed Car Parking Provision
<b>Houses</b>				
House 1 bed	0	Zone 2 – 1 per unit Zone 3 – 1 per unit	0	<b>0</b>
House 2 bed	0	Zone 2 – 1 per unit Zone 3 – 1 per unit	0	<b>0</b>

House 3 bed +	20	Zone 2 – 2 per unit Zone 3 – 2 per unit	40	<b>27</b>
<b>Apartments</b>				
Apartment 1 bed	476 (including studios)	Zone 2 – 1 per unit Zone 3 – 1 per unit*	476	<b>73</b>
Apartment 2 bed	357	Zone 2 – 1 per unit Zone 3 – 1 per unit*	357	<b>171</b>
Apartment 3 bed +	124	Zone 2 – 2 per unit Zone 3 – 2 per unit*	248	<b>132</b>
<b>Allocated Residential Subtotal</b>	<b>977</b>		<b>1,121</b>	<b>402</b>
Additional 15% of Residential Parking for Visitor Parking				<b>60</b>
12 no. Car Club				<b>12</b>
15 no Travel Club				<b>15</b>
<b>Total Residential Car Parking</b>	<b>977</b>			<b>489</b>
<b>Total Residential Motorcycle Parking</b>				<b>49</b>
<b>Disabled Parking</b>				<b>4% of total</b>

\* plus 1 in 10 visitor parking for apartments in Zone 3

Table 2.6 above demonstrates that the proposed car parking provision does not fully comply with the standards relating to Zone 2 and 3 locations for the residential component of the scheme.

Whilst we consider that the proposed car parking provision is supported by Section 12.4.5.2 of the Draft County Development Plan, which provides for the deviation from the car parking standards (as addressed in further detail in Table 2.7 below), we identify the shortfall in car parking spaces as a material contravention. Refer to the *Material Contravention Statement* for full details in this regard.



**Table 2.7: Assessment of proposed development against Criteria for reduced car parking standards under Section 12.4.5.2 of the Draft Development Plan**

Criteria for reduced car parking standards under Section 12.4.5.2 of the Draft Development Plan	Justification surrounding compliance of the proposed development.
Proximity to public transport services and level of service and interchange available.	<p>The subject site is located approx. 450m (less than 10 minute walk) from Luas Green Line Windy Arbour with services at 3 minute intervals during peak hours.</p> <p>It is also less than a 10-minute walk from Dublin Bus Routes on Dundrum Road with services at hourly intervals.</p>
Walking and cycling accessibility/permeability and any improvement to same.	<p>The provision of the proposed new cycle (and pedestrian) link through the proposed development provides a strategic new link that significantly augments the existing and planned cycle network in the area. It provides new connections for existing communities as well as the new planned community and will promote sustainable travel in the area. In addition, it links with the existing pedestrian/cycle crossing on Dundrum Road and provides access to low volume traffic routes to the north and south of the subject lands. This additional strategic link through the proposed development represents a significant contribution to the local mobility.</p> <p>Furthermore, with the implementation of the proposed internal infrastructure, the 15-minute walking catchment of the site would significantly increase to the east and south of the subject lands particularly. This very significant increase in catchment will further promote the use of walk and cycle modes for the new development and importantly benefits the existing community by providing shorter walk and cycle route.</p>
The need to safeguard investment in sustainable transport and encourage a modal shift.	<p>A <i>Mobility Management Plan</i> (MMP) prepared by ILTP is enclosed with this planning application. The MMP proposes special measures to enable modal shift towards sustainable travel modes. As part of this, we note that the applicant, the LDA, is committed to delivering a low carbon development with the emphasis on sustainable travel modes and reduced private car dependency in line with the strategic objectives of the National Planning Framework.</p>
Availability of car sharing and bike / e-bike sharing facilities.	<p>As set out in Table 2.6 above, the proposed development includes provision for Car Club and Travel Club. The proposed development also provides for cargo bikes.</p> <p>In terms of bicycle share facilities, the Applicant team have identified potential for future provision and will continue to explore it as an option.</p> <p>Such facilities are not proposed as part of the scheme at this stage due to the reliance on third party providers. As a public body the LDA are required to tender such service and are therefore precluded from obtaining commitment from providers at this early stage, prior to following proper procurement procedures.</p>
Existing availability of parking and its potential for dual use.	<p>The existing parking at the site is associated with the current use of the site as the Central Mental Hospital. All parking associated with the existing use, within the site boundary, will be discontinued as a</p>



	<p>result of the proposed development and will therefore no longer exist.</p> <p>The proposed parking strategy does however provide for the dual use of delivery bays with the intention for them to be delivery bays during the day and residential parking at night.</p>
Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).	<p>The internal street layout and the provision of cycle and pedestrian connectivity through the site will further promote sustainable travel patterns for both the existing and new community.</p> <p>The allocation of car parking is also proposed to prioritise the larger units to address potential greater need in respect of car ownership.</p>
The range of services available within the area.	<p>The proposed development will include for a variety of local facilities, which means that many services will be available within the development and within a short walk of the new residential development proposed. This will reduce the need to travel and also encourage more people to use local facilities.</p>
Impact on traffic safety and the amenities of the area.	<p>Refer to the <i>Traffic and Transport Assessment (TTA)</i>, <i>DMURS Compatibility Statement</i>, <i>Stage 1 Quality Audit</i> and <i>Stage 1 Road Safety Audit</i> for full details in this regard. The relevant assessments conclude that the proposed development, from a traffic perspective, would not have an unacceptable adverse impact upon the receiving environment.</p>
Capacity of the surrounding road network.	<p>Refer to the <i>Traffic and Transport Assessment (TTA)</i> which concludes that the proposed development would not have a significant adverse impact on the surrounding area.</p>
Urban design, regeneration and civic benefits including street vibrancy.”	<p>The proposed development brings a currently insular site into active use, including a number of pedestrian and cyclist links that connect it to the surrounding residential areas. As a high security mental health facility, the site is currently inaccessible to the public and surrounded by a 4-5m high perimeter wall. As well as making a significant contribution to the delivery of housing in line with national policy objectives, the proposed development enhances the Dundrum Area from a placemaking and regeneration perspective. The proposed development will deliver significant civic benefits, including a significant quantum of public open space, community facilities, local facilities and high-quality housing which will contribute to the overall vibrancy and quality of Dundrum as a place to live. Furthermore, the proposal includes the removal of sections of perimeter wall at both Dundrum Road and adjacent to Rosemount Green to the south of the site. This is considered to greatly enhance the relationship between the subject lands and the surrounding public realm, providing increased permeability and resultant movement of people, an enhanced network of community facilities and spaces and increased active frontage and natural surveillance.</p>

Having regard to the above, we conclude that the proposed car parking provision is acceptable in the context of Section 12.4.5.2 of the Draft County Development Plan, which provides for the deviation from the car parking standards (as addressed in further detail in Table 3.7 below). However, as noted above, non-compliance with the Draft parking standards is addressed in the *Material Contravention Statement*.

**Non-Residential Car Parking Provision**

Figure 2.6 below, shows the Car Parking Zones and Standards, as extracted from Amendment no. 185 'Amend Table 12.6 'Car Parking Zones and Standards' (pages 258-259) as follows' of the Proposed Amendments to the Draft Plan document.

Other Uses	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Caravan Park	stand	n/a	n/a	1	1
Hotel/Aparthotel etc	bedroom	1 per 3 rooms	1 per 2 rooms	1 per room	n/a
Student Hostel / Accommodation	bed space	1 per 20	1 per 15	1 per 10	n/a
Education:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
All Schools	classroom (excluding resource or ancillary rooms)	1	1	2	2
Childcare	GFA (including set down)	1 per 80	1 per 60	1 per 40	1 per 40
Third Level		case by case	case by case	case by case	n/a
Retail:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Retail Conv >1000 sq m (supermarket)	GFA	1 per 60	1 per 30	1 per 20	n/a
Retail Conv > 100sqm	GFA	1 per 60	1 per 40	1 per 30	n/a
Retail Conv < 100sqm	GFA	none	none	1 per 30	n/a
Retail / Financial Services > 100sqm	GFA	1 per 200	1 per 150	1 per 100	
Retail Comp	GFA	1 per 200	1 per 100	1 per 50	n/a
Retail Warehouse	GFA	1 per 100	1 per 50	1 per 50	n/a
Employment:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Offices, Businesses, Professional	GFA	1 per 200	1 per 150	1 per 100	n/a

Science and Technology based industry	GFA	1 per 200	1 per 150	1 per 100	n/a
Industry General / Manufacturing	GFA	1 per 300	1 per 200	1 per 100	n/a
Leisure:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Theatre, Cinema, Auditorium / Conf	Seat	1 per 50	1 per 25	1 per 20	n/a
Restaurant, Café, Bar, Lounge < 100sqm (standalone)	GFA	none	none	1 per 30	1 per 25
Restaurant, Café, Bar, Lounge > 100sqm	GFA	1 per 100	1 per 50	1 per 30	1 per 25
Community:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Community facility, library, museum, art gallery	GFA	1 per 150	1 per 100	1 per 50	1 per 50
Place of Worship Place of Public Worship	Seat	1 per 50	1 per 20	1 per 10	1 per 5
Medical facility	Consulting Room	1	2	2	n/a
Hospital	GFA	1 per 100	1 per 75	1 per 50	1 per 50
Residential Institution	Bed	1 per 3	1 per 2	1 per 2	1 per 4
Funeral Home	parlour	4	4	5	n/a
Sport:	Criterion	Standard Maximum	Standard Maximum	Standard Maximum	Standard Maximum
Golf Course	Hole	n/a	n/a	n/a	6
Pitch and Putt	Hole	n/a	n/a	3	4
Gym / Sports Club	GFA	1 per 100	1 per 75	1 per 50	n/a
Sports Grounds / Sport related		case by case	case by case	case by case	case by case

\*plus 1 in 10 visitor parking for apartments in zone 3"

Figure 2.6: Extract from amended Table 12.6 of the Proposed Amendments to Draft Plan

The proposed development provides the following car parking provision in respect of the residential component of the scheme. The table below compares the proposed provision with the Draft County Development Plan car parking standards. In the published draft version of the Plan, the non-residential parking requirements were stated as 'standards' and therefore were required to be met to comply with the policy in full. The proposed material alterations to the Draft Plan subsequently amended the non-residential parking requirements to



‘maximums’ rather than standards. With this amendment in place, the proposed non-residential car parking complies with the Draft County Development Plan. Notwithstanding this, the original draft wording is addressed in the *Material Contravention Statement*, in the interest of caution and on the basis that the wording of the newly adopted County Development Plan is not yet in the public domain.

**Table 2.8: Proposed Residential Car Parking Provision in context of Draft Development Plan Requirements.**

Proposed Unit Type/ Land Use	Size/ No. of Units	DLRCC Draft Development Plan (maximums)	DLRCC Draft Development Plan requirement	Proposed Car Parking Provision
<b>Café</b> (<100 sq m)	78 sq m	Zone 2 – (None) Zone 3 – 1 per 30	0 (use located in Zone 2)	<b>0</b>
<b>Medical</b> (3 no. consulting rooms)	245 sq m	Zone 2 – 2 per consulting room Zone 3 – 2 per consulting room	6 (use located in Zone 3)	<b>6</b>
<b>Restaurant</b>	307 sq m	Zone 2 – 1 per 50 Zone 3 – 1 per 30	10.2 (use located in Zone 3)	<b>5</b>
<b>Retail (Blocks 03 and 07)</b>	1,112 sq m	Zone 2 – 1 per 40 Zone 3 – 1 per 30	37.1 (use located in Zone 3)	<b>19</b>
<b>Community</b>	1684 sq m	Zone 2 – 1 per 100 Zone 3 – 1 per 50	33.7 (use located in Zone 3)	<b>17</b>
<b>Creche</b>	463 sq m	Zone 2 – 1 per 60 Zone 3 – 1 per 40	7.7 (use located on edge of Zone 2) (or 11.6 (for zone 3)	<b>11 (comprises 5 no. staff spaces and 3 drop off)</b>
<b>Total Non-Residential Parking</b>	<b>3,889</b>		<b>94.7 (or 98.6)</b>	<b>58</b>
<b>Non-Residential Motorcycle Parking Disabled Parking</b>		4 per 100 spaces		<b>21</b> <b>4% of total</b>



In summary, the proposed development provides 547 No. car parking spaces (489 no. residential spaces and 58 no. non-residential spaces). The enclosed *Traffic and Transport Assessment* prepared by ILTP also addresses the proposed car parking provision.

In addition to the spaces referred to above, the proposed development includes a minimum of 1 fully equipped Electric Vehicle (EV) charging space per 5 spaces proposed. Provision will be made for all spaces to be EV compatible in the future. Furthermore, a total of 70 no. motorcycle spaces are proposed (5% of the number of residential units within the development, plus additional for the non-residential). Car share schemes and car club, such as Go Car, will also be provided. Refer to Dwg. No. DCD-RAU-ZZ-SW\_ZZ-DR-A-1009 for full details of car parking provision.

As also noted within the enclosed *Traffic and Transport Assessment*, the proposed car parking provision does not fully accord with the Development Plan in that it provides a reduced car parking ratio of 0.5 spaces per residential unit (including the proposed visitor and non-residential spaces). This aligns with the LDA's commitment to deliver low carbon development with an emphasis on sustainable modes of travel and reduced private car dependency, as required by the strategic objectives of the National Planning Framework.

As set out previously in relation to density, the application site is well located in close proximity to high frequency public transport and within easy walking distance of Dundrum Town Centre and Dundrum Business Park, both significant employment locations. The proposed car parking provision (as demonstrated in the *Traffic and Transport Assessment*) has been allocated by unit type to ensure that parking is an option for potential occupiers (for example, families) with a wider range of travel needs and destinations. The proposed development is also supported by a *Mobility Management Plan* to ensure that a modal shift towards sustainable transport is supported by appropriate measures and realised.

Having regard to the factors set out above, we consider that the characteristics of the application site and proposed development lend themselves to reduced car parking provision. We therefore confirm that that proposed parking provision is acceptable in line with Section 12.4.5.2 of the Draft County Development Plan which provides for reduced car parking standards. Nevertheless, for the reasons outlined above, residential car parking is addressed in the *Material Contravention Statement* on the basis that the proposed residential provision falls short of the standards prescribed by Table 12.6 of the Draft County Development Plan.

### 2.18.2 Parking and Loading Bays

Section 12.4.5.7 requires the following (inclusive of additional wording added as a Proposed Amendment to Draft Plan):

*"In general, parking bays shall be a minimum 2.4 metres in width and 4.8 metres in length - with increased dimensions required for short-stay retail parking spaces and loading/set down parking areas. The configuration whereby double parking bays are placed length to length is discouraged. Carparking dimensions for in curtilage parking is set out in Section 12.4.8.1 (5.5 metres x 3 metres minimum). Parking bay widths suitable for people with disabilities shall be a minimum of 2.4 metres wide – with a 1.2 metres buffer on both sides - and 6.0 metres in depth.*



*Parking bay widths suitable for parent and child parking shall be a minimum of 3.3 metres wide, or 5.7 metres if paired with 0.9 metres hatching between the parking spaces.*

*Parking bays for people with disabilities or parent and child shall be located on firm, level ground, preferably at ground floor level, be in close proximity to access points/lifts and avoid potential conflict points such as ramps, steps etc. All parking bays should be in accordance with Part M of the Building Regulations. The location of disability or parent and child parking bays should be highlighted as part of pre-planning discussions.*

*Where there is a need for loading and unloading in a development, additional parking bays suitable for loading should be provided in addition to the parking requirements set out in Table 12.6.*

*Residential developments of more than 50 units should have at least one loading bay and there shall be a ratio of not less than 1 loading bay per 100 units in larger developments. Loading bays shall be situated so as to minimise traffic hazard, reduce distance to carry goods and encourage its use for home deliveries. This standard may be relaxed if the planning authority consider it is appropriate based on the location and the nature/design of both the street and the residential development.”*

We confirm compliance with the measurements and dimensions in respect of car parking and loading bays referred to above. In terms of loading bays, the proposed development provides 2 no. flexible loading bays. We note that this falls short of the above policy requirement to provide 1 no. loading bay per 100 units in large developments. Whilst, in our opinion, the design of the street layout and provision of ample visitor car parking spaces would facilitate home deliveries without the provision of further loading bays, we highlight this as a material contravention of the Draft County Development Plan. Refer to the *Material Contravention Statement* for further details.

### 2.18.3 Cycle Parking

The importance of bicycle parking is outlined in Section 12.4.6, which notes the requirement for the provision of bicycle parking to accord with ‘*Standards for Cycle Parking and Associated Cycling Facilities for New Developments*’ (2018) or any subsequent review of these standards, as published by Dún Laoghaire-Rathdown County Council. The Draft County Development Plan notes that within zones 1 and 2, the minimum standards set out in this policy document should be exceeded.

The Draft County Development Plan outlines the following considerations for bicycle parking within residential developments (of 5 units or more) (Section 12.4.6.2):

- *“Is the number of cycle parking spaces and footprint adequate and is there suitable provision for parking of outsized formats (cargo bikes etc)?*
- *Is the location of cycle parking convenient, appropriate and secure with adequate provision for covered parking?*
- *Is the cycle parking area accessible in terms of dedicated access routes with ramps and/or kerb dishing where required?*



- *Do the internal cycle access routes connect well with off-site cycle facilities – existing and proposed?*
- *Is there adequate and appropriately designed and integrated provision for ancillary cycling and pedestrian facilities including showers, locker / changing rooms and drying areas?”*

Secure long-term cycle parking is required for a development of this scale, and this cycle parking must be covered and *‘conveniently located within 50 metres of the destination and located near building access points where possible’*. There is also a requirement for new larger developments to provide cycle route links to the existing cycle network, alongside internal cycle permeability. It is further noted that for residential developments of this scale, the Draft Plan states that a Cycle Audit must be conducted, and that it must refer to the County’s Cycle Parking Standards document.

Full details of the proposed cycle parking provision are set out in Section 5.8 of the *Traffic and Transport Assessment* and on Dwg. Nos. DCD-RAU-02-SW\_ZZ-DR-A-1053 and 1054. We confirm that from a quantum perspective, the proposed provision aligns with the Apartment Guidelines and therefore comprises 1 space per bed space, exceeding the Draft County Development Plan requirements. The total residential cycle parking provision will therefore be 1,670 no. long stay spaces and 516 no. short stay spaces (a total of 2,186 no. spaces).

In terms of wider cycle facilities, refer to the *Housing Quality Assessment* that provides an audit of the proposed cycle facilities, demonstrating compliance with the Council’s cycle standards.

Furthermore, we highlight the provision of cycle routes across the development and connections into surrounding lands. The cycle infrastructure proposed supports a modal shift towards sustainable modes of transports and reduced car dependency. The proposed development is therefore considered to comply with the policy requirements in this regard.

#### 2.18.4 Motorcycle Parking

Section 12.4.7 requires the following:

*“It is an objective of the Council to require developments to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces. The type of motorcycle stand and typical parking layout should be in accordance with the Council’s Cycling Policy Guidelines and Standards with a spacing of 1 metre to allow the parking of one motorcycle per stand.”*

The proposed development provides a total of 547 no. car parking spaces (including visitor and car club) and 70 no. motorcycle spaces. We therefore confirm that the proposal exceeds the minimum motorcycle parking standard.

#### 2.18.5 ACAs/Protected Structures and Car Parking

Section 12.4.8.4 seeks to protect boundary features such as walls, railings and gardens contribute to character and setting of Protected Structures in the context of the provision of off-street car parking.



We confirm that the proposed development interacts sensitively with the proposed protected structures which form part of the wider site. The car parking proposals would not detrimentally affect the heritage buildings themselves. A number of alterations are proposed to the perimeter wall to provide for enhanced access for vehicles, pedestrians and cyclists, nevertheless, as demonstrated throughout the submission, the proposed alterations to the perimeter wall have been approached sensitively and do not result in significant harm to the curtilage or setting of the proposed protected structures. We therefore consider the proposal to be acceptable in the context of this policy requirement.

#### 2.18.6 Emergency Access

Section 12.4.13 states the following:

*“In some circumstances large-scale developments, which could result in a significant level of peak and/ or off-peak travel, and residential developments greater than 300 units shall provide for duplicate access or other means approved by the Planning Authority for emergency use/access. This shall also allow access for pedestrians and cyclists. The Councils Transportation Section will ascertain whether an additional access is required. This will be dealt with on a case-by-case basis through the pre-planning process.”*

The proposed development comprises two vehicular access points which will provide for emergency access, should it be required. The proposal therefore complies with the above.

#### 2.18.7 Access Across Public Open Space

Section 12.4.8.6 states the following:

*“The Planning Authority will not normally grant permission for a development which requires or entails vehicular access over public open space or a non-paved route. The applicant would be required to clearly indicate the necessary right of way or entitlement to carry out the proposed works.”*

The proposed development provides a number of openings within the boundary wall to enable permeability and connectivity with the surrounding area. The proposed works do not entail works beyond the Applicant’s boundary and therefore do not conflict with this policy requirement.

We do note that the introduction of openings at the boundary wall will facilitate the movement of pedestrians across a non-paved route (Rosemount Green) into the proposed development site. In addition to confirming that no works are proposed to Rosemount Green, we note that Rosemount Green is in DLRCC ownership and fully accessible to the public.

For the avoidance of doubt, no vehicular access across public open space or a non-paved route outside of the site boundary is proposed. We therefore confirm no conflicts with this policy.

### 2.18.8 Design or Underground or Multi-Storey Car Parks

Section 12.4.9 states sets out a number of design requirement sin respect of multi-storey or underground car parks.

The majority of the car parking is provided by way of podium parking/ at half-basement level, whereby, alike underground parking, the parking is integrated within the building. It is confirmed that the car parks will be well-lit in line with Part M regulations and fully accessible to all users by ramp or lift. In terms of ventilation, we also confirm that the podium car parks are designed to meet the ventilation requirements set out in relevant Technical Guidance documents and associated Standards. Where natural ventilation is being provided, a minimum aggregate free area not less than 2.5% of its floor area will be provided on opposing elevations. All mechanical extract systems will achieve a minimum of 10 air changes per hour.

### 2.18.9 Childcare Facilities – Parking/ Access

Section 12.4.10 states the following:

*“All pedestrian routes leading to a childcare facility from any parking area, play area, or nearby road and footpath shall be suitably designed to meet specified accessibility requirements in accordance with Part M of the Building Regulations. Car parking and for childcare facilities are set out in the table 12.6 above. Cycle parking standards are set out in the ‘Council Cycle Standards’ (2018).*

*For new childcare facilities, the availability of existing on-street car parking spaces and any parttime hours of operation will be considered as part of the Development Management process.”*

The proposed childcare facility has been designed in accordance with the Tusla (2018) *Quality and Regulatory Framework: Full Day Care Service and Part-Time Day Care Service* which sets out design requirements for childcare provision. The breakdown of the proposed facility in terms of capacity and staff numbers is set out in Section 3.7 of the main *Statement of Consistency*.

Further to this, we note that the access routes have been designed in accordance with the relevant building regulation requirements. The proposed car parking is detailed in the TTA which confirms that 11 no. spaces in total are provided for the proposed childcare facility, which allows for staff parking and set down. Cycle parking has also been provided in line with the relevant standards. We therefore confirm compliance with this policy requirement.

### 2.18.10 Electrically Operated Vehicles

Section 12.4.11 requires the following:

*“To encourage the use of Electric Vehicles (EV), in line with Council, National Policy and Standards, developments shall provide at minimum EV Charging points and infrastructure as follows:*

- *Residential multi-unit developments both new buildings and buildings undergoing major renovations (with private car spaces including visitor car parking spaces) - a minimum of one car parking space per five car parking spaces*



*should be equipped with one fully functional EV Charging Point. Ducting for every parking space shall also be provided.*

- *New dwellings with in-curtilage car parking - the installation of appropriate infrastructure to enable installation at a later stage of a recharging point for EVs.*
- *Non-residential developments (with private car parking spaces including visitor car parking spaces with more than 10 spaces e.g. office developments,) – provide at least 1 recharging point. and a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point...”*

The proposed development provides Electric Vehicle Charging points at a rate of 1 per 5 parking spaces (i.e. 98 no. spaces each equipped with a fully functional EV charging point) and 1 per 10 spaces for the non-residential component (i.e. 6 spaces equipped with one fully functional EV charging point). We further confirm that all residential car parking spaces are provided with ducting to allow the provision of future EV charging. The proposed development therefore complies with the Draft County Development Plan in this regard.

## 2.19 Retail Development

### 2.19.1 Assessment of Retail Proposals

Section 12.6.1 of the Draft County Development Plan provides for the assessment of retail development proposals. As stated in Section 2.9 of this Statement, while the proposed development includes a number of small retail units, we highlight that they have been proposed in order to provide for the development which will introduce a significant number of new people to the area.

On this basis, it is not envisaged that the proposed retail units will serve a wider area or conflict with established retail provision. It is also noted that the type of retail provision proposed aligns with the land zoning objective which lists ‘Shop-Neighbourhood’ as Open for Consideration. We therefore conclude that the proposed development will not conflict with Section 12.6.1 of the Draft Development Plan.

### 2.19.2 Convenience Shop

Section 12.6.3 of the Draft County Development Plan states the following:

*“A small/local convenience shop will be open for consideration within a residential area (lands zoned Objective ‘A’ – “To protect and/or improve residential amenity”). When assessing any such proposals, the Council will have regard to the distance from the proposed development to established local shopping facilities and to its impact on the amenity of adjoining dwellings. Local convenience shops shall not have a floorspace greater than 100 sq.m. net. (Refer also to Policy RET7, Section 3.2.2.7).”*

As stated above, the proposal includes a number of small retail units to serve the development, ranging between 78 sq m and 425 sq m. The proposed retail provision is considered to align with the land zoning objective which lists ‘Shop-Neighbourhood’ as Open for Consideration. In the definition of use classes contained at Section 13.2, ‘Shop-Neighbourhood’ is defined as:



*“A neighbourhood shop is one which primarily serves a local community and does not generally attract business from outside that community. They will primarily serve a ‘walk-in’ population and will typically have limited carparking.”*

We confirm that this reflects the scale and nature of the proposed retail units.

Consideration has also been given to the retail provision in the context of Section 8.2.6.3 of the Development Plan which has specific regard to ‘small/ local convenience shops’. Whilst no definition is provided in respect of small convenience shops, we note from the definition of ‘Shop-Major Convenience’ that convenience goods are listed as: *“Convenience goods would include: food, alcoholic and non-alcoholic beverages, tobacco and non-durable household goods.”*

On this basis, we confirm that the retail units within the scheme are not proposed as convenience stores as per the above definition, rather small-scale neighbourhood shops that will serve the new community. The 100 sq m is therefore not considered to apply. The occupiers of the proposed retail units have not yet been secured and will be secured in line with relevant policy provisions.

## 2.20 Fast Food Outlets/ Takeaway/ Restaurants

Section 12.6.5 contains a number of policy considerations mainly in respect of fast-food outlets and takeaway. A number of the considerations also apply to restaurant development.

In this regard, we confirm that the proposed restaurant unit is integrated at the ground floor of a residential apartment block and approximately 300 sq m in scale. The proposed unit, along with the other non-residential uses proposed, is designed to serve the local population and will complement existing commercial uses in the surrounding area. The units have been designed to ensure compatibility with the adjacent residential development and are therefore not expected to give rise to adverse impacts on neighbouring amenity. The proposed restaurant unit has also been considered from a noise and traffic perspective in the EIAR and TTA. In our view, the proposed development is acceptable in this regard.

## 2.21 Green Infrastructure

Section 12.7 contains the Council’s policies in respect to Green Infrastructure, including biodiversity and sensitive landscapes.

### 2.21.1 Biodiversity

Section 12.7.2 relates to Biodiversity and sets out Council policy in respect of the protection and enhancement of the environment from an ecological perspective.

In this regard, we confirm that the planning application is supported by a full Environmental Impact Assessment Report, including a Biodiversity Chapter and a Natura Impact Statement, which fully assess the potential ecological/ biodiversity impacts of the proposal.

We further note that significant biodiversity enhancements are incorporated into the landscaping proposal including extensive SuDS proposals and the Elm Park Eco Corridor which will provide an important habitat corridor on site which will build upon existing features



including semi-mature trees, a drainage ditch and wet grassland. The proposal includes additional planting and increased areas of wetland habitat which has the potential to benefit a wide variety of plant and animal species including bats, frogs, newts and a variety of insects. In addition to this, other habitats that will be created through the open space include bird and mammalian nest boxes and open bonded brickwork to allow for bat roosting.

Lastly, the application is also supported by a *Habitat Management Plan*, prepared by Altemar Ltd., which ensures that the maintenance and enhancement of landscape elements, prevents the introduction of invasive species, maintains biodiversity elements of the core biodiversity habitats, prevents the deterioration of the habitats and monitors the impacts of the habitat management practices.

We therefore confirm full compliance with Section 12.7.2 and 12.8.6.1 of the Draft County Development Plan.

### 2.21.2 Sensitive Landscape and Site Features

Section 12.7.3 requires the following:

*“To protect and enhance the character and amenities of the County’s rural or sensitive open areas, all new developments of any scale shall incorporate high quality landscape design and shall ensure that:*

- *Existing site features such as specimen trees, stands of mature trees, hedgerows, rock outcrops and water features are properly identified and retained where appropriate and new planting or other landscaping appropriate to the character of the area will be provided.*
- *Existing significant on-site natural features must influence the layout.*
- *Developers should consult the Planning Authority at an early stage in relation to landscaping and planting proposals.*
- *Landscaping in new developments shall include planting of native Irish flora.*
- *Developers will be responsible for the grading, hard landscaping, planting, and further development of open space, including the provision of pedestrian paths and other facilities.*
- *Developers will be required to provide roadside trees, street planting and screen planting where necessary.”*

The subject site consists of a number of important existing landscape features, including mature trees and open parkland which are retained as part of the landscape proposals. Whilst the proposed development gives rise to some tree loss, as addressed in detail in the *Arboricultural Impact Assessment*, the site layout has evolved following a landscape-led masterplanning process which sought to retain as much important mature trees as possible. Further to this, we confirm that the proposed development is supported by extensive landscape proposals which introduces significant new planting and habitat creation. We therefore confirm that the proposed development is compliant in this regard.

## 2.22 Open Space and Recreation

We confirm that the application submission is supported by significant landscaping proposals, as contained within the *Landscape Architecture and Public Realm Report* and associated drawings, prepared by Aecom (in line with the requirements of Section 12.8.1).

### 2.22.1 Public Open Space

Section 12.8.3.1 outlines the public open space requirements for residential developments, as contained in Table 12.8. It further states:

*“To qualify as public open space the area must be designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and capable of being taken in charge (i.e. must accord with the Council policy on taking in charge of open spaces).”*

Location:	Public Open Space Standards (minimum):
Residential Development in new residential communities as shown in the Core strategy – figure 2.9.	15% (of site area)
Residential Development in the existing built up area.	15% (of site area)
Institutional and Redevelopment of SNI use	25% (of site area)

**Figure 2.7: Public Open Space Requirements for residential developments as contained in Table 12.8 of the Draft County Development Plan.**

We further note the requirements set out in Section 12.8.5 ‘Public Open Space – Quality’.

The application site is subject to an INST objective due to its former institutional use and is therefore, in line with the above, required to provide 25% of the site area as public open space. In accordance with this, the proposed development provides c. 3.05 ha (c. 30,513.9 sq m) ‘public open space’, c. 31.8 % of the total site area. This significantly exceeds the minimum open space requirement of 25%. The total ‘open space’ provision (inclusive of both communal and public open space) is c. 3.68 ha.

We further confirm that the proposed public open space is fully accessible to the public and provides for a range of activities and users. The proposed development provides open space of exceptional quality and unlocks a significant quantum of urban greenery that is currently inaccessible to the public. Having regard to the above, we confirm that the proposed development complies with the Draft County Development Plan in this regard. Refer to the landscape proposals for further detail surrounding the quality of the public open space.

## 2.22.2 Communal Open Space

Section 12.8.3.2 sets out the communal open space requirements, as contained in Table 12.9. We note that the below space standards are also contained within the Apartment Guidelines.

This section also notes that communal open space should be for the exclusive use of the residents and should be an ‘*accessible, secure, and usable outdoor space*’.

Unit Type	Minimum Area per Unit
Studio	4 sq. m
One Bed	5 sq. m
Two bedrooms (3 bed)	6 sq. m
Two bedrooms (4 bed)	7 sq. m
Three bedrooms	9 sq. m
Four +	12 sq. m.

**Figure 2.8: Communal Open Space Requirements for residential developments as contained in Table 12.9 of the Draft County Development Plan.**

We further note the requirements of Section 12.8.5.3 ‘Communal Open Space – Quality’.

We confirm full compliance with the above standards, as detailed in the *Housing Quality Assessment*. We further confirm that the proposal includes communal space of a high quality and is fully accessible to the residents of the associated blocks. The spaces are primarily at podium level, with a small further provision at roof level, and are therefore well overlooked and fully usable. Refer to the *Housing Quality Assessment* for further details.

## 2.22.3 Private Space for Houses

Section 12.8.3.3(i) provides the minimum private open space areas for houses, as contained in Table 12.10.

House type	Private Open Space requirement (minimum)
1-2 bedroom	48 sq. m. *
3 bedroom	60 sq. m.
4 bedroom (or more)	75 sq. m.

**Figure 2.9: Private Open Space Requirements for houses as contained in Table 12.10 of the Draft County Development Plan.**

The proposed development includes 20 no. houses with private rear gardens which have been broadly designed in line with the standards set out in Section 12.8.3.3. It is however noted that a number of the gardens do not comply with the above minimum standards, as identified within the *Material Contravention Statement*. Nevertheless, we note that the standard of residential accommodation proposed by the scheme is of a high quality, providing residents with excellent standard of residential amenity, including excellent levels of daylight and open space. With specific regard to the proposed houses, notwithstanding the shortfall of rear gardens in the context of the Development Plan numeric standards, we highlight their full



compliance with the *Quality Housing for Sustainable Communities Guidelines* (2007) which provides the national guidelines in respect of house design, including the design and quality of rear gardens. This is further detailed in the *Housing Quality Assessment* (HQA) prepared by Reddy A + U. We further note the overall quantity and quality of open space provided across the site and consider this to compensate the minor shortfalls in private rear garden size.

#### 2.22.4 Private Open Space for Apartment Developments

Section 12.8.3.3(ii) sets out the minimum space standards for apartment development, contained in Table 12.11. We note that the below space standards are also contained within the Apartment Guidelines.

Type/No. of bedrooms	Minimum square metres
Studio	4 sq. m.
One	5 sq. m.
Two (3 persons)	6 sq. m.
Two (4 persons)	7 sq. m.
Three	9 sq. m.
Four +	12 sq. m.

**Figure 2.10: Balconies/Winter Gardens: Minimum Private Open Space Requirements for Apartment Developments as contained in Table 12.10 of the Draft County Development Plan.**

We confirm full compliance with the above standards, as detailed in the *Housing Quality Assessment*.

#### 2.22.5 Roof Gardens

Section 12.8.5.4 relates to roof gardens and states the following:

*“Consideration of the use of roof gardens as communal open space shall be on a case by case basis and will not normally be acceptable on a site where there is scope to provide communal open space at grade, as roof gardens do not provide the same standard of amenity particularly to young children. Consideration must also be given to the overall design, layout, and location of the roof garden, including its height. For larger apartment schemes in excess of 50 units no more than 30% of the communal open space shall be provided by way of a roof garden.”*

The proposed development includes 0.05 ha of communal rooftop open space which is less than 8% of the total provision and supplements a significant quantum of communal amenity space at podium level. We therefore conclude that the proposal complies with the above requirement.

## 2.23 SuDS (Sustainable Urban Drainage Systems) and Green Roofs/Blue Roofs

Section 12.8.6.2 relates to SuDS and states the following:

*“SuDS measures, such as attenuation storage systems, including detention basins that come into regular operation after rainfall events, shall not normally be included in the calculation of open space provision. Where a SuDS scheme provides biodiversity and amenity value and is readily accessible for either use or enjoyment in most weather conditions, a proportion of the SuDS area could be incorporated as a component part of the communal or public open space provision.”*

Section 12.8.6.3 relates to Green Roofs/ Blue Roofs and states the following:

*“The use of green roofs/blue roofs in accordance with the requirements of the Dún Laoghaire Rathdown County Council’s ‘Green Roof Policy, (See Appendix 7.2) forms part of an integrated approach to the provision of green infrastructure...”*

The proposed development includes an extensive network of SuDS measures which as well as contributing to stormwater management, provides significant enhancements from a biodiversity perspective. The following measures are incorporated into the proposals:

- Intensive and Extensive Green Roofs
- Integrated Constructed Wetland
- Raingardens/ Bioretention Pits
- Permeable Surfacing
- Swale

Refer to the *Landscape Architecture and Public Realm Design Report* and the *Infrastructure Report*, prepared by Barrett Mahony Consulting Engineers, which details the SuDS proposals from a drainage and stormwater management perspective. The enclosed *Habitat Management Plan* also has regard to the ongoing maintenance of the proposed green roofs and other measures.

We confirm that the proposed development complies in full with the relevant requirements in this regard.

## 2.24 Separation Distances (Houses)

Section 12.8.7.1 sets out the following in relation to separation distances:

*A minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments. This normally results in a minimum rear garden depth of 11 metres. However, this required rear garden depth may be prior to any domestic rear extensions, which may require planning permission or be exempted development being carried out. Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity. For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.*



*However, where sufficient alternative private open space (e.g. to the side) is available, the required separation distance for new developments may be reduced, subject to the maintenance of privacy and protection of adjoining residential amenities.*

*In all instances, private open space should not be unduly overshadowed and where there is the potential for the proposed development to overshadow or overlook existing/future development adjoining the site, minimum separation distances to boundaries should be increased.*

*In an exceptionally well-designed scheme providing an otherwise very high-quality living environment and that is in close proximity to existing public open spaces, the above standards may be relaxed.*

*Any relaxing of standards will be assessed on a case-by-case basis and should not be seen as setting a precedent for future development.*

The proposed design strategy has sought to maximise separation distances between opposing windows to ensure a high standard of residential accommodation within the scheme and also mitigate adverse impact upon neighbouring development. There are however a small number of instances where the separation distances between opposing windows associated with the proposed houses, both within and outside of the development, fall below 22 metres. Although the proposed development is considered to be acceptable in this regard, we identify the separation distances between opposing windows across the scheme which fall below 22 metres as a material contravention of the Draft County Development Plan. Refer to the enclosed *Material Contravention Statement* for further details.

Notwithstanding this, it is our view that the proposed development is acceptable in this regard on the basis that it delivers on the objectives of national planning policy surrounding compact growth and higher density development, whilst providing a high quality environment for both future residents and neighbours.

## 2.25 Boundaries

Section 12.8.7.2 refers to boundary treatment and seeks to ensure the provision of adequate privacy between properties as well as achieving softer, more open boundary treatments.

The proposed development complies in full with this requirement and is detailed as part of the landscaping proposals.

## 2.26 Play Facilities

Section 12.8.9 states the following:

*“Children’s play needs around the apartment building should include:*

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



- *Within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.”*

In terms of play provision, the extensive open space network proposed provides for a broad variety of play and play spaces, both formal and informal. There are two designated playgrounds located to the north of the site and in the community park in the south of the site with local play opportunities for residents within the communal podium spaces. There are further informal play opportunities throughout the site.

Having regard to the above, and the extensive quantum of open space proposed, we confirm that the proposed development complies with the above and provides significant opportunity for play in respect of a range of ages and activities.

## 2.27 Existing Trees and Hedgerows

Section 12.8.11 states the following:

*“New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.”*

The existing landscape at the subject site is characterised by a significant number of large mature trees. As set out previously, the proposed development derives from a landscape-led masterplanning exercise which, in consultation with the DLRC Parks Department, determined the sensitive and compatible arrangement of built form within an existing mature landscape. As a result, the proposed development maintains the open character of the lands, together with the incorporation of the distinct, mature and characterful landscape features such as the walled garden and mature trees.

The planning application submission is supported by a detailed *Arboricultural Assessment* which concludes that 169 no. of the 299 no. trees assessed and included within the condition assessment are proposed for removal to facilitate the proposed development. It will also be necessary to remove 13 no. Hedges and one Fruit Orchard. The majority of the trees proposed for removal are Category C trees. The Assessment further notes that the loss of the tree vegetation has been mitigated against as much as possible with the retention of a lot of the more prominent trees on these grounds and in particular the main groups of trees around the front of the existing buildings and on the entrance avenue which will help screen and blend the proposed development into its surrounds. New tree planting is also proposed as part of the landscaping which will complement the development and its incorporation into the surrounding area. It will also help to provide good quality and sustainable long-term tree cover and as it establishes and grows in size, it will be continuously mitigating any negative impacts created with the loss of the existing tree vegetation to facilitate the proposed development.

We therefore conclude that the proposed development complies with the Draft County Development Plan in this regard. The tree symbols attached to the lands are addressed at Section 2.3.4 of the Statement.



## 2.28 Environmental Infrastructure

Section 12.9 has regard to Environmental Infrastructure in respect of Air Pollution, Noise Pollution, Waste Management, Hours of Construction, Telecoms, Light Pollution and Public Lighting.

In this regard, we note that the planning application is supported by a full *Environmental Impact Assessment Report* and *Natura Impact Assessment* which provide detailed and robust assessment of any potential environmental impacts arising from the proposed development. Furthermore, we note that a *Construction Environmental Management Plan* is enclosed which provides details surrounding the management of the construction process together with a number of mitigation measures to ensure that adverse environmental impact do not arise during the construction phase.

Further to the above the application is supported by Waste Management Plans, prepared by AWN, as well as full public lighting proposals, prepared by EDC, which have been developed sensitively in consultation with the project ecologist, having regard to bats.

We conclude that the proposed development complies with the relevant policy requirements in this regard.

## 2.29 Drainage and Water Supply

Section 12.10 states that all planning applications submitted shall clearly show existing and proposed water supply arrangements and surface and wastewater drainage proposals having due regard to SuDS.

Refer to the enclosed *Infrastructure Report* for full details of the engineering proposals, including SuDS proposals.

Section 12.10.1 has regard to 'Flood Risk Management' and states that:

*"Applications shall adhere to the policies and objectives set out in Appendix 16 Strategic Flood Risk Assessment and Section 10.7 Flood Risk while having regard to 'the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities' DEHLG (2009) and DECLG Circular PL2/2014."*

In this regard, we confirm Barrett Mahony Consulting Engineers have prepared the enclosed *Flood Risk Assessment (FRA)*, in accordance with the requirements of the Guidelines. This Assessment concludes the developed site is shown not to be at a significant risk from flooding and to not create a significant risk to adjoining areas or downstream. Therefore, the development is deemed acceptable from a flood risk assessment perspective. Refer to the enclosed Assessment for further information.

## 2.30 Heritage

Section 12.11.1 relates to 'Archaeological Heritage'. In this regard, we confirm that the planning application is supported by Chapter 14 of the EIAR which provides a full and detailed 'Archaeology and Cultural Heritage' assessment, supported by extensive archaeological survey work, including a geophysical survey and test trenching.



Section 12.11.2 relates to ‘Architectural Heritage – Protected Structures’. In this regard, we confirm that the proposed development does not propose works to the proposed protected structures themselves but includes significant new development and changes to the landscape within the immediate setting and curtilage of the heritage buildings.

Section 12.11.2.3 specifically relates to ‘Development within the Grounds of a Protected Structure’ and states the following:

*“Any proposed development within the curtilage, attendant grounds, or in close proximity to a Protected Structure, has the potential to adversely affect its setting and amenity. The overall guiding principle will be an insistence on high quality in both materials, and design, which both respects and complement the Protected Structure, and its setting.*

*Any development must be consistent with conservation policies and the proper planning and sustainable development of the area. Considering recent changes to National Policy, (including the 20128 DHPLG, ‘Urban Development and Building Heights Guidelines for Planning Authorities’, a balance must be struck between allowing compact development, while protecting the Architectural heritage and historic building stock within the County...*

*All planning applications for development in proximity to a Protected Structure must be accompanied by a design statement, with supporting illustrative material, demonstrating how it has been developed having regard to the built heritage, topography, and landscape character of the site. An accredited conservation architect or equivalent should be engaged at the outset of the design process to assist in determining the appropriate siting of the development in order to minimise the impact on the Protected Structure. It may be of benefit to discuss specific requirements, at pre-planning stage.”*

Any potential impacts in this regard have been fully assessed as part of this application submission, refer to the following documents for full details:

- *Masterplan Report* prepared by Reddy A+U which provides an overview of the interface between all elements of the Masterplan scheme and the heritage buildings;
- Chapter 15 of the EIAR provides a full and detailed ‘Architectural Heritage’ assessment;
- *Perimeter Wall Condition Report*, prepared by Alastair Coey Architects, dated March 2022
- *Gate Lodge Condition Report*, prepared by Reddy A+U

Having regard to the above, we confirm compliance with the relevant assessment requirements contained at Section 12.11 of the Draft County Development Plan.



### 3.0 CONCLUSION

In summary, the proposed development will provide for, *inter alia*, 977 No. apartments on underutilised lands, in an existing urban area in Dublin.

The development will make a strong contribution to housing delivery in the area by providing a significant quantum of residential units in a variety of housing types and sizes. The proposed non-residential uses and public open space will contribute to the Dundrum area from a placemaking perspective, providing a new destination, sensitively stitched into an existing community, for both future occupiers and existing residents.

We contend that the proposed development is generally in accordance with the following national and local policy documents:

1. *National Planning Framework (Ireland 2040 – Our Plan)*;
2. *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031*;
3. *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)*;
4. *Urban Design Manual: A Best Practice Guide (2009)*;
5. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December 2020)*;
6. *Quality Housing for Sustainable Communities (2007)*;
7. *Childcare Facilities – Guidelines for Planning Authorities (2001)*;
8. *Part V of the Planning and Development Act 2000: Guidelines (2017)*;
9. *Design Manual for Urban Roads and Streets (DMURS) (2019)*;
10. *The Planning System and Flood Risk Management (2009)*;
11. *Urban Development and Building Heights, Guidelines for Planning Authorities (2018)*;
12. *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*;
13. *Architectural Heritage Protection Guidelines for Planning Authorities (2011)*.
14. *Dún Laoghaire-Rathdown County Development Plan 2016-2022*; and
15. *Dún Laoghaire-Rathdown County Development Plan 2022-2028*.

In conclusion, we contend that the development of the application site, as per the enclosed plans and particulars, is fully in accordance with the proper planning and sustainable development.

Signed

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**Lizzie Donnelly**  
**Associate**  
**Tom Phillips + Associates**