

PLANNING REPORT

LRD PLANNING APPLICATION FOR AMENDMENTS TO THE
RESIDENTIAL DEVELOPMENT UNDER ABP Ref.: ABP-311190-21
AT CROSS AVENUE, BLACKROCK, CO. DUBLIN.

Prepared by MCG Planning
on behalf of 1 Players Land Limited
May 2024

Senior Administrative Officer,
 Planning Department,
 Dun Laoghaire-Rathdown County Council,
 County Hall,
 Marine Road,
 Dun Laoghaire

17th May 2024

RE: LRD Application for an LRD planning application for amendments to the residential development under ABP Ref.: ABP-311190-21 for 5 no additional units made up of 4 no. 1 bedroom apartments and 2 no. 1 bedroom apartments in Blocks A and B. to Along with associated works to enable the development.

Introduction

1 Players Land Limited is submitting a planning application for proposed amendments to a permitted Strategic Housing Development, ABP Reg. Ref.: ABP-311190-21. The site is located at Cross Avenue, Blackrock, Co. Dublin. This planning report has been prepared by McGill Planning Ltd and is submitted to Dun Laoghaire Rathdown to accompany this Large scale Residential Development (LRD) application at a c. 1.214 ha site.

The application has been prepared by a multidisciplinary team on behalf of 1 Players Land Limited as set out in the table below.

Company Name	Documents Prepared
McGill Planning Ltd	Planning Report
	EIA Screening Report
MDO	Design Statement
	Housing Quality Assessment
	Schedule of Accommodation
	Architectural Drawings
NMP	Landscape Design Rationale
	Landscape Masterplan
BMCE	Engineering Drawings
	Updated Engineering Planning Report
Modelworks	Verified Views
	Updated Townscape and Visual Impact Assessment
Altemar	NIS
BPC Engineering	Daylight Sunlight Report
	Pedestrian Comfort Report
Molloy & Associates	Architectural Heritage Impact Assessment

Development Description

The proposed development is an amendment to the parent permission SHD ABP-311190-21 which is under construction and is described in the statutory notices as follows:

1 Players Land Limited intend to apply for Permission for a Large-Scale Residential Development at this site at Cross Avenue, Blackrock, Co. Dublin. The application site includes lands formerly part of/ owned by Blackrock College.

The development will consist of amendments to Blocks A and B of the permitted Strategic Housing Development (SHD) (Ref. ABP-311190-21) to provide 5 no. additional apartments resulting in a total of 246 no. apartments across the entire development.

The proposed amendments include the following:

- **Extension of the fourth floor (5th storey) of Block A to provide 3 no. additional apartments comprising 2 no. 1-bed and 1 no. 2-bed apartments.**
- **Extension of the seventh floor (8th storey) of Block B to provide 2 no. additional 1-bed apartments.**
- **Alteration of permitted open space at ground floor level to provide additional communal open space.**

The proposed amendment will include all associated site services and development works required to facilitate the amendment to Blocks A and B.

All other works will be completed as permitted under Ref. ABP-311190-21.

A Natura Impact Statement (NIS) has been prepared in respect of the proposed development.

Summary of the Development

The proposed development is for an amendment to the development that is currently under construction on the site. It is for 5 no. additional units through the extension of blocks A and B to provide an additional 3 units in block A and 2 units on block B. The proposed amendment will also result in alterations to the provision of open space, with additional communal open space provided at the ground floor.

All other elements of the permitted development of the parent permission which is under construction on site will remain unchanged.

The proposed development statistics are set out below:

Development Proposal	Permitted	Proposed Amendment
No. of Units	241 no. residential units.	5 no. units comprising of: - 4 no. 1 beds - 1 no. 2 beds To result in a total of 246 units.
Facilities	Lobby + Café, Concierge, Management, Coworking, Meeting / Leasing / Hire Hub, Multipurpose, Relax / Sitting Area, Parcel Locker, Pet Wash, Fitness Area, WC / Change, Multipurpose Studio, Residents Lounge /Private Dining Creche as per condition 2a.	As per previously permitted.
Site Area	c.1.214 ha net	As per previously permitted.
Density	199 uph	203 uph
Building Height	1 – 9 storeys	1-9 storeys
Dual Aspect	56%	3 of the 5 apartments are dual aspect, equating to 60%. 56% within the overall development of 246 units.
Open Space	Public: c. 7,417 sqm Communal: c. 1523 sqm	Public: c.7,103sqm Communal: c.1,667sqm
Car Parking	71 No. car parking spaces including: - 3 no. disabled parking spaces - 13 no. Go Car spaces	As per previously permitted.
Motorcycle Parking	10 no. cycle parking spaces	As per previously permitted.
Cycle Parking	479 no. cycle parking spaces	As per previously permitted.

Site Location and Context

The subject lands extend to c. 1.214 ha and is an irregular shape. It is located to the northside of Cross Avenue, to the south and west of Blackrock College, which is in educational use. The site comprises principally land that was formerly part of Blackrock College and is accessed via an access road off Cross Avenue.

The development permitted under Ref. ABP-311190-21 is currently under construction. All site clearance and demolition works are complete, and all three blocks are at varying stages of construction/ completion.

The site is separated from Cross Avenue by the existing wall. The northern and eastern boundary is enclosed by an access road which connects Cross Avenue to the main campus of Blackrock College. This road also provides access into the main area of the subject site from the northern boundary.

There are a number of mature trees along the site boundaries which contribute to the character of the site and Cross Avenue. There are no protected structures within the red line site, nor is it within an Architectural Conservation Area.



Figure 1 Site Location

WORKS TO DATE

The buildings that were on site have now been demolished as part of the SHD permission, with the new construction of the basement and blocks A, B and C considerably advanced. The structures are now fully complete, facades underway and the removal of scaffolding is commencing. Internally nearly 30% of the units are completed.



Figure 2 Images showing works to date

THE WIDER AREA

To the north of the site is the remainder of the extensive Blackrock College lands which include a number of school buildings, open space/playing fields and parking. To the west of the site are residential dwellings facing onto Cross Avenue, including a small estate called St. Margaret's. To the east is the grounds of Sion Hill Dominican College with Blackrock Hospital and Clinic located to the north-east. South of Cross Avenue is the Dublin Stage School, Barrett Cheshire residential facility, various residential properties, and the St. Philip and St. James' Church.

The properties along the north side of Cross Avenue are predominantly residential and educational, while to the south of Cross Ave are predominantly residential. Buildings in this area are generally 2 to 4 storeys in height. This is an established residential area. Within the wider context of the site, Blackrock College and Clinic, increase the height with buildings of 7 storeys.

The site is within walking distance of a multitude of services, public transport and amenities. Mount Merrion Avenue is within 2 minutes' walk with local services and public transport while Rock Road is within 8 minutes walk of the site. Blackrock Village with its wide range of shopping facilities, restaurants and services including Blackrock Market, Blackrock Shopping Centre and the Frascati Centre is within 10 minutes' walk of the site. Dublin City Centre is c. 7.5km from the site and is c. 3.2km from Dún Laoghaire Centre.

Blackrock has a range of large employers including Blackrock Hospital, Zurich Life, Permanent TSB, Allianz Global Life, UCD Smurfit School and Blackrock Hospice are all within walking distance of the site.

The proposed development site benefits from a high level of accessibility to public transport as follows:

- Blackrock DART Station within approximately 950m (a c. 10 walk) which connects the area to Malahide, the Docklands, Dublin City Centre, Bray and Greystones.
- Booterstown DART Station within approximately 1 km of the subject site (c.15 minute walk)
- QBC along Frascati Road and Rock Road within approximately 700m (a c. 8-10 minute walk). The bus stops along this road are served by Dublin Bus Routes 4, 7, 7a, 7d, 84a. The Aircoach routes 702 and 703 also serve these stops.

- QBC along Stillorgan Road within approximately 1.25km (a c. 20 minute walk). The bus stops along this road are served by Dublin Bus Routes 7b, 7d, 17, 46a, 46e, 47, 116, 145 and 155.
- The bus stop along Mount Merrion Avenue, within a c. 3 minute walk of the site, is served by the GoAhead Ireland Bus Route 17 which operates every 20 minutes.
- The Nitelink Bus Stops along Rock Road are served by Nitelink Routes 84n and 7n.

The planned Bus Connects scheme will also provide more frequent services that will serve the site. The S6 will provide a service every 15 minutes along Mount Merrion Avenue which will connect the site with UCD, Dundrum and Tallaght. The E1 and E2 will provide a service every 8-10 minutes along Stillorgan Road, connecting the site with the City Centre, Bray and Dún Laoghaire, and the B3 and B4 will provide a service every 15 minutes along Rock Road, connecting the site with Tyrrelstown, Blanchardstown and the City Centre.



Figure 3 Public Transport in context of site location



Figure 4 Shopping Centres/Retail Hubs in relation to Site Location

Planning History

McGill Planning have carried out a desktop review of the planning history of the site. The site has been subject to 1 planning application since 2021. All previous planning permissions on the subject lands relate to various educational developments and expansions with the overall Blackrock College campus including Willow Park Junior School – Refs D06A/0198, D06A/1610, D07A/0674 are noted. The planning history for the SHD is set out below:

ABP Reg. Ref.: ABP-311190-21
Decision: Granted
Decision Date: 08/12/2021

Planning permission was granted by An Bord Pleanála to develop a ‘Build to Rent’ residential scheme comprising 241 no. apartments within 3 no. blocks ranging in height up to 9 storeys (and including basement). It is noted that 244 no. apartments were applied but 3 units were omitted by condition 2a of the grant of permission, resulting in 241 no. permitted units.



Figure 5 Previously permitted application under ABP-311190-21

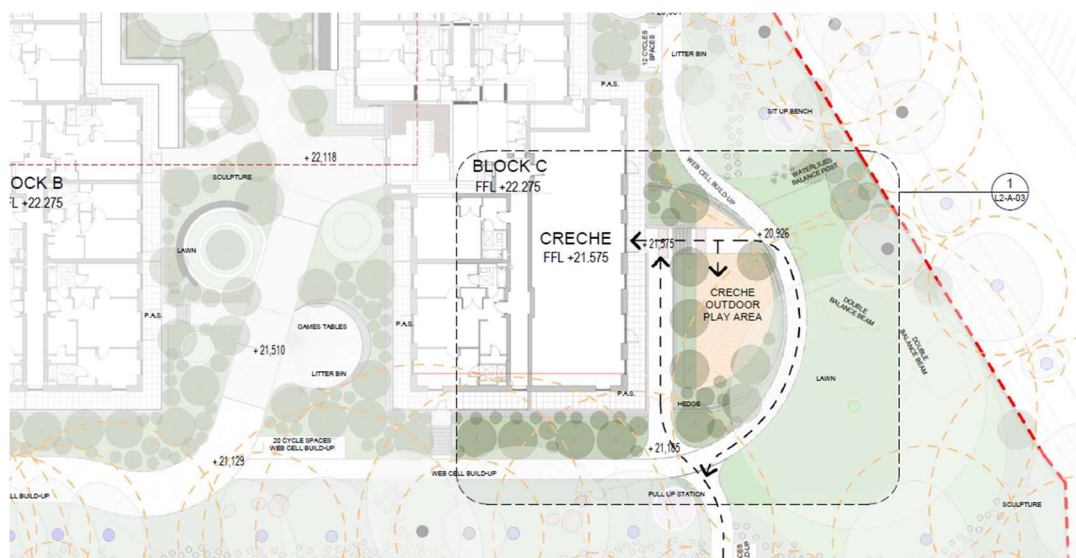


Figure 6 Permitted Creche and Outdoor Plan Area as permitted under compliance submission ABP31119021/C7

It is noted that the permitted development was supported by An Bord Pleanála. This is discussed in full below.

Density

ABP were supportive of the permitted density at this location. Section 11.4.26 of the Inspector's Report states: *"I consider that the delivery of residential development on this underutilised, serviced site, in a compact form with higher density, would be consistent with the policies and intended outcomes of current Government policy, specifically the NPF, the RSES, the Sustainable Residential Development Guidelines and the Apartment Guidelines, which all look to secure more compact and sustainable urban development in the Dublin Metropolitan Area"*.

Section 11.5.7 of the inspector's report states: *"The proposed development in my opinion is consistent with Objectives 13 and 35 of the NPF which encourage increased scale and densities in settlements"*.

Height

In terms of building height, when assessing the proposal against the Section 3.2 Criteria, Section 11.5.11 of the inspectors report noted: *"While I note the character of the area is predominantly low rise two storey dwellings, this area is evolving and comprises a mix of apartment developments (existing and permitted – see Section 4 above) and other higher rise structures to the southeast and to the northeast (Blackrock College buildings and Blackrock Clinic - 6 storeys over basement) of the site and I do not consider the proposal will detract from the predominantly suburban form of development in the area. I consider the proposal will provide for a strong well-designed development at this accessible and serviced site, and the building height proposed positively assists in securing NPF objectives, fulfilling targets related to the delivery of compact consolidated growth within the footprint of existing urban areas."*

Residential Amenity / Standards

The inspector was satisfied that the location of the subject site was suitable for a Built to Rent Development. Section 11.7.3 of the Inspectors report states: *"I am satisfied that the units and overall development is such as would accommodate a range of age cohorts and household types, including downsizing and freeing up underoccupied larger units in the vicinity, all of which is appropriate in terms of achieving a sustainable mix of household sizes and types...I consider that the proposed BTR housing mix is acceptable given the larger mix of alternative residential unit types in the vicinity."*

Car parking and Bicycle Parking

ABP were supportive of the proposed lower car parking provision in this area. Section 11.13.17 of the Inspector's Report states: *"Given the location of the site within an urban area on zoned lands, together with the nature of the use proposed, I do not have undue concerns in relation to traffic or transportation issues. I acknowledge that there will be some increased traffic as a result of the proposed development, however these levels are not expected to be significant. In general, the site is well served with public transport and other services/amenities within walking distance"*.

Conclusion

It is therefore considered that an uplift of 5 additional units via a reduced setback of the top floors at this highly accessible location is in line with the decision by An Bord Pleanála and the findings of national and local planning policy in relation to sustainable development.

ADJACENT SITES

DLRCC Reg. Ref.: D22A/0582

Decision: Granted

Decision Date: 22/11/2022

Planning permission was granted by Dun Laoghaire Rathdown for the demolition of the existing 2 storey detached dwelling 'Goleen' and associated sheds and the construction of 7 no. residential dwellings consisting of the following: 5 no. detached 4 bedroom houses of 3 storeys in height and 2 no. semi-detached 2 bedroom houses 2 storeys in height. The proposed development includes associated car and cycle parking spaces and all associated site development works.



Figure 7 'Goleen' Site layout plan as granted under DLR Reg. Ref.: D22A/0582

It is considered that the proposed amendment is minor in nature and will not negatively affect the permitted 'Goleen' Development in terms of overlooking, daylight and sunlight (as demonstrated in the BPC Engineering Report). As the height of the apartment blocks remains unchanged from the permitted development, the amendments impact on 'Goleen' is considered to be negligible. Furthermore, the proposed three additional units on block A are all located at roof level, in line with the permitted apartments, and will not result in undue additional overlooking. The DLR Planners Report in relation to the 'Goleen' application states:

"With regards to the SHD development to the site to the east, it is noted that the first floor level is set back between 15-21.8m from the shared boundary with the subject site. The proposed development is sited c.11.5m from the eastern boundary of the site and therefore a separation distance of ranging between c.26m-33.3m is provided between the proposed dwellings, subject of this application and the permitted Strategic Housing Development on the adjoining site to the east...Given the quality of the design which would provide a high quality living environment is considered that the proposed separation distances are acceptable in this case."

It is therefore considered that the proposed amendment to the permitted SHD will not negatively impact on the permitted 'Goleen' development.

Proposed Development

RATIONAL FOR DEVELOPMENT

As set out above in the development description, the proposed development is considered a minor amendment to Blocks A and B and the open space of the permitted development SHD ABP-311190-21. All of the remaining elements of the granted scheme will remain as permitted. The proposal will provide 5 additional units with the following mix.

Unit Size	No. of Units
Studio	-
1 Bed	4
2 Bed	1
3 Bed	-
Total	5

As outlined above in the Site Location and Context section of this report, the site is in a highly accessible location in terms of public transport, local services, and significant employment opportunities. The proposed additional residential units will slightly increase the local population, which will in turn support existing facilities, amenities and services in the area.

As has been widely reported within the media, the Department of Housing, Local Government and Heritage, and reported by Dun Laoghaire Rathdown's County Council Housing Delivery Action Plan, additional housing is required across all sectors, whether private, rented, social, or affordable. This is also true for residential unit sizes, but with a larger demand for one and two bed units.

While the proposed development will provide 5 no. additional residential units within this permitted Built to Rent development which is under construction. The additional 4 no. one bed apartments and a two bedroom apartment at this highly accessible location will help meet the housing need of Dun Laoghaire Rathdown. It is noted that the percentage split or ratio of unit mix remain unchanged from the permitted unit mix despite the uplift in numbers by 5 units.

The additional residential units will result in a unit mix as outlined below:

Unit Size	No. of Units	Percentage
Studio	18 (unchanged)	7% (unchanged)
1 Bed	124 (+4 from the permitted)	50% (unchanged)
2 Bed	100 (+1 from the permitted)	41% (unchanged)
3 Bed	4 (unchanged)	2% (unchanged)
Total	246	100%

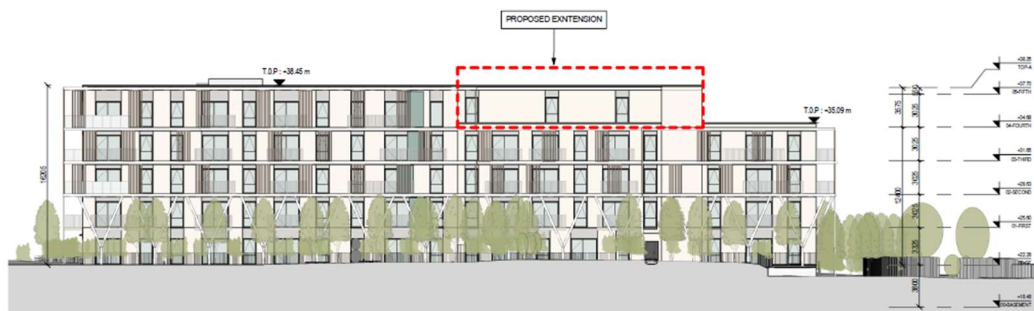
BUILDING HEIGHT, DESIGN, SCALE AND MASSING

The proposed development is an amendment to the top floor of blocks A and B.

It is proposed to adjust the top floor setback of the permitted Block A to the north to accommodate 2 no. 1 bed apartments and a two-bed apartment. This extension would be viewed and read as part of the existing, permitted top floor. The proposed development will not alter the footprint of the building, nor will it alter the massing at a top floor level in a minor way. Given the distance to the adjacent neighbours to the northeast and the recent permission at Goleen for redevelopment of this property it is considered to have minimal impact on the adjacent neighbours. Please refer to figure 10 which demonstrates the minor nature of this proposal.



3 BLOCK A - EXISTING PLANNING EAST ELEVATION 1.200
Scale: 1 : 200



1 BLOCK A - PROPOSED PLANNING EAST ELEVATION 1.200
Scale: 1 : 200

Figure 8 Block A Existing versus Proposed East Elevation

It is also proposed to adjust the top floor southern setback of the permitted Block B to accommodate 2 no. one bed apartments. The footprint, similar to block A, will remain as permitted and constructed. Due to the location of block B between blocks A and C, and the distance between the permitted blocks, there will be no impact on the future occupants of block A and C in terms of overlooking, loss of privacy or daylight and sunlight. The impacts of the development on these blocks will be similar to those of the permitted development. Please refer to figure 11 which demonstrates the minor nature of this proposal.

It should be noted, as demonstrated on the elevations prepared by MDO Architects, that the proposed amendments will retain a substantially deep and therefore effective, setback on the top floors of Block A and Block B.



4 BLOCK B - EXISTING PLANNING EAST ELEVATION 1:200
Scale: 1 : 200



2 BLOCK B - PROPOSED PLANNING EAST ELEVATION 1:200
Scale: 1 : 200

Figure 9 Block B Existing versus Proposed East Elevation

OPEN SPACE

The permitted development provided c.7,417 sqm of Public Open Space (25% of the sites) at ground floor level and c. 1,524 sqm of Communal Open Space at both roof terrace level and ground floor level.

The proposed amendment seeks to adjust the southern setback of the top floor of Block B and thereby alters the provision of the permitted communal open space at roof level. In order to facilitate this, the portion of the communal open space previously permitted on the roof of Block B will be reallocated to the west of the site, at ground floor level.

Locating a portion of communal open space in this location is considered logical as it extends onto the previously permitted communal open space at the northwest of the site and also connects into the permitted internal communal amenity space in Block A. This will allow residents to move freely between indoor and outdoor communal spaces creating a more user-friendly space with clearer legibility. It is also considered an improved location for all residents, whether they are in blocks A, B or C as it is at ground floor level enabling easier access and use.

The proposed scheme now provides c. 7,103 sqm of Public Open Space which is still more than double the required amount of 25% of the site area and is considered to be in line with DLR policy. Additionally, the proposed scheme now provides c. 1,667 sqm of Communal Open Space which is

above the minimum requirement of 1,445sqm and is also considered to be in line with DLR policy and the apartment guidelines.

	Previously Permitted	Minimum Requirements	Proposed amendment
Public Open Space	c.7,417 sqm	c.3,035 (25% of site area)	c. 7,103 sqm
Communal Open Space	c. 1524 sqm	1,445sqm	c. 1,667 sqm

Each of the additional 5 units will be provided with high quality private open space that either meets or exceeds the development plan standards. Please refer to the HQA located within the Architectural Design Statement for further details.

TRAFFIC, TRANSPORT AND PARKING

The permitted application provides for 71 no. car parking, including 13 no. car club spaces, provided entirely at basement level, with only one surface set down space immediately outside the amenity space for Block A. 479 no. bicycle parking spaces were provided in the permitted scheme in safe and secure bike enclosures, primarily at basement level.

The proposed development does not seek to amend the car parking figures or bicycle parking figures. The car parking spaces per residential units' ratio still remains at 0.29 which was found to be acceptable in the permitted development due to the provision of car club spaces, the excess provision of cycle parking spaces and the site's excellent access to high frequency public transport including Dublin Bus and 2 no. DART stops within a 10-minute walk of the site.

Given that the car space per residential unit ratio remains unchanged, it is considered that the 5 additional units will have a negligible impact on traffic, transport and parking on the site.

VISUAL ASSESSMENT & CONSERVATION

A Townscape Visual Impact Appraisal has been prepared by Model Works and is submitted as part of this application. The report has been carried out to accompany a set of verified photomontages, showing the permitted development and the proposed amendment in views from 18 no. locations. The TVIA report concludes that *"since the amendments would not increase the footprint or height of the buildings (only causing slight changes to the buildings' form), the development's zone of visual influence (the area from which the buildings could be seen) would be effectively unchanged.*

In those views in which the amendments would be perceptible, they would not significantly increase the prominence of the buildings, nor significantly change their appearance. The amendments retain the overall design concept, and the architectural quality of the buildings.

Importantly, the proposed amendments retain a substantially deep, and therefore effective, setback in the top floor of both Blocks A and B (this is clearly shown by the photomontage for Viewpoint 18).

In conclusion, the proposed amendments would cause no negative townscape or visual impacts."

The Architectural Conservation Letter prepared by Molloy & Associates concludes that *"the impacts, where present as a consequence of the construction of the permitted development, are now permanent. The proposed modest increase in scale of Blocks A and B are therefore not considered to compound the existing situation."*

DAYLIGHT SUNLIGHT & PEDESTRIAN WIND COMFORT ANALYSIS

A Daylight & Sunlight Assessment has been prepared by BPC Engineers and is submitted as part of this application. *The analysis shows that the proposed amendments will have a negligible impact on surrounding buildings with respect to access to skylight, access to sunlight, and sunlight to gardens/open spaces. All of the amenity space tested show that greater than 50% of the area receive at least two hours of sunlight on 21st March. Therefore, these proposed open spaces exceed the BRE's recommendation for sunlight and should appear adequately sunlit throughout the year.*

In terms of internal daylight provision for the proposed development, the proposed units achieved 96% pass rate using the more onerous target of 200 lux in the Living/Kitchen/Dining room. Therefore, we believe the proposed development performs at an exemplar level for a scheme of this scale and aligns to national policy to ensure high quality sustainable development.

Overall, the development has been designed with due consideration for sunlight and daylight and meets the recommendations as set out in the BRE Guide – BR 209 “Site Layout Planning for Daylight and Sunlight, A guide to good practice (2022)”.

The Pedestrian Wind Comfort Analysis submitted as part of the amendment application reviews the ‘Pedestrian Comfort CFD Analysis’ report previously carried out by IES for the previously permitted application ABP-311190-21) to examine the effects of the amended proposal on pedestrian wind comfort. This current report carried out by BPC Engineers concludes that the proposed amendments would have a negligible effect on the overall results of the original CFD analysis conducted as part of the parent permission. This is due to the massing of the proposed development being similar to the previously granted development. Therefore, the previously presented results within the IES report are still accurate and the report remains valid.

PART V

The parent permission is subject to a condition (no. 31) requiring the application to enter into an agreement with DLR under Section 96 of the Planning and Development Act (as amended) in relation to the provision of Part V social and affordable housing.

The applicant is currently engaged in ongoing negotiations with DLR in relation to Part V as per the attached to the application (see DLR Part V letter). The Part V pack submitted with this application therefore contains the pack submitted to DLR for their review at compliance stage, however this has not yet been agreed.

S247 MEETING

An initial S274 Pre-Planning consultation took place on the 2nd of April 2024 via Microsoft Teams. The list of attendees is as follows:

Ciaran Carolan
Naoimh Fleming
Frances Horkan
John Donohoe
Richard Jenkins

David O’Connell
Dan Moloney
Brenda Butterly
Cáit Marley

A brief summary of the items raised and the applicant’s response is provided below:

Item Raised	Applicant Response
The proposal relates to amendments to an existing permitted development under construction, so this uplift is acceptable. The site was previously zoned Objective A (to protect and/or improve residential amenity) and now is now zoned SNI (To protect, improve and encourage the provision of sustainable neighbourhood infrastructure).	Noted. Residential is acceptable on this site in line with both zoning objectives. Please refer to the ‘Local Planning Policy Review’ contained within the statement of consistency below.
Confirm the scheme is in compliance with the Compact Guidelines 2024 in relation to Density. Guidelines state that a density of 50-250 in urban neighbourhood is acceptable.	The proposed density will increase from 199uph to 203uph which is in line with the Compact Guidelines urban neighbourhood density range.
The previous proposal was for Built to Rent – confirm in the application that the proposed 5 additional apartments meet all the required elements of the Apartment Guidelines.	All of the apartments meet the Apartment Guidelines standards. This is demonstrated by the HQA submitted with this application.
Confirm that the green roof meets the development plan standards.	Please refer to the Engineering Planning Report which demonstrate that the proposed green roof meets the Development Plan standards.
Please show the footprint of the new Goleen development on the site layout plan Reg. Ref no. 22A/582	Please refer to the Site Layout Plan which shows the footprint of the Goleen development to the west of the subject site.
PART V – please confirm the approach to Part V	Please refer to the letter submitted part V pack.

As the proposed modifications are minor in nature, Dun Laoghaire Rathdown County Council issued a Section 247(7) letter dated the 02nd of April 2024, confirming that no further consultation is required in this instance and the applicant may proceed with the lodgement of the application for amendments to the permitted Strategic Housing Development Reg.Ref.: ABP-311190-21. A copy of the letter from Dun Laoghaire Rathdown County Council accompanies this application.

PLANNING POLICY REVIEW: STATEMENT OF CONSISTENCY

NATIONAL & REGIONAL PLANNING POLICY

This chapter provides an overview of national, regional, and local planning policy which are relevant to this development and includes:

- Statement of Consistency with National and Regional Policy
- Statement of Consistency with Relevant Section 28 Guidelines
- Statement of Consistency with Dun Laoghaire Rathdown Development Plan, 2022-2028

Project Ireland 2040 Our Plan - National Planning Framework (2018)

The National Planning Framework (NPF) is the Government's plan to cater for the extra one million people that is anticipated to be living in Ireland. The Eastern and Midland Region (including Dublin) will, by 2040, be a Region of around 2.85 million people, at least half a million more than today.

The NPF Strategy includes the following aims:

- Supporting the future growth and success of Dublin as Ireland's leading global city of scale, by better managing Dublin's growth to ensure that more of it can be accommodated within and close to the city.
- Enabling significant population and jobs growth in the Dublin metropolitan area, together with better management of the trend towards overspill into surrounding counties.
- Targeting a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas.
- Making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport.

This major new policy emphasis on renewing and developing existing settlements aims to prevent the continual expansion and sprawl of our cities. This aim for Compact Growth promotes *"Making better use of under-utilised land and buildings, ... with higher housing and jobs densities, better serviced by existing facilities and public transport."* This approach not only makes better use of land but it can also have a *"transformational difference"* to towns and villages bringing new life and footfall to an area and contributing to the viability of services, shops and public transport, and by increasing the housing supply, enables more people *"to be closer to employment and recreational opportunities, as well as to walk or cycle more and use the car less"* (section 2.6).

As a result of this new policy approach, and as set out in section 4.5, there is a recognition that infill, and brownfield development is more challenging to deliver across multiple streams including land management and integration within existing communities who prefer the status quo to be maintained. As a result, to enable development a flexible approach to planning policies and standards needs to be *"focusing on design led and performance-based outcomes, rather than specifying absolute requirements in all cases... planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes."* In particular Section 4.5 highlights that *"general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location, e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc."* It highlights that there *"should also generally*

be no car parking requirement for new development in or near the centres of the five cities, and a significantly reduced requirement in the inner suburbs of all five.

The NPF projects that 550,000 additional homes will be required by 2040 to meet future demand. These new homes should be located in *places that can support sustainable development* and in *cities and larger towns where large scale housing exists*. To achieve this housing target, *we will need to build inwards and upwards* and apartments will need to become a *more prevalent form of housing*. The NPF also states that that *“to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”*.

The proposed development will provide 5 additional units in line with the objectives of the NPF. The additional units will be provided by making the best use of an existing brownfield site which is under construction. The proposed amendment will result in the reduction of the setbacks of blocks A and B on the permitted development. It will not alter the footprint of the buildings nor change the overall layout of the site, thereby having minimal impact on the permitted character and appearance of the development or the streetscene. This proposed development is considered to be fully in accordance with the objectives of the NPF.

Sustainable Urban Housing: Design Standards for New Apartments, 2023

The Apartment Guidelines 2023 promote sustainable housing, by ensuring that the design and layout of new apartments provide satisfactory accommodation for a variety of household types and sizes, including families with children over the medium to long term. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.

The guidelines note that apartments are most appropriately located within urban areas and that the scale and extent of apartment development should increase in relation to proximity to core urban centres and other factors. The guidelines outline three types of locations:

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

The criteria for determining these locations and the scale of apartment development that is considered appropriate at each location is also provided within the guidelines. It is our contention that the proposed site comes under the definition of a “Central and/or Accessible Urban Locations”.

“Central and/or Accessible Urban Locations” are identified as those which can accommodate large scale, and higher density developments and wholly comprises apartments. Such locations are within 15 mins walk of significant employment locations and 10 mins walk of Luas, DART and/or high frequency bus services.

The subject site is located within an “Accessible Urban Location” due to its proximity to high-capacity urban public transport stop, the site is located within a 10 minute walk of the Blackrock DART station which connects the area to Dublin City Centre, Dún Laoghaire and other places along the DART line. The site is also within a 10 and 20 minute walk of two Quality Bus Corridors. Furthermore, the site is located within a 10 minute walk of Blackrock Village and is close to a number of employment locations, including UCD Smurfit School and Blackrock Clinic and Hospital which is located adjacent to the site.

The guidelines outline 7 Special Planning Policy Requirements (SPPRs) that take precedence over any conflicting policies and objectives of development plans, local area plans and strategic development zone planning schemes.

Specific Planning Policy Requirement	Evaluation of Consistency
<p>Specific Planning Policy Requirement 1 Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).</p>	<p>Please refer to SPPR2.</p>
<p>Specific Planning Policy Requirement 2 For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:</p> <ul style="list-style-type: none"> • <u>Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;</u> • Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th; • For schemes of 50 or more units, SPPR 1 shall apply to the entire development; <p>All standards set out in this guidance shall generally apply to building refurbishment schemes on sites of any size, or urban infill schemes, but there shall also be scope for planning authorities to exercise discretion on a case-by-case basis, having regard to the overall quality of a proposed development</p>	<p>The area the subject of amendment is less than 0.25ha with the provision of 5 new units. As such this proposed mix is in compliance with SPPR2.</p>
<p>Specific Planning Policy Requirement 3 Minimum Apartment Floor Areas:</p> <ul style="list-style-type: none"> • Studio apartment (1 person) 37 sq.m • 1-bedroom apartment (2 persons) 45 sq.m • 2-bedroom apartment (4 persons) 73 sq.m • 3-bedroom apartment (5 persons) 90 sq.m 	<p>As per the Housing Quality Assessment by MDO the additional proposed unit sizes accord with SPPR3, with over 50% of the units exceeding requirements by +10%.</p>
<p>Specific Planning Policy Requirement 4</p>	<p>56% of the apartments are dual aspect</p>

<p>In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:</p> <ul style="list-style-type: none"> (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate in. (ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects. 	<p>exceeding the 33% minimum requirement in central and accessible urban locations.</p>
<p>Specific Planning Policy Requirement 5 Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.</p>	<p>The permitted ground floor apartments will not be altered.</p>
<p>Specific Planning Policy Requirement 6 A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations</p>	<p>The proposed 5 additional units accords with SPPR6. Block A will have 10 apartments on the top floor, while block B will have 11 apartments on the top floor. Please refer to MDO documentation for further details.</p>
<p>Specific Planning Policy Requirement 7 There shall be a presumption against granting planning permission for shared accommodation/co-living development unless the proposed development is required to meet specific demand identified by a local planning authority further to a Housing Need and</p>	<p>The amendment is for 5 additional units in a permitted development which is a Built to Rent and is currently under construction.</p>

Demand Assessment (HNDA) process.	
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The Guidelines also include policies and objective throughout for apartment development. The elements relevant to the proposed development are included in the table below.

Policy	Evaluation of Consistency
Section 4.16 identifies that cycling “provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes. In particular, planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.”	The proposed amendment does not alter the permitted provision of 479 no. secure, readily accessible cycle parking spaces in line with this ambition. This level of provision is in excess of the Apartment Guideline requirements and can accommodate the 5 additional units.
Section 4.20 highlights that <i>“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.”</i>	The proposed amendment will increase the number of residential units by 5 so the ratio of car parking will reduce slightly from 0.29 to 0.28 which is considered marginal. It is noted that there are 13 car club spaces on site permitted which provides the flexibility for residents to have access to a car should the want to.
<u>Section 4.21</u> <i>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.</i>	The ratio of parking spaces per unit reflects the site’s accessibility to high frequency public transport systems including the Dart and Dublin bus located in close proximity to the site.
<u>Section 4.22</u> <i>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.</i>	
Appendix 1 out sets out the following minimum overall apartment floor areas: • Studio: 37sqm	The proposed units are fully in compliance with these standards.

<ul style="list-style-type: none"> • One bed: 45sqm • Two bed (3 person): 63sqm • Two bed (4 person): 73sqm • Three bed: 90sqm 	<p>Please see the HQA and floor plan drawings prepared by MDO for further details in relation to overall apartment floor areas, bedroom floor areas, storage space requirements, private amenity space requirements and communal open space requirements. This confirms that all of these standards are met or exceeded.</p> <p>The proposed application seeks to increase the communal open space at ground floor level, relocation and enhancing the communal open space which was previously permitted at roof level of Block B. It is now proposed to provide this at ground floor level to the northwest of Block A. This proposal will increase the communal open space provision from 1,523sqm in the permitted scheme to 1,615sqm.</p>
<p>Appendix 1 provides the following aggregate bedroom floor areas:</p> <ul style="list-style-type: none"> • One bed: 11.4sqm • Two bed (3 person): 20.1sqm • Two bed (4 person): 24.4sqm • Three bed: 31.5sqm 	
<p>Appendix 1 provides the following storage space requirements:</p> <ul style="list-style-type: none"> • Studio: 3sqm • One bed: 3sqm • Two bed (3 person): 5sqm • Two bed (4 person): 6sqm • Three bed: 9sqm 	
<p>Appendix 1 provides the following minimum floor areas for private amenity space:</p> <ul style="list-style-type: none"> • Studio: 4sqm • One bed: 5sqm • Two bed (3 person): 6sqm • Two bed (4 person): 7 sqm • Three bed: 9sqm 	
<p>Appendix 1 provides the following minimum floor areas for communal amenity space:</p> <ul style="list-style-type: none"> • Studio: 4sqm • One bed: 5sqm • Two bed (3 person): 6sqm • Two bed (4 person): 7 sqm • Three bed: 9sqm 	
<p>Evaluation of Consistency</p> <p>The proposed development is considered a “Central and/or Accessible Urban Location”, as outlined in the table above, and is considered in accordance with the criteria relating to density, units mix, and dual aspect for such locations. MDO have prepared a Housing Quality Assessment which demonstrates how the proposal is in accordance with the space requirements in Appendix 1. Overall, it is considered that the proposed amendment application will provide high-quality apartment units in line with these Guidelines.</p>	

Sustainable Residential Development & Compact Settlement, Guidelines for Planning Authorities, 2024

The Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. They build on and update previous guidance to take account of current Government policy and economic, social and environmental considerations.

Section 1.3.2 of the Guidelines relating to Compact Growth state that “*priorities for compact growth include an emphasis on the renewal of existing settlements, rather than continued sprawl. This priority recognises the impacts that our dispersed settlement pattern (including the dispersal of*

residential, commercial and employment uses within settlements) is having on people, the economy and the environment. In particular, there is a recognition that dispersed settlement patterns are contributing to the social, economic and physical decline of the central parts of many of our cities and towns, as population and activities move out. There is a recognition that dispersed settlement patterns create a demand for travel and embed a reliance on carbon intensive private car travel and long commutes that affect quality of life for many citizens”.

Chapter 3 of the guidelines sets out policy and guidance in relation to growth priorities for settlements at each tier in the national settlement hierarchy. Under this categorisation, as set out in Table 3.1 – Area and Density Ranges Dublin and Cork City and Suburbs, **this site would be considered a City – Urban Neighbourhood.**

*The ‘City – Urban Neighbourhoods’ category includes: (i) the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses, (ii) strategic and sustainable development locations, (iii) town centres designated in a statutory development plan, and (iv) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that **residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork.***

Policy and Objective	Response
3.1 It is a policy and objective of these Guidelines that the recommended residential density ranges set out in Section 3.3 are applied within statutory development plans and in the consideration of individual planning applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.	As set out above the site is well connected with public transport services by both buses and Darts and is considered to be a High Capacity Public Transport Node or Interchange within a City – Urban Neighbourhood. The density appropriate to this area is therefore in the range of 50uph to 250uph. The proposed density of 203 uph is in line with this range.
4.1 It is a policy and objective of these Guidelines that planning authorities implement the principles, approaches and standards set out in the Design Manual for Urban Roads and Streets, 2013 (including updates) in carrying out their functions under the Planning and Development Act 2000 (as amended) and as part of an integrated approach to quality urban design and placemaking.	The permitted development was found to be in compliance with DMURS. The proposed alterations do not seek to alter the proposed site design and placemaking in this regard.
4.2 It is a policy and objective of these Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied within statutory development plans and in the consideration of individual planning applications.	This proposed development is an amendment to a permitted scheme and only impacts on the top floor of Blocks A and B. The proposed extensions of the top floor will not alter the layout and design as set out in Section 4.4 Key Indicators of Quality Design and Placemaking Assessment. The permitted development is considered to be

	<p>fully compliant with all aspects including:</p> <ul style="list-style-type: none"> • Sustainable and Efficient Movement • Mixed Distribution of Uses • Green and Blue Infrastructure • Public Open Space • Responsive Built form
<p>5.1 It is a policy and objective of these Guidelines that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments (and in mixed-use developments that include a residential element). The requirement in the development plan shall be for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances. Different minimum requirements (within the 10-15% range) may be set for different areas. The minimum requirement should be justified taking into account existing public open space provision in the area and broader nature conservation and environmental considerations.</p> <p>In the case of strategic and sustainable development sites, the minimum public open space requirement will be determined on a plan-led basis, having regard to the overall approach to public park provision within the area.</p> <p>In the case of sites that contain significant heritage, landscape or recreational features and sites that have specific nature conservation requirements, a higher proportion of public open space may need to be retained. The 10-15% range shall not therefore apply to new development in such areas.</p> <p>In some circumstances a planning authority might decide to set aside (in part or whole) the public open space requirement arising under the development plan. This can occur in cases where the planning authority considers it unfeasible, due to site constraints or other factors, to locate all of the open space on site. In other cases, the planning authority might consider that the needs of the population would be better served by the provision of a new park in the area or the upgrade or</p>	<p>The proposal includes c.7,103sqm of usable public open space which is more than the required 25% of the site area.</p> <p>Full details of the site’s public open space and amenity strategies are detailed in the enclosed Landscape Masterplan and Design Report prepared by NMP.</p>

<p>enhancement of an existing public open space or amenity. It is recommended that a provision to this effect is included within the development plan to allow for flexibility. In such circumstances, the planning authority may seek a financial contribution within the terms of Section 48 of the Planning and Development Act 2000 (as amended) in lieu of provision within an application site</p>	
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The Guidelines outline a number of Specific Planning Policy Requirements (SPPRs) in relation to the design of housing:

SPPR 1 – Separation Distances	EVALUATION OF CONSISTENCY
<p>When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.</p>	<p>The proposed additional units comply and exceed this requirement.</p> <p>Please refer to the Site Layout Plan prepared by MDO for further details.</p>
SPPR 2 – Private Open Spaces for Houses	EVALUATION OF CONSISTENCY
<p>It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:</p> <p>1 bed house: 20 sq.m 2 bed house: 30 sq.m 3 bed house: 40 sq.m 4 bed + house: 50 sq.m</p> <p>A further reduction below the minimum standard may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space, subject to at least 50 percent of the area being provided as</p>	<p>N/A there are no houses proposed as part of the development.</p>

<p>private open space (see Table 5.1 below). The planning authority should be satisfied that the compensatory semi-private open space will provide a high standard of amenity for all users and that it is well integrated and accessible to the housing units it serves.</p>	
<p>SPPR 3 – Car Parking</p>	<p>EVALUATION OF CONSISTENCY</p>
<p>It is a specific planning policy requirement of these Guidelines that:</p> <p>(i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.</p> <p>Applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision. The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on-street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking.</p>	<p>The proposed parking and cycle parking provision remains the same as the previously permitted SHD which is comprised of: 71 no. car parking spaces and 479 no. cycle parking spaces.</p> <p>This level of car parking is considered to be appropriate given the highly accessible nature of the site, the fact that the ratio of the permitted development compared to the proposed development reduces slightly to 0.28.</p> <p>Furthermore the provision of car club spaces provides options for future residents to access a car without having the burden of owning one.</p> <p>The proposed parking ratio as a result of this uplift is considered to be wholly compliant with this policy.</p>
<p>SPPR 4 – Cycle Parking and Storage</p>	<p>EVALUATION OF CONSISTENCY</p>
<p>It is a specific planning policy requirement of these Guidelines that all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors. The following requirements for cycle parking and storage</p>	<p>The permitted development provides 479 no. bicycle parking spaces. these are in safe, secure and overlooked locations. This quantum is in excess of the requirements by the Compact Guidelines.</p> <p>The permitted number of spaces can accommodate the proposed 5 additional units.</p>

<p>are recommended:</p> <p>(i) Quantity – in the case of residential units that do not have ground level open space or have smaller terraces, a general minimum standard of 1 cycle storage space per bedroom should be applied. Visitor cycle parking should also be provided. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc. It will be important to make provision for a mix of bicycle parking types including larger/heavier cargo and electric bikes and for individual lockers.</p> <p>(ii) Design – cycle storage facilities should be provided in a dedicated facility of permanent construction, within the building footprint or, where not feasible, within an adjacent or adjoining purpose-built structure of permanent construction. Cycle parking areas shall be designed so that cyclists feel safe. It is best practice that either secure cycle cage/compound or preferably locker facilities are provided.</p>	<p>This is fully compliant with the policy.</p>
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Evaluation of Consistency

The proposed development is considered an High Capacity Public Transport Node, as outlined in the table above, due to the site’s proximity (0.5km) to a high quality public transport corridor along Stillorgan Road and is considered in accordance with the criteria relating to car parking, separation distances, density, private open space and cycle storage for such locations.

MDO have prepared a Housing Quality Assessment which demonstrates how the proposal is in accordance with the space requirements.

Overall, it is considered that the proposed development will provide a high-quality apartment scheme that is in line with the Compact Guidelines.

LOCAL PLANNING POLICY

DUN LOAGHAIRE RATHDOWN DEVELOPMENT PLAN 2022-2028

The site is located within the administrative area of Dun Laoghaire Rathdown County Council and is therefore subject to the land use policies and objectives of the County Development Plan 2022-2028. The County Development Plan 2022-2028 came into effect on the 21st of April 2022.

Zoning

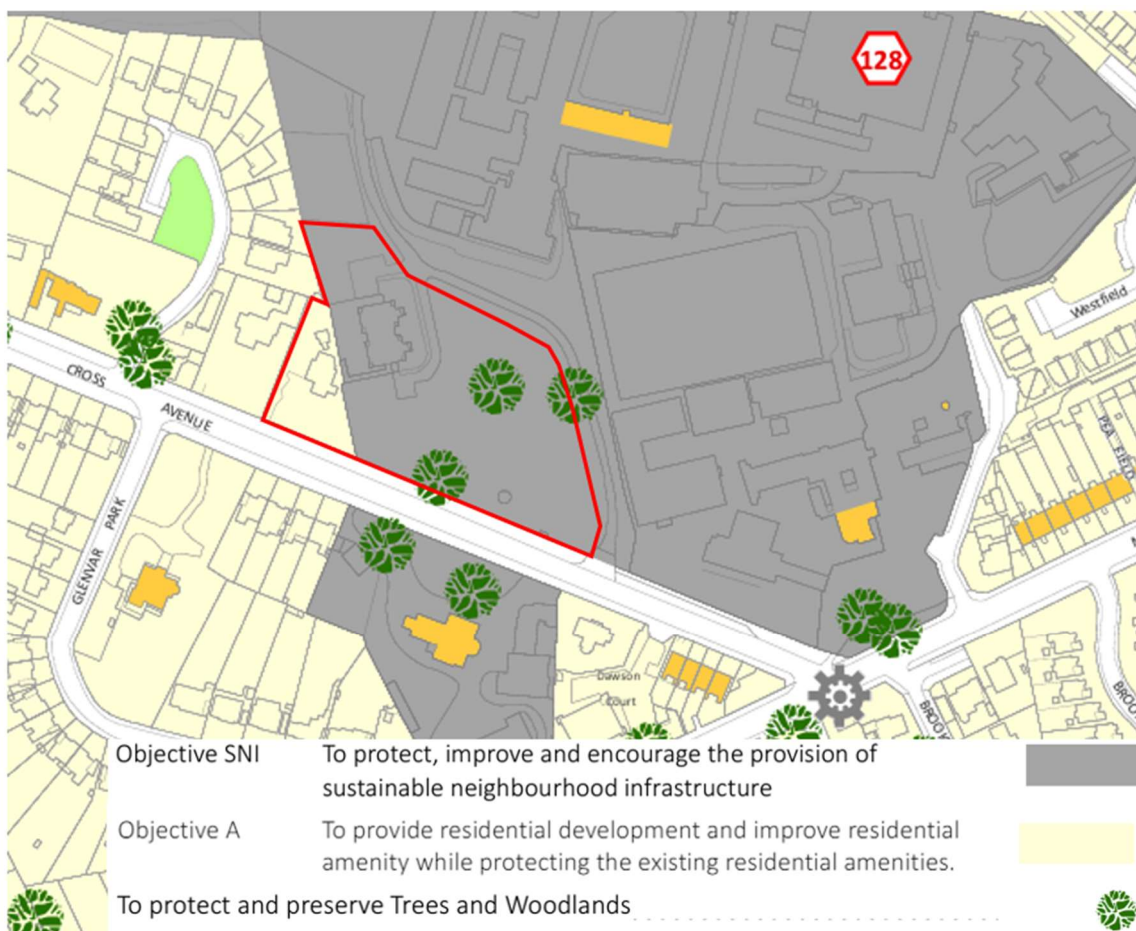
The subject site is predominately zoned Objective SNI “to protect, improve and encourage the provision of sustainable neighborhood infrastructure”. The southwestern portion of the site is also zoned Objective A “To provide residential development and improve residential amenity while protecting the existing residential amenities”.

The following table outlines uses which are ‘permitted in principle’ and ‘open for consideration’ within Zoning Objective A lands.

Permitted in Principle
Assisted Living Accommodation, Community Facility(a), Childcare Service(a), Doctor/Dentist etc. (a), Educational, Health Centre/ Healthcare Facility(a), Open Space, Public Services, Residential, Residential Institution, Travellers Accommodation.
Open for Consideration
Allotments, Aparthotel, Bring Banks/Bring Centres, Carpark(b), 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(c), Offices less than 200sq.m.(c), Offices in excess of 200 sq.m.(d), Service Station, Place of Public Worship, Public House, Residential – Build to Rent, Restaurant, Service Garage, Shop Neighbourhood, Student Accommodation, Sports Facility, Tea Room/Café, Veterinary Surgery.
a: Where the use will not have adverse effects on the ‘A’ zoning objective, ‘to provide residential development and improve and improve residential amenity while protecting existing residential amenities’.
b: Only as an ancillary component of and directly connected to the primary use and/or ancillary to public transport and/or active travel modes.
c: less than 200sq.m.
d: Only applies to A zoned lands subject to Specific Local Objective 122.

Zoning Objective SNI allows for residential uses to be ‘open for consideration’ on this land use zoning.

Permitted in Principle
Assisted Living Accommodation, Car Park(a), Community Facility, Childcare Service, Cultural Use, Doctor/Dentist etc., Education, Health Centre/ Healthcare Facility, Hospital, Open Space, Place of Public Worship, Sports Facility, Public Services, Transitional / Step-Down Medical / Rehabilitation Services, Veterinary Surgery.
Open for Consideration
Allotments, Caravan/Camping Park-Holiday, Cemetery, Civic Facility, Conference Facilities(a) Craft Centre/Craft Shop(b), Incubator Unit(c), Office(a), Office-Based Industry(c), Leisure Facility, Shop Neighbourhood(b), Residential, Residential Institution, Tea Room/Café(b), Travellers Accommodation.
a: Only as an ancillary component of and directly connected to the primary use.
b: As a component part of sustainable neighbourhood infrastructure.
c: Only as an ancillary component of and directly connected to the primary use where the primary use is as a Hospital or a Further Education Institution.



Evaluation of Consistency

Residential use is permitted in principle in the zoned Objective A lands, and is open for consideration under the SNI zoned lands. Permission was granted under ABP Reg. Ref. ABP-311190-21 and the construction of this permission has commenced. It is noted that under the previous Development Plan the entire site was zoned Objective A with an Institutional designation.

As the residential development has commenced on the site, and is nearing completion, the permitted use of this land is now residential. The extension of these permitted blocks for 5 additional units is considered to be in accordance with this permitted use. It is also noted that residential use is open for consideration under the SNI zoning. As the development is an existing partially constructed development, the established use on the site is considered 'residential'. Even without proposing this amendment the site would be classified as residential once the development is complete.

Furthermore, in line with the SNI zoning requirements, and as demonstrated in the planning application for the SHD under ABP Reg. Ref. ABP-311190-21, there is ample space associated with the Blackrock College lands providing in excess of 25% open space within the retained land holding.

The provision of 5 additional units added to the permitted 241 unit scheme will not prejudice the achievement of the zoning objective on the wider SNI zoned lands, and will be a complementary use that will help sustain the existing social and community services in the area.

CORE STRATEGY

Development Management	
<p>12.1.1.2 Design Statements A Design Statement which is an outline of the proposal's context and aims, and how it responds to Development Plan objectives and surroundings, should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP44 and Section 12.3.1 below).</p>	<p>This planning application is for a proposed residential development sub 30 units, however, please refer to the design statement prepared by MDO.</p>
<p>12.1.1.3 Landscape Plans Planning applications for 1000+sq.m. commercial development, 10+ residential units, or smaller developments (as deemed appropriate by the Planning Department), should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority).</p>	<p>Please refer to Landscape Design Statement and associated drawing prepared by NMP landscape architects.</p>
<p>12.1.2 Impacts on the Environment All Planning applications undergo EIAR screening or preliminary assessment</p>	<p>An EIAR Screening has been prepared and submitted as part of this application.</p>
<p>12.1.2.2 Appropriate Assessment Under Article 6 of the Habitats Directive there is a requirement to establish whether, in relation to Plans and Projects, Appropriate Assessment (AA) is required. If, following screening, it is considered that AA is required, then the proponent of the Plan or Project must prepare a Natura Impact Statement.</p>	<p>An NIS Screening has been carried out and is submitted with this application.</p>
<p>12.3.1 Quality Design It is a Policy Objective to promote high quality design and layout in all new development. Whilst this Section refers more specifically to design relative to residential development, the principles detailed can be applied to any form of development. A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of streets and outdoor spaces. In considering applications for new developments the Planning Authority will refer to Government guidelines that offer specific guidance in relation to design, including those listed in Appendix 12.</p>	<p>The proposed amendment will blend into the permitted development and will continue the high-quality design of the parent permission.</p> <p>The additional units are an extension of the permitted top floor and complies with the building height strategy for the County.</p> <p>The 5 additional units will provide a high standard of living for future residents.</p>
<p>12.3.1.1 Design Criteria The objective of DLR County Council is to achieve high standards of design and layout to create liveable neighbourhoods. The following criteria will be taken into account when assessing applications: - Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone / Local Area Plan / Urban Framework Plan / non-</p>	<p>The land use zoning along with the permitted development under construction has been considered as part of this development.</p> <p>The proposed scheme has been assessed against national, regional, county and local policy.</p>

<p>statutory planning guidance adopted by the Council.</p> <ul style="list-style-type: none"> - Compliance with other policy requirements contained within the Plan. - Consistency with any/all relevant National and Regional policy objectives. - Synergies with adjoining complementary uses and land use zoning objectives. - Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable. - Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure. - Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices. - Quality of linkage and walking and cycling permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces. Walking and cycling permeability shall be maximised at every opportunity. - Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed. - Quantitative standards - set out in this Chapter and/or referenced in Government guidelines. - Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied. - Quality of proposed public, private, and communal open spaces and recreational facilities and the relationship of proposed open spaces with any existing public or communal open space. - Quality of the pre-existing environmental sound environment. - Context - having regard to the setting of the site, the surrounding character, streetscape, and the impact of any proposed development on the development potential of adjoining sites. - Variety of house types and unit size. 	<p>The proposed amended density of development is deemed acceptable to achieve the aims of delivering optimal quantum of residential units at this appropriate location.</p> <p>Private amenity space is provided for each apartment in line with standards.</p> <p>A Daylight Sunlight analysis has been carried out for the proposed development and is submitted as part of this application.</p> <p>Car and Cycle Parking figures are not changing as part of the proposed amendment.</p> <p>The development is considered to be fully in accordance with these policies.</p>
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<ul style="list-style-type: none"> - Variety in layout through providing different lengths and types of residential roads, mixes of ‘cul-de-sac’, loop roads, set-back road sections, loose grid layouts and similar. - Inter-relationship of buildings / dwellings, roads, pedestrian ways, neighbourhood centre facilities and local parks and green areas – active frontages and passive surveillance will be encouraged. - Roofscape, plant and green roofs. 	
<p>12.3.3 Quantitative Standards for All Residential Development Applications for residential schemes shall comply with all relevant requirements set out in PHP20: Protection of Existing Residential Amenity (see Section 4.3.1.3).</p>	<p>This proposed development accords with these requirements as set out below.</p>
<p>12.3.3.1 Residential Size and Mix In order to demonstrate compliance with Policy Objective PHP27 and based on the findings of the Housing Strategy and HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County. Council Part 8 or Part 10 residential schemes may propose a different mix having regard to the specific needs of the Council Housing Department.</p> <p>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:</p> <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> o Are designed and located having regard to the needs of older people and/or persons with a disability. o Are designed having regard to the concept 	<p>The proposed amendment application is for 5 no. additional units and is therefore below the 50+ threshold outlined in Policy Objective PHP27.</p>

- of lifetime adaptable and/or multi-generational 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.

Extract from Table 12.1 below:

Area	Threshold	Mix Studio/1/2 bed Requirement (Apartments and duplexes)	3+ bed Requirement (Apartments)
Existing Built up area.	Schemes of 50+ units	Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 20% 3+ bedroom units

12.3.3.2 Residential Density

In general, the number of dwellings (houses or apartments) to be provided on a site should be determined with reference to the Government Guidelines document:

- ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities’ (2009).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020).

The proposed density of development aims to deliver the optimal quantum of residential units on site in response to type of site, location, and accessibility to public transport without compromising on the quality of the proposed development.

The proposed amended development will provide 246 no. new apartment

<p>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).</p>	<p>units within Blackrock at a net density of 203 uph which is in line with Objective PHP18 for compact growth and increased density.</p>
<p>12.3.4.2 Habitable Rooms The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission, including the minimum dimensions as set out in ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ (2020), and ‘Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).</p> <p>All habitable rooms within new residential units shall have access to appropriate levels of natural /daylight and ventilation. Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011) and/or any updated, or subsequent guidance, in this regard. A daylight analysis will be required for all proposed developments of 50+ units, or as otherwise required by the Planning Authority. The impact of any development on existing habitable rooms should also be considered.</p>	<p>The proposed additional units meets standards of habitable rooms in line with ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ (2023).</p> <p>Please see Daylight and Sunlight Assessment Report submitted as part of this application.</p>
<p>12.3.5.1 Dual Aspect in Apartments A dual aspect apartment is designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.</p> <p>Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2020), 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:</p> <ul style="list-style-type: none"> - There shall generally be a minimum of 50% dual aspect apartments in a single scheme. - or building refurbishment schemes on sites of any 	<p>56% of the additional units proposed apartments are dual aspect. This is in accordance with policy.</p> <p>Please refer to the Housing Quality Assessment and Summary Schedule prepared by MDO for further details.</p>

<p>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.</p>											
<p>12.3.5.2 Separation Between Blocks All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.</p> <p>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</p>	<p>The proposed location of the permitted blocks will remain unchanged.</p> <p>The proposed apartments exceed the minimum distance between them and any directly adjacent dwellings.</p>										
<p>12.3.5.3 Internal Storage and External Storage Internal storage standards for apartments shall accord with, or exceed the levels outlined in Table 12.3 below:</p> <table border="1" data-bbox="193 1279 783 1464"> <thead> <tr> <th>Unit Size</th> <th>Min Storage Requirement</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>3sqm</td> </tr> <tr> <td>2 bed (3 person)</td> <td>5sqm</td> </tr> <tr> <td>2 bed (4 person)</td> <td>6sqm</td> </tr> <tr> <td>3 bed</td> <td>9sqm</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - Storage should be additional to kitchen presses and bedroom furniture. - Hot press/boiler space will not count as general storage. - No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit. <p>Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.</p>	Unit Size	Min Storage Requirement	1 bed	3sqm	2 bed (3 person)	5sqm	2 bed (4 person)	6sqm	3 bed	9sqm	<p>Storage area standards have been met and exceeded in some instances in the additional units.</p> <p>Please refer to Summary Schedule and Housing Quality Assessment prepared by MDO.</p>
Unit Size	Min Storage Requirement										
1 bed	3sqm										
2 bed (3 person)	5sqm										
2 bed (4 person)	6sqm										
3 bed	9sqm										
<p>12.3.5.5 Minimum Apartment Floor Areas</p>	<p>The floor areas of the additional units</p>										

All apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’, (2020), as set out in the Table 12.4 below.

In this regard, the areas listed are minimum standards and should not be taken as the norm for all developments; higher floor areas will be encouraged throughout the County.

Unit Size	Min Overall Floor Area
Studio	37sqm
1 bed	45sqm
2 bed (3 person)	63sqm
2 bed (4 person)	73sqm
3 bed	90sqm

In order to safeguard standards, the majority of apartments in any proposed scheme of 10 or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed, by a minimum of 10%* (excluding studios).

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

A maximum of 12 apartments per floor per core may be provided in apartment schemes.* This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality, and compliance with building regulations.

12.3.7.10 Institutional Lands
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

equal or exceed the standards set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’, (2022). 50% of the proposed units exceed, by 10% or more, the minimum floor areas noted in the Design Standards.

Please refer to Summary Schedule and Housing Quality Assessment prepared by MDO.

The proposed ground level apartments have floor to ceiling heights of 2.7 metres in line with Section 12.3.5.6.

The proposed extensions to blocks A and B ensure that there are less than 12 apartments per core on the respective floors where these units are located.

While the site is now zoned ‘SNI’, when the site was granted permission under ABP Reg. Ref.: 311190-21, the site was zoned Objective A. As demonstrated through the grant of permission under ABP Reg. Ref. ABP-311190-21 the site is fully in line with the zoning and settlement objectives of the Development Plan. Given that the proposed development is an amendment to an existing residential development that is already under

<p>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.</p> <p>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.</p>	<p>construction, it is considered that the proposed use is acceptable under the SNI zoning. As the development is an existing partially constructed development the established use on the site is considered 'residential'. Even without proposing this amendment the site would be classified as residential once the development is complete.</p> <p>Furthermore, as demonstrated in the planning application for the SHD under ABP Reg. Ref. ABP-311190-21, there is ample space associated with the Blackrock College lands. This site also achieves in excess of 25% of the site in Public Open Space in line with the SNI policy.</p> <p>Lastly, 'Residential' is an open for consideration use under the SNI zoning and therefore the proposed amendment is in line with the criteria of same.</p>				
<p>12.8 Open Space and Recreation</p>	<p>See below.</p>				
<p>12.8.2 Open Space Categories for Residential Development</p> <p>In relation to Development Management, there are three categories of open space: public open space, communal open space, and private open space.</p> <p>The following will not normally be considered as part of any Open Space provision:</p> <ul style="list-style-type: none"> - Car/bus parking. - Bin/fuel stores. - Bicycle parking structures. - ESB substations or other service infrastructure. - Underground flood attenuation tanks. <p>All applications for residential schemes (including Built to Rent) should include a clear written schedule and colour coded drawing with public, private and communal open space provision identified. The written schedule shall include the County Development Plan requirements, the proposed provision and full details of any short fall.</p>	<p>Please see documents and drawings prepared by MDO Architecture and NMP Landscape Architecture for details of the provision public open space, communal open space, and private open space within the development.</p>				
<p>12.8.3 Open Space Quantity for Residential Development</p>	<p>See below.</p>				
<p>12.8.3.1 Public Open Space</p> <table border="1" data-bbox="177 1995 869 2027"> <thead> <tr> <th data-bbox="177 1995 531 2027">Location</th> <th data-bbox="531 1995 869 2027">Min Public Open Space</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="177 1995 869 2027">As per the permitted scheme the proposed development has allocated</td> </tr> </tbody> </table>	Location	Min Public Open Space	As per the permitted scheme the proposed development has allocated		<p>As per the permitted scheme the proposed development has allocated</p>
Location	Min Public Open Space				
As per the permitted scheme the proposed development has allocated					

<p>Institutional and Redevelopment of SNI use</p>	<p>25% (of site area)</p>	<p>7,103sqm, which is in excess of 25% of the net site area for Public Open Space, which is greater than that required under Section 12.8.3.1 of the Development Plan.</p>														
<p>All residential schemes must provide a minimum provision of public open space in accordance with the table above, which has regard to the content of the Section 28 Guidelines ‘Sustainable Residential Development in Urban Areas’ (2009).</p> <p>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).</p> <p>It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same. On overall sites of less than 0.25 ha, the Council may also consider levying a contribution in lieu of public open space.</p> <p>Public Open Space may be taken-in-charge, by the Local Authority, or may be privately managed.</p>		<p>As per the permitted development, communal Areas have been designed in accordance with the standards in the ‘Sustainable Urban Housing, Design Standards for New Apartments’ Section 28 Guidelines.</p> <p>The communal open space areas are of high quality, located close to each of the residential blocks and clearly defined by the distribution of perimeter blocks and landscaping as spaces for the residents.</p>														
<p>12.8.3.2 Communal Open Space</p> <table border="1" data-bbox="188 1630 858 1895"> <thead> <tr> <th>Unit Type</th> <th>Min Area Per Unit</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>4 sqm</td> </tr> <tr> <td>1 bed</td> <td>5 sqm</td> </tr> <tr> <td>2 bed (3 persons)</td> <td>6 sqm</td> </tr> <tr> <td>2 bed (4 persons)</td> <td>7 sqm</td> </tr> <tr> <td>3 bed</td> <td>9 sqm</td> </tr> <tr> <td>4+ bed</td> <td>12 sqm</td> </tr> </tbody> </table> <p>In addition to Public Open Space, provided by the Developer, communal open space must also be provided for apartments and in some instances for</p>		Unit Type	Min Area Per Unit	Studio	4 sqm	1 bed	5 sqm	2 bed (3 persons)	6 sqm	2 bed (4 persons)	7 sqm	3 bed	9 sqm	4+ bed	12 sqm	
Unit Type	Min Area Per Unit															
Studio	4 sqm															
1 bed	5 sqm															
2 bed (3 persons)	6 sqm															
2 bed (4 persons)	7 sqm															
3 bed	9 sqm															
4+ bed	12 sqm															

houses, in accordance with the minimum standards set out in Table 12.9 above in accordance with the standards in the ‘Sustainable Urban Housing, Design Standards for New Apartments’ Section 28 Guidelines, (2020)

Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons. Whilst an element of roof garden may be acceptable, the full quantum of communal open space should not take the form of being solely roof gardens (See also Section 12.8.5.4). While public and communal open space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a ‘privacy strip’ between the two

The provision and proper future maintenance of well-designed communal open space will contribute to meeting the amenity needs of residents. Communal open space will be privately managed.

12.8.3.3 Private Open Space

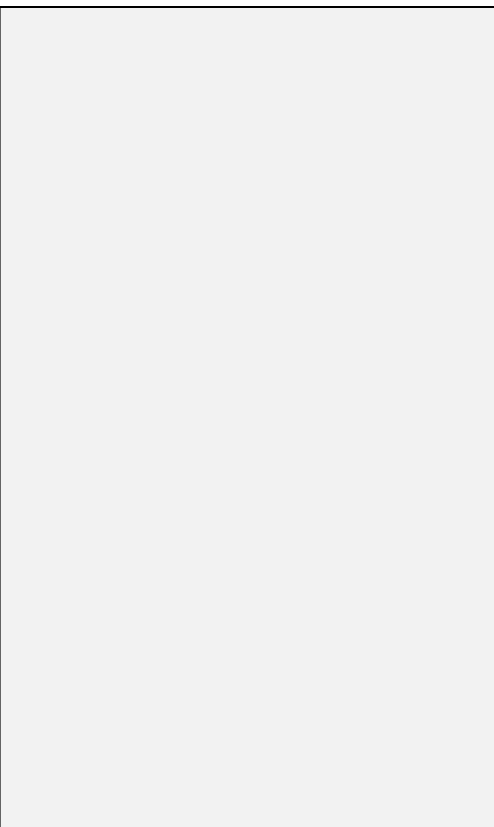
Table 12.11 below sets out minimum requirements in line with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020.

Unit Type	Min Area Per Unit
Studio	4 sqm
1 bed	5 sqm
2 bed (3 persons)	6 sqm
2 bed (4 persons)	7 sqm
3 bed	9 sqm
4+ bed	12 sqm

Every apartment shall have private amenity space in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Where provided at ground level, private amenity space shall incorporate boundary treatment appropriate to ensure privacy and security. Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking

12.8.5 Public Open Space – Quality

Open space is fundamental in contributing to a high quality of life for those living, working and visiting the County. It provides a basis for active and passive recreation, creates urban focus, fosters community



All proposed additional apartments are provided with generously proportioned private balconies, terraces or patios. The proposed development private open spaces are in accordance with or exceed the Design Standards area requirements.

While a small portion of the public open space is now proposed as communal open space to the west of the site, the public open space is largely as permitted and was considered to be

spirit, and helps mitigate the impacts of climate change.

It can also improve the public realm and urban image, provides for inclusivity, adds to the liveability, sense of identity and define the quality of the area.

For this reason, public open space should be accessible, inclusive, secure, and usable. In accordance with the 'Guidelines on Sustainable Residential Development in Urban Areas', public open space on greenfield sites in the County's new development areas should be in the form of useful open spaces and where appropriate larger neighbourhood parks to serve the wider community.

Where public open space is to be provided on foot of a planning permission, the space in question should be well designed, and located to sympathetically complement the layout of the development.

Public open spaces should be overlooked and designed to ensure that potential for antisocial behaviour is minimised through passive surveillance. The open space should be visible from, and accessible to, the maximum number of dwellings/units within the proposed scheme. Inaccessible, hidden or otherwise backland open space, and narrow linear strips of open space will not be acceptable.

For public open space proposed roof gardens will not be acceptable. Fragmented open spaces within a development layout, which result specifically from the necessity to protect existing site features (for example a stand of mature trees) may not be included in the calculation of open space requirements, as they are necessary to ensure the protection of existing amenities.

Age friendly measures should also be incorporated into the design of public open space, such as the provision of suitable benches at appropriate intervals.

12.8.5.1 Design

The layout of public open space and its associated facilities/ infrastructure as delivered by the residential development – particularly in larger areas of open space - should be designed to meet a range of user needs, including both active and the passive recreation to maximise accessibility and should strive to incorporate universal design.

accessible, inclusive, secure, and usable.

<p>Users of public open space in the County should feel safe with adequate supervision, passive surveillance, boundary treatment and public lighting all contributing to an overall sense of security. Public Open Space should be expansive and suitably proportioned. Accordingly, blocks and buildings should overlook the public realm. Narrow tracts and corridors of open space, which are difficult to manage, will generally not be acceptable.</p> <p>Public open spaces, within new development should be capable of providing opportunities for play e.g. playgrounds, small pitches, etc. Playgrounds on public open space should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.</p> <p>In higher density residential schemes (in excess of 100 units per hectare), the quality of the open space becomes of paramount importance.</p>	
<p>12.8.5.3 Communal Open Space – Quality Communal amenity space within apartment and/ or housing developments should be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year in accordance with BRE 209 ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’, (2011). The communal open space should be visible from, and accessible to, the maximum number of units within the proposed scheme. Inaccessible, hidden or otherwise back land communal open space, and narrow linear strips of communal open space will not be acceptable.</p> <p>Playgrounds in communal open space areas should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.</p> <p>The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents within the development. In particular, accessible, secure and usable outdoor space is a high priority for families with young children, and for less mobile older people.</p>	<p>The proposed amendment to the communal open space has been designed in a logical way that is easy for residents to access and is appropriately separated from public open space.</p>
<p>12.8.5.4 Roof Gardens Roof gardens are a valuable form of urban greening</p>	<p>The proposed amendment seeks to relocate a portion of communal open</p>

<p>(see Section 3.4.4). 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.</p> <p>While recognising that the primary form of communal open space should be provided at grade, where intensive green roofs are being provided in accordance with Section 12.8.6.3 and Appendix 7.2 there may be scope for their use as additional amenity areas in the form of roof gardens. In addition, there may be certain instances such as on smaller town centre infill schemes where there is only scope for a roof garden. Roof gardens will be considered subject to the following</p> <ul style="list-style-type: none"> - Safety consideration including safe access by children. - Wind and climate assessment. - Daylight and sunlight assessment (on small town centre infill schemes, where all communal open space is provided by way of a roof garden, daylight and sunlight standards should be higher than minimum standards for more than 50% of the development). - Maintenance issues. - Provision of suitable landscaping plans which provide for a diverse range of plants which have year round interest, pollinator friendly and are suitably adapted to the rooftop conditions. - Visual assessment. - Proximity to vents. 	<p>space located at roof level to ground level. This is considered best practice and will be easily accessible to all residents.</p>
<p>12.8.6.2 SuDS (Sustainable Drainage Systems) SuDS measures, such as attenuation storage systems, including detention basins that come into regular operation after rainfall events, shall not normally be included in the calculation of open space provision. Where a SuDS scheme provides biodiversity and amenity value and is readily accessible for either use or enjoyment in most weather conditions, a proportion of the SuDS area could be incorporated as a component part of the communal or public open space provision.</p> <p>This proportion will be decided by the Planning Authority on a case-by- case basis. The Council will also</p>	<p>Please see documents and drawings prepared by BM Consulting Engineers for information on SUDs details incorporated into the site layout and design.</p>

<p>encourage the use of bioswales in roadside verges, and open spaces. Further to Section 3.4.4 Urban Greening, data on all surface cover types shall be submitted to the Planning Authority as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems).</p>	
<p>12.8.6.3 Green Roofs / Blue Roofs</p> <p>The use of green roofs/blue roofs in accordance with the requirements of the Dún Laoghaire Rathdown County Council’s Green Roof Policy, (See Appendix 7.2) forms part of an integrated approach to the provision of green infrastructure. This approach takes particular account of the benefits in terms of SuDS provision, nature-based solutions, biodiversity benefits, urban greening, urban cooling, and the potential for additional amenity space, particularly in high density development contexts. The provision of green and blue roofs within any development, however, shall not normally form part of the overall minimum open space (public or communal) provision but should complement the required open space provided within the site.</p> <p>Applications for developments with a roof area ≥ 300sq.m. shall provide Green Roofs in accordance with ‘Dún Laoghaire – Rathdown County Council’s Green Roof Policy’ (2020).</p> <p>Green or living roofs on smaller structures are also encouraged by the Council. These can function as smaller urban greening measures which as well as being a SUDS feature, are a useful wildlife habitat, can trap carbon and contribute to urban cooling. There is good potential for living roofs on bike and bin stores, bus shelters, detached habitable rooms and garages. Living roofs can be designed to incorporate a diverse range of pollinator friendly species which are drought tolerant and therefore do not require supplementary watering. Added features such as insect hotels and bird boxes can be incorporated into the design.</p>	<p>The proposed amended areas include green roofs on each of the blocks.</p> <p>Please refer to BM Consulting Engineers reports and drawings for further details.</p>
<p>12.8.7 Private Amenity Space – Quality Standards</p>	<p>See below.</p>
<p>12.8.7.1 Separation Distances</p> <p>A minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments.</p> <p>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.</p>	<p>Please refer to documents and drawings prepared by MDO Architecture and Daylight Sunlight Analysis prepared by BPC Engineers for further detail on separation distances and overshadowing.</p>

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.

Conclusion

This application is for a minor amendment for 5 additional units at the top floor of blocks A and B. The proposed amendment will not alter the overall height and scale of the permitted development of 1-9 storeys which responds positively to the existing built environment and character of the area. Due to the location of the additional units there will be minimal impact on the existing and future neighbours in terms of overlooking, and impact on daylight and sunlight.

The proposed amendment to the unit mix comprising 1 and 2 bed apartments will improve the overall mix of residential unit types within the proposed development and will ensure the efficient use of each apartment block, allowing for a more sustainable mixed residential community to emerge.

The permitted scheme is an exceptionally high-quality Build-to-Rent residential development with excellent communal facilities on this site. These additional 5 units will provide further housing and will continue to meet the changing need of the population including smaller housing sizes.

The design and layout of the proposal is of high quality and makes the best use of the available allocated land in line with best practice. It is a well-designed scheme that provides a sense of place and identity on the vacant piece of land.

The planning policy review demonstrates that the proposed development complies with relevant national, regional, and local planning policies and guidelines including the following:

- Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2023);
- Sustainable Residential Development and Compact Settlement, Guidelines for Planning Authorities, 2024;
- Dún Laoghaire Rathdown County Development Plan (2022 - 2028)

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines.