

**Statement of Consistency
with Planning Policy**

In respect of

Proposed Mixed Use Strategic Housing Development

At

**Rosemount House, Malahide Road,
Northern Cross
Dublin 17**

Prepared for

Walls Construction Ltd

August 2022



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1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Walls Construction Ltd, this Statement of Consistency has been prepared to accompany this application to An Bord Pleanála in relation to a proposed mixed use Strategic Housing Development (SHD) located at Rosemount House, Northern Cross, Malahide Road, Dublin 17. The development site is located in the western part of the Northern Cross development area and is presently occupied by a standalone office block, which is within the ownership of the applicant.
- 1.2 This application is accompanied by a comprehensive range of documentation which specifically seeks to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended), the Planning and Development (Strategic Housing Development) Regulations 2017, and the requirements of the Dublin City Development Plan 2016-2022 and Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (as extended until December 2022). There is also an assessment of the proposed development under the Draft Dublin City Development Plan 2022-2028, in the interest of completeness.
- 1.3 The proposed development consists of the demolition of the existing office block on site and the construction of 176 no. residential units in 1 no. block 9 storey block above basement, from 1st to 8th floor level, with c. 1,050.8 sq.m of office space, a café unit, and residential amenities located at ground floor level on a gross site of c. 0.65 ha. The proposed development block is 25,428 sq.m and consists of 72 no. one bed apartment units, 57 no. two bed apartment units and 47 no. three bed units.
- 1.4 This Statement of Consistency, prepared by John Spain Associates, demonstrates that the proposed development is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act (2000), as amended, and with local planning policy (in particular the Dublin City Development Plan 2016-2022 and the Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018, as extended to 2022. With the potential for overlap with the upcoming 2022-2028 Dublin City Development Plan, the proposal is also assessed within this report against the policies, objectives and standards of the Draft Dublin City Development Plan 2022-2028, as presently published, and this has been submitted also as part of this application.
- 1.5 The purpose of this report is to demonstrate the compliance of the proposed scheme with the relevant policy and guidance at a national, regional and local level. Where a Material Contravention is identified, this is assessed separately within the accompanying standalone Material Contravention Statement.
- 1.6 For greater detail in respect of compliance and consistency with quantitative standards for residential apartment units as outlined within the 2020 Apartment Guidelines, the HQA, relevant floor plans, and Architectural Design Statement and associated drawings prepared by Plus Architects as included should be referred to.

2.0 SITE LOCATION AND CONTEXT

Subject Site and Surrounding Context

- 2.1 The subject site of c.0.6462 hectares is located in the western portion of the existing Northern Cross development area. It is located to the east of the existing Bewleys facility, north of the existing office blocks and Mayne River Avenue, to the west of the site known as Site 2 / Block 2 which is subject to a SHD permission for a seven to nine storey residential development containing 191 no. apartments (currently in the advanced stages of construction), and to the south of the formerly permitted surface car park, which is now in use as a construction compound for Block 2 and is

currently subject to SHD application for a residential development. The proposed development has been designed with cognisance paid to the existing, permitted, and proposed developments adjacent, to ensure that there is a compatibility between the sites.

- 2.2 The subject site, known as Rosemount House, is presently a freestanding single block, which is c. 20 years old and is currently owned by the applicant, used as their offices. While the current structure is to be demolished in its entirety, it is proposed to maintain an element of office use at ground floor level within the new structure, while also incorporating a small café unit, turning the site from its existing single use into a mixed-use development.

Figure 2.1: Satellite Image of the subject site (marked approximately in red)



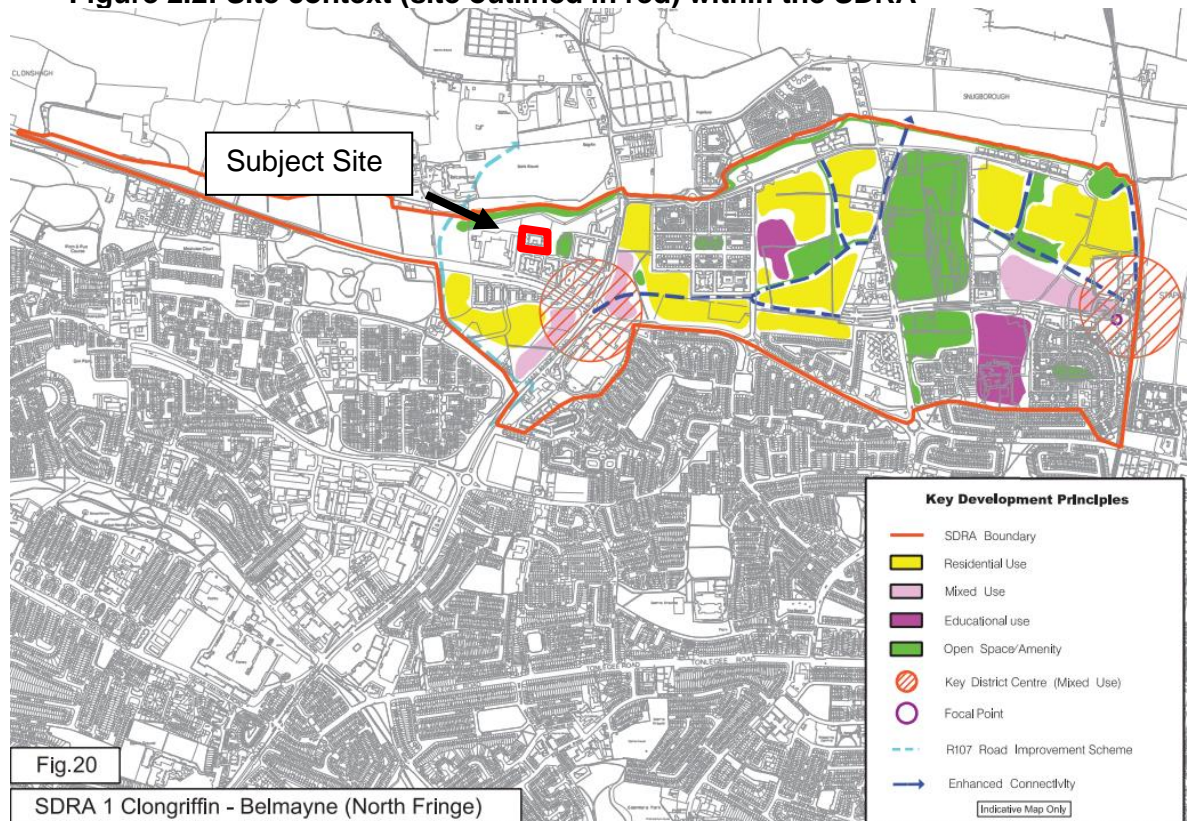
Source: Google Maps

- 2.3 The Northern Cross development comprises of c. 12.3 hectares in total, which has been substantially developed, and is located to the northwest of the junction of the Malahide Road and the R139/N32. The site is accessed by one junction on the R139 and two along the Malahide Road. There is a central public green area within northern cross that provides an internal focal point for the scheme.
- 2.4 The Northern Cross development, as constructed to date, includes a circa 166 bed hotel, 540 apartments, 11,620 sq.m of retail/commercial floorspace, 18,437 sq.m of office space, a 673 sq.m crèche, and a 147 bed nursing home. The southern corner of the development is occupied by a hotel, while the block edges facing the two roadways have a vibrant retail use with a mix of activities and scales.
- 2.5 In addition, construction has commenced on the adjoining site to the east known as Block 2 for 191 no. residential units in 1 no. block under ABP-307887-20. Permission also exists for a 8 to 12 storey residential and commercial development, containing 53 no. units, on the Malahide Road frontage to the north east, and it is expected that construction on this project will commence in 2022.
- 2.6 The site is relatively flat and is well accessed to the south and west by existing roads. Futures linkages offering high levels of permeability are also envisaged with the proposed scheme to the north, should both be granted permission. This in turn

provides further access to the riparian corridor, and its proposed future riparian amenity park, which is located to the north of the existing surface car park.

- 2.7 The development lands are located within the North Fringe Strategic Development and Regeneration Area (referred to as SDR 1 in the Dublin City Development Plan 2016-2022) as indicated below. Within this SDR 1 are two Key District Centres, with the subject site situated within the Northern Cross part of Belmayne KDC.
- 2.8 The subject site is located c. 3km to the east of the M50 Motorway, less than 500 metres from the Malahide Road Quality Bus Corridor (and 500 metres from the nearest current bus stop along this route), c. 450 metres northwest of Clarehall Shopping Centre, and is c. 2km west of Clongriffin Railway Station.

Figure 2.2: Site context (site outlined in red) within the SDR 1



- 2.9 The Malahide Road, where it fronts onto by the Northern Cross scheme, includes pedestrian facilities, hard and soft landscaping within the public realm, an on-street cycle route and a Quality Bus Corridor (QBC). The adjacent section of Malahide Road comprises a dual-carriageway with a central verge, while the east-west R139, less than 100m south of the subject site, is a dual carriageway with a central lane divide.
- 2.10 There are a number of bus routes travelling past the Northern Cross development. Dublin bus route nos. 15, 27, 27x, 42 and 43 run along the Malahide Road with the no. 15 bus service having peak frequencies of 8-12 minutes to Clongriffin Railway Station and Dublin City Centre while operating a 24 hour schedule, as per the accompanying Public Transport Capacity Study. The scheme is adjacent to a number of proposed Bus Connects route, including the D1, D2 and D3 Spine / Branch Routes which travel proximate to Northern Cross. These proposed routes will provide significant upgrades to the transport within the area through enhanced

high quality bus corridors and upgrades to the cycling infrastructure, minimising future reliance on private car based methods of transport.

- 2.11 As illustrated above, the subject site can be considered to be located in an 'Accessible' location as classified under the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines; 2020' (*"the Apartment Guidelines"*) as the site is located within c. 500m walking distance of a number of bus stops with high frequency services.

Wider Surrounding Context

- 2.12 The wider surrounding context of the subject site comprises a broad range of uses, including those represented by the nearby Clarehall Shopping Centre, significant areas of residential development, mixed use retail, office and residential within Northern Cross itself, educational facilities and recreational areas. The accompanying Masterplan Report document outlines the present unit mix within Northern Cross in greater detail. We note that the prepared masterplan which accompanies this application is intended to demonstrate how the proposal fits in with the previously permitted wider masterplans.
- 2.13 The area is well served by parks and recreational facilities, including *inter alia* Belcamp Park, Father Collins Park and Darndale Park, while nearby recreational facilities include O'Tooles GAA, Ayrfield Men's Shed and Trinity Donaghmede Football Club.

3.0 PLANNING HISTORY

- 3.1 The following section of this report outlines a number of recent Planning Permissions of relevance within the general area surrounding the subject site.

Subject Site

Reg. Ref.: 2527/99

- 3.2 The subject site was originally developed into the standalone office, block which currently occupies the site, on foot of a final grant of permission dated the 17th of November 1999, for a development described as "3060m² 3 storey headquarter office building, ESB sub- station, ancillary road and site development works."

Adjacent Sites

Reg. Ref.:2409/14

- 3.3 A final grant of permission was issued by Dublin City Council on the 25th June 2014, subject to conditions, for development described as follows in the public notices:

"The proposed development comprises of the provision of 207 no. surface car parking spaces, new and replacement boundary treatment, landscaping and all associated and ancillary works. The proposed car park will serve existing development at Block E of the City Junction Business Park."

- 3.4 This permission was limited to a 5 year period by Condition 2 and it expired on 24th Jun 2019.

Reg. Ref.: 3975/19 & An Bord Pleanála Ref. No.: ABP-308761-20

- 3.5 An application for a five year continuation of the use of the site above as a carpark was refused by Dublin City Council on the 29th October 2020. The development was described as follows in the public notices:

“RETENTION & PERMISSION: Retention permission and planning permission relating to an existing car park on a 0.79 hectare site to the north of existing Block B (Rosemount House) at City Junction Business Park, Northern Cross, Malahide Road, Dublin 17. The existing car park containing 207 no. spaces was subject to a 5-year temporary planning permission, under Reg. Ref.: 2409/14, which has now expired. This application seeks retention permission for the current use of the car park and a further 5-year temporary permission for the use of the car park.”

- 3.6 An Bord Pleanála subsequently upheld the decision of Dublin City Council and refused permission for the development on the 13th May 2021 for reasons generally consistent with those of Dublin City Council and read as follows:

1. It is considered that the retention and continued use of the site as a surface carpark is a substandard and unsustainable use of a zoned and service site which is not consistent with the planning history of the site and adjoining lands or the Z14 zoning designation. The proposal would therefore be contrary to the policies and objectives of both the Dublin City Development Plan 2016-2022 and the Clongriffin-Belmayne Local Area Plan 2012-2022, and
2. It is considered that the retention of the site for carparking would result in an excess of carparking spaces in the area over and above the maximum permitted in table 16.1 of the Dublin City Development Plan 2016-2022 and would be contrary to policies MT2, MT13, MT15, MT16 and MT21 with regard to promoting a modal shift from private car use towards sustainable transport policies. The proposed development would be contrary to the guidelines and policies set out in the Dublin City Development Plan 2016-2022.

- 3.7 As noted above, the temporary car park permission has expired, the use has ceased, and the site is being used on a temporary basis as the construction compound for the Block 2 development. The current residential proposals for the site to seek to provide a long term sustainable use of the Z14 zoned and serviced site, thereby addressing DCC and ABP concerns about further extending the temporary car park permission.

Reg. Ref.: ABP-307887-20 (Site 2)

- 3.8 A Strategic Housing Development was granted on Site 2 by An Bord Pleanála on the 1st December 2020 for development of 191 no. apartments in 1 no. block with a height up to 9 storeys over basement and lower basement structures. The grant of permission was subject to 26 no. conditions. The development was described as follows in the public notices:

“The proposed development consists of the construction of 191 no. residential units in a part seven, part eight and part nine storey building, over a lower ground floor / upper basement level and lower basement level. The 191 apartments consist of 6 no. studio units, 76 no. one bed units and 109 no. 2 bed units.

The proposal contains a total of 118 no. car parking spaces, 103 of which are located at upper basement level and 15 at surface level, and 424 no. bicycle parking spaces, 328 of which are located at upper and lower basement level and 96 at surface level. Access to the upper and lower basement parking facilities is proposed from the north of the development via an extension of Mayne River Street provided as part of this application. Bin stores, plant rooms, storage rooms, management areas and the ESB

substation, which are provided with external access doors, are located at lower ground floor / upper basement level and lower basement level.

The proposed development includes private amenity space in the form of balconies / terraces for all apartments, public and communal open space at podium, ground floor and roof level, PV panels at roof level, pedestrian access routes, children's play space, foul and surface water drainage, hard and soft landscaping, lighting, alterations to the adjacent public park, including provision of a play area, and all associated and ancillary site works."

- 3.9 Aspects of relevance to the assessment of this application and the overall Northern Cross masterplan area are outlined below.

Height

- 3.10 The Inspector's Report notes the concerns of the Elected Members in relation to the height of the proposed development. In this regard, the Report determined that the proposed heights were consistent with local and national planning policy given that the site is located close to good public transport, is currently underutilised and that the range in heights takes account of the surrounding context of development including constructed development on adjacent sites and recently permitted development in the wider area.
- 3.11 In addition, the Inspector noted that due to the site's location adjoining the Mayne River Riparian Area that the increased height would not lead to an increase in overlooking and overshadowing. The Inspector concluded that proposed development would enhance the streetscape, the pedestrian environment and the public realm as follows:

"The height proposed, at 7-9 storeys over basement levels and less than 50 metres, is considered to be consistent with section 16.7.2 of the operative Dublin City Development Plan. I consider that the proposed development before me would be a suitable intervention at this location, given its location beside a good quality bus service and beside a key district centre where there is significant existing employment and the potential for more. While the proposed height at a maximum of 9 storeys over upper basement would be higher than surrounding development, I note recently permitted developments in the wider area. I note that the highest element of the proposed development is located to the northern section of the block, where overlooking and overshadowing potential from the increased height is minimised due to the Mayne River Riparian Area. I consider the height and density proposed to be in keeping with national policy in this regard. I note the policies and objectives within Rebuilding Ireland – The Government's Action Plan on Housing and Homelessness and the National Planning Framework – Ireland 2040 which fully support and reinforce the need for urban infill residential development such as that proposed on sites in close proximity to quality public transport routes and within existing urban areas. I consider this to be one such site.

The site is located close to a good public transport service along the Malahide Road. The site is currently underutilised and the proposal, if permitted would enhance the streetscape at this location. The proposed development has an acceptable architectural standard with an appropriate urban edge. It would improve the quality of the street, the pedestrian environment and the public realm. The range in heights takes account of the surrounding context of development including constructed development on adjacent sites and recently permitted development in the wider ABP-307887-20 Inspector's Report Page 19 of 64 area. The proposed development has been designed to minimise impacts on existing residential development. I am satisfied in this regard."

- 3.12 The subject development proposes block heights ranging from 8 to 11 storeys with a maximum height of 35.2 metres which is considerably less than the 50 metres provided for at the subject location under section 16.7.2 of the Dublin City Development Plan 2016-2022. Construction is currently progressing on site.

Density/Mix/Size

- 3.13 The density of c. 265 units/ha was considered appropriate for Site 2 in the context of the urban location and the relevant Section 28 ministerial guidelines. The density of recently permitted development in the vicinity, including ABP-302992-19 at Clarehall (332 uph permitted) and ABP-305943-19 at Newtown, Malahide Road (314 uph permitted) were noted. In addition, the Planning Authority density target of 225-250 uph proposed for the mixed-use core area of the KDC in the 2020 Draft Belmayne & Belcamp Lane Masterplan was also noted.

Car Parking

- 3.14 Under the above permission, the parking provision of c. 0.6 spaces/unit was considered acceptable and noted as being similar to the levels of parking permitted recently in the wider area. The car parking provision included 4 no. Go-Car spaces. Under Condition 6.(e), 1 no. car parking space per 10 residential units must have a functional Electric Vehicle Charging Point.

Childcare Facility

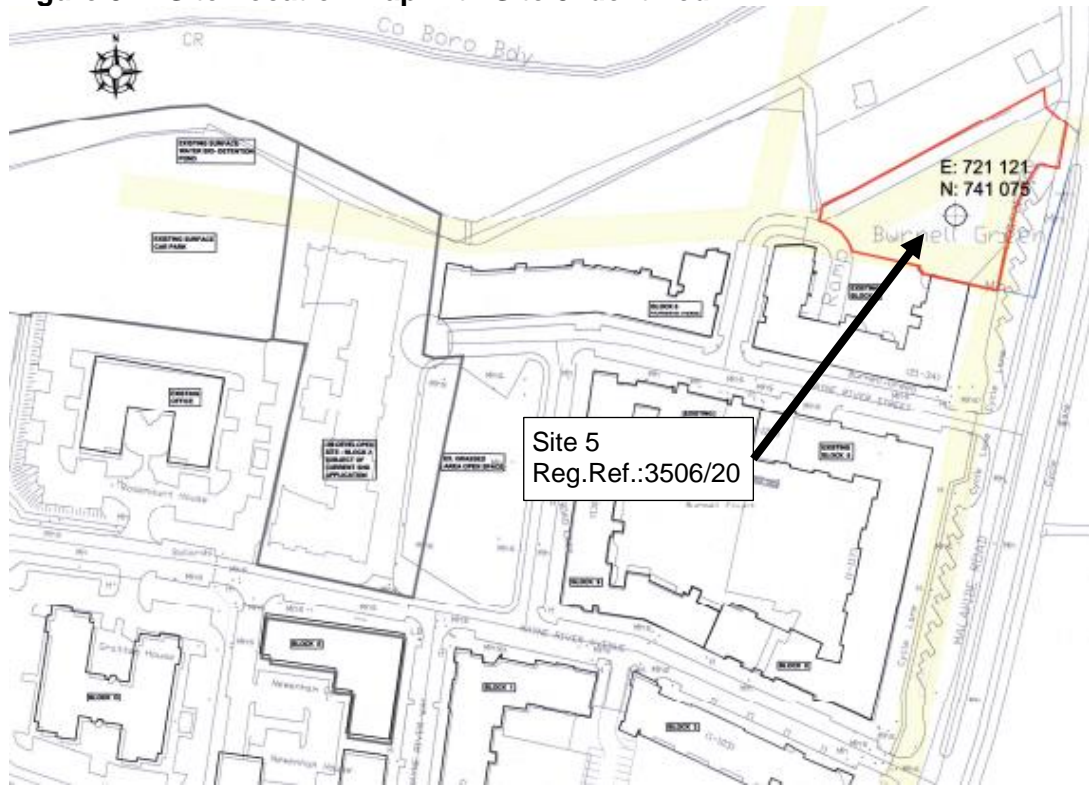
- 3.15 Notwithstanding the concern expressed by the Elected Members regarding the lack of a childcare facility within the above development, An Bord Pleanála was satisfied that there was sufficient existing and permitted childcare facilities within the locality to justify the non-provision.
- 3.16 No childcare facility is proposed as part of the subject scheme and the Social and Community Infrastructure Audit provides a justification for this approach.

Reg. Ref.: 2200/07 (Site 2- Lapsed Permission)

- 3.17 Dublin City Council issued a final grant of permission on the 27th of September 2007, subject to conditions, for 107 no. apartments in 1 no. block with a height up to 7 storeys over basement and lower basement structures on lands immediately adjoining the subject site to the east, known as at Northern Cross Site 2.
- 3.18 The development approved under this permission was not commenced, an extension of duration of permission was not sought and the permission lapsed in 2012. This permission is superseded by the Block 2 SHD decision noted above.

Reg. Ref.: 3506/20 (Site 5- Adjacent to Malahide Road)

- 3.19 A final grant for permission was issued by Dublin City Council on 8th March 2021 for a mixed use development at site formally identified as Block 5, Malahide Road, Northern Cross which comprises of 55 no. apartments (revised down to 53 by way of condition) and 2 no. retail units, in a part 8 to 12 storey building over basement level as illustrated in Figure 3.2 below. The grant of permission was subject to 31 no. conditions. Construction is yet to commence but it is understood that its commencement is intended post completion of site 2.
- 3.20 Aspects of relevance to the assessment of this application and the overall Northern Cross Masterplan area are outlined below.

Figure 3.1: Site Location Map with Site 5 identified

Source: Reg.Ref.:3506/20 planning application masterplan drawing (extract)

Height

- 3.21 With regard to the height of the building rising from 8 storeys up to 12 storeys, the report of Dublin City Council highlights that the Apartment Guidelines and the Building Height Guidelines contain SPPR's which take precedence over any conflicting policies and objectives contained in development plans or local area plans and that as a result height at any location is not precluded but instead must meet a series of requirements.
- 3.22 Dublin City Council considered the proposed height of 12 storey would have a positive impact at the scale of the city, providing a strong urban edge to the eastern edge of Northern Cross. It was concluded that the scheme would not impact unduly on existing views and would integrate well with the existing context.
- 3.23 At the scale of the district, Dublin City Council considered the proposed height of 12 storeys appropriate in the context of the site's location to the northern part of Northern Cross proximate to the River Mayne which represents a suitable evolution of the development of the north fringe area as provided for, stating that:

*"At the scale of the district the block is consistent with existing building lines and urban form. It forms a landmark in height and design at the northern end of Northern Cross and adjacent to the river Mayne. As the Belmayne Square is built out to the east and south east the block will be part of an urban scale which will be more intensive and taller than the surrounding area but is a **logical progression of the development of the north fringe area as provided for in SDRA1 and the Local Area Plan**. While taller than the blocks to the south, including the existing landmark of the Hilton Hotel, this height is reflective of the change in national policy toward serviced and zoned sites and is not unreasonable."*¹

¹ Inspector's Report on ABP-307887-20, pg.18

Figure 3.2: CGI Image of permitted 12 storey Block 5 fronting Malahide Road



Reg. Ref.: 2898/13 (Site 6 and Site 7)

- 3.24 Planning permission was granted by Dublin City Council in October 2013 for development at site formally identified as Block 6 (Burnell Wood) and Site 7 as contained within previously approved permission Reg. Ref.: 3846/06 (Dublin City Council), Mayne River Street, Northern Cross, Malahide Road, Dublin 17.
- 3.25 This proposed development comprised of a Nursing Home with 5 and 6 storeys over basement with a total floor area of 8,274 sqm. Accommodation includes 147 No. bedrooms (129 no. single and 18 no. double) with communal living spaces, dining areas, treatment rooms, shared facilities, kitchen, staff changing rooms and general administrative areas. The overall site has a total area 5,906 sq.m and was previously granted planning permission under Reg. Ref.: 3846/06 for a mixed-use development with commercial uses at ground floor and residential above. The basement, ground floor and first floor structures are existing and will be retained as part of this development.
- 3.26 The development also consisted of an ESB sub-station (internal floor area of 14sqm), external bin store (internal floor area of 20sqm), a roof terrace, landscaping, drainage, underground and surface car parking, cycle parking and all ancillary site works.
- 3.27 This permission for a 147 no. bedroom nursing home at Block 6 has been constructed and is operational.

Reg. Ref.: 3846/06

- 3.28 This application relates to the permission sought by Spectrum Developments Ltd to construct two mixed use blocks, of 5 and 6 storeys, over basement, in height (with corner detailing raising the maximum height to 7 storeys over basement). The development is to accommodate 159 apartments and 15 ground floor retail units. A final grant for permission was issued by DCC on 27/11/06 subject to 29 no. conditions.

- 3.29 As noted above, this permission was partially implemented and completed under the nursing home permission.

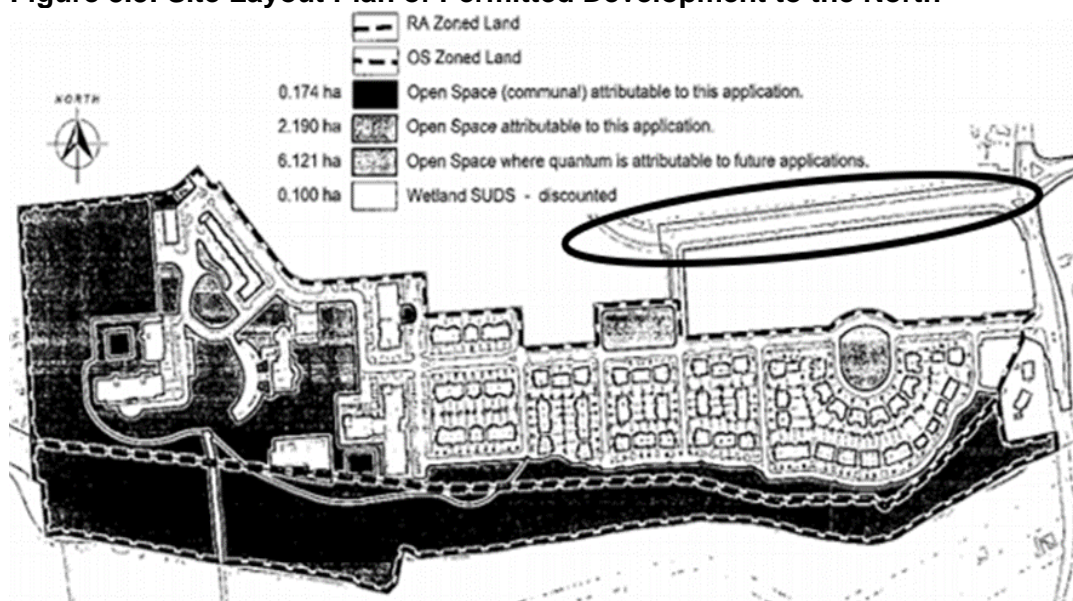
Reg. Ref.: 1103/06 (Site to the east of the subject site)

- 3.30 This application related to the permission sought by Spectrum Developments Ltd to construct a mixed use 5 storey over basement urban block (block 8 of the Northern Cross Scheme) with a gross internal floor area of 10,849 sq.m, located on a 11,111 sq.m site to the east of the subject site across the public park, i.e., to the parks eastern boundary.
- 3.31 The development consists of 100 apartments and 13 no. ground floor retail/service units. The proposal was subject to a final grant of permission dated the 18/04/2006 and subject to 23 no. conditions.
- 3.32 This permission has been implemented.

Other Relevant Permissions in the Wider Area

Belcamp Development to the North, within FCC- Reg. Ref.: F15A/0609 / ABP Ref.: PL 06F.248052

- 3.33 We also note that permission has been granted by Fingal County Council and subsequently by An Bord Pleanála for a substantial residential development on the Belcamp lands to the north of the River Mayne and Northern Cross development, on the grounds of a protected structure (Belcamp Hall).
- 3.34 This application relates to the construction of 263 no. residential units, shops, childcare facility and change of use of Belcamp Hall (protected structure RPS no 463) to residential use and all associated site works.
- 3.35 The case was appealed to the Board who issued a final grant of permission on 28/06/2017 subject to 34 no. conditions. We note that Condition No. 2 required the omission of six blocks from the final approved development (block 1, 2, 3, 4A, 4B and 5), which are located within the proximity of Belcamp Hall, and a separate planning application in respect of the parcels of land associated with Block numbers 1, 2, 3 and 5 shall be submitted, for the stated reason of the visual amenity and to protect the character of Belcamp Hall.
- 3.36 The development includes the main vehicular access from Malahide Road, as circled within Figure 3.4 below, and the southern portion of the Belcamp scheme is designated as public open space, which aligns with the riparian corridor along the River Mayne.

Figure 3.3: Site Layout Plan of Permitted Development to the North

Source: Site Plan for Belcamp development to north of subject site (extract)

ABP Ref.: 313494-22 – SHD Application at Belcamp

- 3.37 This current SHD application, ABP Ref.: 313494-22, is for a ten year permission for the construction of 2527 no. residential units (473 no. houses, 1780 no. apartments, and 274 no. duplex units) of which 1969 no. units are residential and 558 no. apartment units are 'build-to-rent' residential, ancillary residential amenity facilities, 2 no. childcare facilities, 1 no. sports changing facilities building, 18 no. retail units and 3 no. cafés/restaurants, with building heights ranging from 1 to 9 storeys. The proposal includes a Linear Park along the River Mayne and road infrastructure, including the East-West Link Road and the Belcamp Parkway, which reflects the requirements of the South Fingal Transport study as they relate to the subject lands. The extent of the Linear Park and road infrastructure connecting the Malahide Road and the R139 is illustrated in Figure 3.4 below.
- 3.38 The proposed road infrastructure within the Belcamp SHD includes two new arterial roads, the East-West Link Road and the Belcamp Parkway, a north-south arterial road which will form a new junction with the R139. The application documentation states that it is proposed to include the main internal transportation infrastructure as part of the first phase of the SHD development, including Belcamp Parkway and the East-West Link Road, to ensure there is adequate transportation provision in place before the development is occupied.
- 3.39 An extract from the proposed site layout is presented at Figure 3.4 below. This application is due to be decided by An Bord Pleanála by the 24th of August 2022. The site is c 100.m to the north of the proposed development at its closest point.
- 3.40 Figure 3.4: Belcamp SHD proposed site layout with subject site identified:

Figure 0.4: Site Layout Plan of Belcamp SHD

Source: www.belcampshd.ie

ABP Ref.: 312003-21 - Parkside 5B SHD, Parkside, Dublin 13

- 3.41 A Strategic Housing Development was granted a 7 year permission by the Board on the 11th of April 2022 in relation to a proposed development consisting of the removal of the existing substructures on site and the construction of 730 no. residential units in five urban blocks, made up of five apartment buildings and two duplex buildings ranging in height from 1 to 9 storeys, with a creche, retail unit and associated site works, on a site of c. 40.3 hectares, located c. 800 metres east of the subject site. The grant of permission was subject to 29 no. conditions. This development is also located within the administrative area of the Clongriffin Belmayne Local Area Plan (as extended).
- 3.42 The Board's Order to approve permission included material contraventions of the Development Plan / LAP in respect to Building Height, Unit Mix, Units per core AND Density. The only applicable contraventions to the subject site are building height and unit mix, as we are consistent with the units per core requirement of the Development Plan and the LAP does not include a specific density / unit numbers provision for Northern Cross. In relation to the proposed unit mix, the Inspector's Report confirmed the acceptability of the proposed mix, in stating the following:

"In relation to section 37(2)(b)(iv) of the Act of 2000, I note that for sites subject of similar Development Plan and Local Area Plan unit mix provisions, the Board has recently approved a similar mix of apartments (ABP-310077-21 – 41.5% one-bedroom, 52% two-bedroom and 6.5% three-bedroom) on a site located approximately 240m to the west of the application site on Main Street, and the proposed development is to an extent, continuing on that pattern of development."

and

“I am satisfied that the proposed development is in line with the advice contained in the New Apartment Guidelines with respect to unit mix, despite contravening the Development Plan.”

- 3.43 In relation to building height (up to 9 storeys had been proposed), the Inspector’s Report details existing precedents for exceeding the LAP heights (ABP Ref.: 310077-21 and 305623-19), and further states the following:

“I am satisfied that the proposal positively assists in securing NPF objectives to focus development into key urban centres, fulfilling targets related to infill development and to deliver compact growth in urban centres. As with my conclusions regarding material contravention of the proposals with respect to residential densities and unit numbers, I am satisfied that the provisions set out under section 37(2)(b)(i) are applicable with respect to the material contravention of the building height standards of the Development Plan and the Local Area Plan”.

ABP Ref.: 304196-19- Clarehall SHD

- 3.44 A Strategic Housing Development was granted by the Board on the 19th July 2019 in relation to an infill site to the south of Clarehall Shopping Centre, previously used as a temporary overflow car park c. 500m from the subject site. The permitted development relates to the construction of a 4 to 9 storey building, over basement level, of 132 no. build-to-rent apartments, including ancillary resident support facilities, services and amenities, car parking, plant, bicycle and bin storage, 1 no. electricity sub-station and all associated site development and infrastructural works on a 0.38 ha site. The total GFA, including basement level, of the proposed building is 13,826 sq.m. The application site is located within the confines of the Clongriffin – Belmayne Local Area Plan 2012 (as currently extended to 2022). The site is located c. 520 metres from the subject site at its closest point.

ABP Ref.: 305943-19 – Build to Rent Apartment Development, Newtown, Malahide Road

- 3.45 A Strategic Housing Development was granted by An Bord Pleanála on the 18th March 2020 for the demolition of all structures on site and the development of 331 no. build to rent units and commercial floorspace in two no. two blocks at Newtown, along the Malahide Road and adjacent to Clarehall Shopping Centre, c. 600 metres south of the application site. The grant of permission was subject to 25 no. conditions.
- 3.46 This proposal includes the demolition of existing structures on site, and the proposed development of retail space, a childcare facility, and communal support facilities in addition to the proposed residential units. The development is similarly located within the confines of the Clongriffin – Belmayne Local Area Plan 2012 (as currently extended to 2022). Construction has recently commenced on this development. The site is located c. 500 metres from the subject site at its closest point.

Reg. Ref.: 3238/17 – Ayrfield Belmayne Part 8 Development

- 3.47 Permission was granted by the Planning Authority through the Part 8 process on the 3rd of October 2017 for development of 150 no. apartments, 1 no. crèche facility, 3 no. office / community facilities and a Multi-Use Games Area (MUGA) on 1.53 hectares of land situated between Malahide Road, Churchwell Avenue and Belmayne Road, Ayrfield, Dublin 13.
- 3.48 The development has since been constructed, and is located c. 250 metres from the subject site at its closest point.

ABP Reg. Ref.: SHD PL29N.305316- Clongriffin SHD No. 1

- 3.49 An Bord Pleanála granted permission on the 13th December 2019 for the construction of 1,030 apartments on plots no. 6, 8, 11, 17, 25, 26, 27, 28 and 29 to the north and south of the Main Street, Clongriffin, Dublin 13. The development included the provision of 2 no. creches, 10 no. retail units and 1 no. gym.
- 3.50 Permission was granted subject to 21 no. conditions, including condition no. 2 which states that *'the proposed Block 8 only shall be omitted from the permitted development. The associated land shall be retained for a maximum period of five years for potential use as a school site. If at the end of the period works have not commenced for a school, the site shall revert to a residential use'*. The development site area is located centrally within Clongriffin, on lands contained within the SDRA. The site is located c 2km from the subject site, and it is understood that development is yet to commence.

ABP Reg. Ref.: PL29N.305319- Clongriffin SHD No. 2

- 3.51 A further permission was granted by An Bord Pleanála on the 13th December 2019 for 500 no. apartments on plots no. 4, 5 & 14, under ABP Reg. Ref.: PL29N.305319. The grant of permission was subject to 21 no. conditions, including condition no. 2 which sought amendments to proposed routeways in accordance with DMURS. The site is located c. 1.8 km from the subject site and has yet to be implemented.

Conclusions

- 3.52 In preparing the proposed SHD development for the application site the above listed planning history on the subject site and the relevant planning history on adjacent sites and in the surrounding area has been considered. It is considered that the proposal provides for a suitable density and design of development in this location, which has regard to the surrounding context and planning history. This planning history section has identified recent SHD applications in the wider area, which included a similar height, scale and density to that being proposed for the application site, reflecting recent Government guidelines and planning policy and an existing precedent for increased building height and densities in the vicinity of the subject site benefiting the wider regeneration of the area.

4.0 PRE-APPLICATION CONSULTATION

- 4.1 The proposed development has been guided and informed by the planning policy context (see Section 6 and 7 below for further details), the planning history of the subject site and surrounding lands as set out above, and the issues and points raised during the pre-application consultations.
- 4.2 Two formal pre-application meetings under S. 247 of the Act were undertaken with Dublin City Council (the Planning Authority). The details of these 2 no. meetings are outlined below.

S. 247 – Pre-Application Consultation No.1

- 4.3 The main points discussed during the course of the meeting with the Planning Authority on the 18th August 2021 can be summarised as follows:
- Concerns raised regarding distances between buildings, daylight, open space, building line.

- Essential to liaise with the owner of the adjoining site. A joined up approach needed.
- Supportive of redevelopment pending daylight and sunlight results, no issues with proposed height, better distribution of cycle parking facilities
- Further design required regarding Public Open Space and details of future workers accommodation

S.247 – Pre-Application Consultation No. 2

- 4.2 A second pre-application consultation was held with the Planning Authority to further discuss the nature of the proposal. The main points discussed during the course of the meeting with the Planning Authority on the 25th of November can be summarised as follows:

- Scheme heading in right direction and no serious issues apparent
- Working on joint landscaping proposal with the team to the north, shape of building changed due to daylight/sunlight, impact on neighbours positive
- Categorisation of Public Open Space, deemed sufficient and better off provided as a whole than artificially divided
- Very good daylight levels with minor impact on adjacent, which was accepted
- Neighbour impacts minimised, DCC positive in this regard, recommends Go Car, EV parking and distribution of cycle spaces, including a Mobility Management Plan

Tripartite Meeting and Opinion of the Board (ABP-312248-21)

- 4.5 A formal pre-application consultation was held on the 21st of April 2022 via Microsoft Teams, and was attended by representatives of An Bord Pleanála, the Prospective Applicant and Dublin City Council. The main points of the meeting are addressed within the separate ‘*Statement of Response*’ document, which accompanies this application as a standalone document. The ABP Opinion issued following the tripartite meeting confirmed that the proposed development constituted a reasonable basis for an application for strategic housing development.

- 4.6 While fully addressed within the accompanying ‘*Statement of Response*’, the below list details the 6 no. points of specific information raised by the Board. Full details of how these points of specific information have been addressed are included within the aforementioned standalone document:

- Submission of Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings illustrating the visual impact of the proposed development in the context of the impact on the permitted and proposed apartment blocks in the vicinity of the site.
- A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a Lifecycle Report for the apartments in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).

- A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
- Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.
- Submission of Wind and Pedestrian Comfort Study.
- The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

5.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

5.1 The proposed development comprises a Strategic Housing Development of 176 no. residential units across a range of unit sizes and types, along with private and public open space, improvements to the public realm, cycle and parking facilities, roof level amenity spaces, residential amenity facilities at ground floor level, basement level storage and parking, and all associated development. A commercial and office aspect to the development is also included at ground floor level, with separate access from the residential units. This includes ground floor office units with own door access and allocated parking, and a non-retail café unit fronting the southern façade at ground floor level.

5.2 The proposed development shall consist of the following, per the public notices:

“The proposal comprises the demolition of an existing 3 storey office building and the construction of a mixed-use development in a single block (up to 9 storeys over basement) including 176 no. apartments, office and café use.

The proposed development shall consist of: Demolition of existing c. 3,315 sq.m, 3 storey office building on site and existing ancillary facilities and the construction of a single mixed-use block (Block A) of up to 9 storeys (over basement), consisting of a 4-sided structure based around a central courtyard area.

- *c. 1,050.8 sq.m. of office space at ground floor level with own door access and associated infrastructure including staff kitchen, meeting rooms and designated car parking (7 spaces) at basement level.*
- *A café unit of c. 143.7 sq.m at ground floor level with own door access to the south and east, accessed via proposed public open space.*

- 176 no. residential units from 1st to 8th floor level comprising 72 no. 1 bed units (41%), 57 no. 2 bed units (32%) and 47 no. 3 bed units (27%) [each with private amenity space in the form of balcony or terrace], with separate access to the proposed commercial uses at ground floor level.
- c. 1,846 sq. m. of communal open space at ground floor, first floor podium, 4th floor and 7th floor level, and public open space of c. 1,577 sq.m. at ground floor level, including a public courtyard area located to the southeast of the proposed block.
- Resident amenity and support services are proposed at ground floor level to include a cinema room, post room, games room, co-working spaces, gym and concierge services.
- 134 no. car parking spaces, 7 of which are accessible, and 7 no. motorcycle parking spaces, located at basement level and accessed by a vehicular ramp via Mayne River Avenue to the west (with a vehicular set down areas fronting Mayne River Avenue), in addition to 2 no. car club spaces at the southern boundary.
- 434 no. bicycle parking spaces, 426 of which at ground floor and at surface level and 8 no. spaces at basement level.
- All associated vehicular and pedestrian access routes (including links to the adjoining site to the north), external communal play facilities, E.S.B substation, Meter rooms, foul and surface water drainage, hard and soft landscaping, lighting, plant at basement level, bin stores, PV panels, green and blue roof, 2 no. telecommunications antenna at roof level and all associated and ancillary site works."

SHD Details and Relevant Context

- 5.3 Having regard to the requirements of the An Bord Pleanála SHD Pre-Application Form and the relevant legislation, the following table summarises the key development details and then a series of subheadings provides a concise summary of the relevant aspects of the scheme, with reference to accompanying application documentation.

Table 5.1: Overview of Key Development Statistics (inclusive of Commercial)

Site area	0.6462
No. of residential units	176
1 bedroom units	72
2 bedroom (4 person) units	57
3 bedroom units	47
Gross internal area	25,428 sq.m, 20,622 sq.m exc. basement
Unit density	272 units per hectare
Plot ratio	2.6
Site Coverage	58%
No. of dual aspect units	75 (43%)
Part V	36 units (20.5%)
Building Heights	Up to 9 storeys over basement, 33.975 metres above ground level
Car parking spaces	134 (plus 7 motorcycle spaces)
Bicycle parking spaces	434
Communal open space	1,846 sq.m
Public open space	1,577 sq.m

Design

- 5.4 The proposed buildings will be executed in high quality, durable materials befitting the prominent location of the subject site, while remaining sympathetic to the surrounding context and styles and providing for low cost of future maintenance and with minimal upkeep necessitated. The accompanying Design Statement, prepared by Plus Architecture, fully demonstrated the proposed materials and finishes, providing visual samples to further illustrated the acceptability of the proposal.
- 5.5 The materials and external design of the building are impactful while still in keeping with the character of the area. Every effort has been made to increase the density of the site without compromising the neighbouring sites or infringing too much on potential public space. The landscape design facilitates the use of the public spaces like the southern plaza from the outset and has developed in step with the northern neighbour's concurrent application. Consulting engineers have confirmed the design of the buildings and public space will facilitate easy and regular maintenance. Underground car parking and secure bicycle provision are fully integrated into the design, as is waste storage, transport and staging.

Land Use Zoning and Proposed Residential Use

- 5.6 As discussed in further detail in Section 7, under the Dublin City Development Plan 2016-2022 the site is zoned Z14 which states its objective as *'To seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and 'Z6' would be the predominant use.'* Residential, office, and restaurant / shop use are all identified as permissible uses under this zoning. The proposed development will contribute towards increasing the level of residential use within Northern Cross, to complement the existing mix of commercial and social uses in the Northern Cross development and the wider SDRA within which the Z14 zoning objective relates to.
- 5.7 Northern Cross, as developed to date, has a broad range of retail, service and commercial units, throughout the development area which ensures a good mix of uses and activity at street level. The current retail / commercial mix consists of a pharmacy, restaurants, creche, coffee shop, hotel, food retailers, home furnishings, ornaments and an off licence, with a number of vacant units. The Clarehall Shopping Centre is a c. 650 metre walk from the site and consists of c. 30 currently trading retailers.
- 5.8 Having regard to the above, it is respectfully submitted that the proposed mixed use development is appropriate for the subject site, and contributes to further meeting the needs of the local area while meeting the demands.

Density

- 5.9 The subject site is identified as a suitable location for high density residential development given its SDRA and KDC designations and the proximity to the Malahide Road Quality Bus Corridor ("QBC") / Bus Connects corridor, which the subject site is located within c. 500 metres. The site is also located within 500 metres of the nearest bus stop along this route, as per the image below. The subject lands would therefore constitute a 'Accessible' location as defined by the Apartment Guidelines 2020, as the site is situated within *'easy walking distance (i.e. up to 5 minutes or 400-500m) to/ from high frequency (i.e. min 10 minute peak hour frequency) urban bus services'*, as required under the Guidelines.

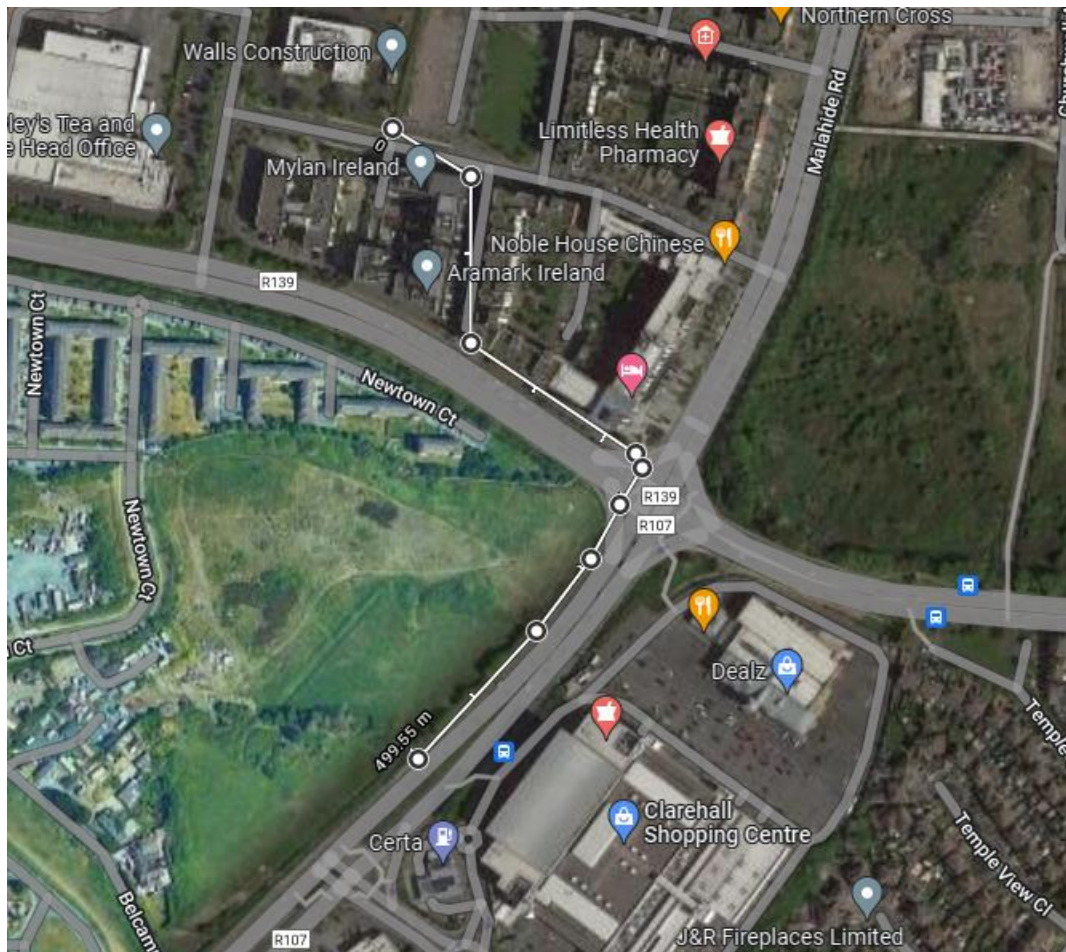


Figure 5.1: Walking distance from subject site to Bus Stop (Google Maps)

- 5.10 The residential density of the proposed development will be c. 272 units per hectare. This is discussed further in Section 7 in the context of planning policy.

Plot Ratio and Site Coverage

- 5.11 The plot ratio of the proposed development is 2.64, while the site coverage is 58%, based on a total site area of 0.6462 hectares. The proposal is considered to provide an acceptable amount of site coverage whilst providing for high quality public realm and external public amenity space, and is considered acceptable within the wider Northern Cross area and the existing precedent that the existing units present. This is discussed further in Section 7 in the context of planning policy

Height

- 5.12 Under the SDRA for the North Fringe and the Clongriffin / Belmayne LAP, the site is subject to a minimum building height of 5 storeys, and a maximum height of 50 metres as it is regarded as a mid-rise area under the DCC Development Plan (Sec. 16.7.2, as discussed under section 7 of this report). The proposal is for a development of 9 storeys over basement level, with a maximum height of 33.975 metres, which has been carefully modulated to minimise any risk of having an overbearing impact or visual incongruity.
- 5.13 The proposed height of the block is 9 storeys over basement, which takes account of the surrounding context of development, including development on adjacent site (site 2) which is currently under construction, and the potential future development to the north (Site 10). We also wish to refer to Site 5, where an 8 to 12 storey

development is currently permitted under DCC Reg. Ref.: 3506/20. This is discussed further in Section 7 in the context of planning policy

Proposals to Integrate with Surrounding Uses

- 5.14 The proposal provides for a building and landscaping approach which seeks to integrate the proposed residential scheme with the surrounding uses. The landscaping proposals to the north of the site have been developed in consultation with the proposed residential development to the north. As such, there is a high degree of permeability between these two stages of development, and it is intended that if both are granted and operational, that there is a seamless level of integration between the two rather than a hard barrier preventing a flow of pedestrian traffic along natural routes. The accompanying landscape drawings, including the Landscape Masterplan prepared by Plus Architecture, provides details of this integration and demonstrates the compatibility of the landscaping proposals between the two sites, and the lack of hard boundaries or delineations. The proposed integration with the site to the north has been discussed and agreed in principle with the adjoining landowner.

Parks / Open Space

- 5.15 As established under previous applications at Northern Cross, including Reg. Ref.: ABP-307887-20, Reg. Ref.: 1103/06, Reg. Ref.: 1127/06 and Reg. Ref.: 2200/07, the size of the central open space within Northern Cross was agreed with DCC following a request for a park with a minimum area of 3,400 sq.m at Northern Cross. Thus, it is submitted that sufficient existing and proposed open space is provided in the context of the subject application for completion of Site 10 at Northern Cross.
- 5.16 The public and communal open space for the proposed scheme is addressed separately in detail under the relevant heading below.

Design

- 5.17 The design of the proposed development has been informed by the planning history of the surrounding context, the planning policy context contained within the City Development Plan, LAP, and national and regional planning policy.
- 5.18 The exterior treatments provide for a design that is individual within Northern Cross yet sympathetic of its context. The mixed use nature of the development and its corner location as a standalone block forms a distinctive piece of architecture which deftly incorporates high quality open space.
- 5.19 The scheme has been designed to provide activity and passive surveillance to communal and public open spaces within the scheme, including well located and ample communal facilities for residents, with a layout that will foster ease of access between this scheme and the proposal to the north.
- 5.20 To the east is the permitted Block 2 apartment development which, when completed, will comprise 191 no. residential units in a part 7 to part 9 storey building over basement.
- 5.21 The height of the scheme is 9 storeys over basement. The proposed buildings will be executed in high quality, durable materials befitting the prominent location of the subject site, while remaining sympathetic to the surrounding context and styles and providing for low cost of future maintenance and with minimal upkeep necessitated. The accompanying Design Statement, prepared by Plus Architecture, fully

demonstrated the proposed materials and finishes, providing visual samples to further illustrated the acceptability of the proposal.



Figure 5.2: CGI of the proposed development, viewed from the southwest

- 5.22 Within the proposed development, the design of individual residential units seeks to maximise their utility and amenity for future occupants, by providing generous apartment sizes and associated areas of private open space in the form of balconies and ground floor private garden areas. The scheme also seeks to maximise sunlight and daylight access, with the block layout maximising the number of dual aspect units on site.
- 5.23 Each home has access to an area of useable private outdoor space while the courtyard design maximises the number of homes enjoying dual aspect. The majority of private amenity space is provided via inset balconies which afford residents a greater deal of privacy. Communal areas are sheltered from overlooking by neighbouring developments. The children's play area is located on the fourth floor terrace where it can be overlooked by adult open spaces as well as apartment units themselves, making the space safe for children and giving parents peace of mind.
- 5.24 A courtyard garden is proposed at the centre of the block which will be shared by the residents of the building. Additional communal spaces will be included on the rooftop of the North and South wing of the proposed development, at seventh and fourth floor levels respectively.



Figure 5.3: Indicative open space areas

- 5.25 Overall, the units proposed can be described as high quality, generously proportioned units that provide a broad range of types and style to meet the needs of a broad demographic group of future residents. The full details of the proposed design are included within the accompanying Design Statement prepared by Plus Architecture, which should be read in conjunction with this statement.

Aspect

- 5.26 Within the proposed development, the 43% of units are dual aspect. None of the single aspect units are exclusively north facing. This is above the minimum level of 33% considered appropriate for the subject site in the context of SPPR 4 of the Apartment Guidelines 2020. Please consult the accompanying HQA document prepared by Plus Architecture for full details in this regard.
- 5.27 The aspect and orientation of each unit has been designed as such to maximise residential access to sunlight while also maintaining an acceptable level of privacy for each of the residential units.

Overshadowing

- 5.28 The LAP requires that new buildings be designed to minimise overshadowing. The proposed development has been designed to have regard to the surrounding context and includes appropriate setbacks from adjacent buildings, with due consideration paid to the proposed residential development to the north. The Daylight/Sunlight assessment accompanying this application further details the acceptability of the proposal in this regard, with amenity spaces at Site 2 to the east and Site 10 to the north receiving adequate sunlight on 21st March in the accordance with the BRE Guide.
- 5.29 With regard to sunlight access to open space, the location of the communal and public open space has been sited so as to maximise access to light across the day, insofar as is practicable. The main element of public open space is to the south eastern corner of the proposed block, fronted by the proposed café unit, which has

been located to ensure that accessed to light is maximised, further benefitting those using the open space in addition to furthering the attractiveness of the café unit for future occupiers.

- 5.30 The design and layout have been carefully considered to ensure that impacts on the adjacent permitted Block 2, and the proposed development to the north, are minimised. The accompanying Assessment demonstrated that the impact of the proposal upon Block 2 and the site to the north will be minimal, and that the proposed and permitted amenity spaces will maintain high levels of access to sunlight.
- 5.31 In the interests of completeness and per the opinion of An Bord Pleanála, the daylight assessment for the site to the north has been included within this application pack. Both assessments show that there is limited cross impacts between the sites in terms of daylight and sunlight access.

Mix of Residential Units

- 5.32 SPPR 1 of the Apartment Guidelines 2020 states that

“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).”

- 5.33 The proposed unit breakdown is as follows (percentage figures are rounded):
- 1 Bedroom: 72 (41%)
 - 2 Bedroom: 57 (32%)
 - 3 Bedroom: 47 (27%)
- 5.34 The above unit mix is consistent with SPPR1 of the Apartment Guidelines 2020. This is further detailed within Section 6 of this report.

Floor Areas

- 5.35 The minimum floor areas of apartment units are outlined under the Apartment Guidelines 2020 and are as follows:
- 1-bed: 45 sq.m
 - 2-bed (3 person): 73 sq.m
 - 3-bed (4 person): 90 sq.m
- 5.36 As illustrated in the Housing Quality Assessment prepared by Plus Architecture, all units meet or exceed the minimum sizes. In addition, it is a requirement in developments of over 10 apartment units that the majority of all apartments shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bedroom unit types by a minimum of 10%, while SPPR 6 of the Apartment Guidelines 2020 states that a maximum of “12 apartments per floor per core maybe provided”. Please refer to the HQA for illustrations of compliance with these aspects of the Guidelines, which demonstrate that the proposed development provides for a maximum of 8 units per core, and exceeds the minimum of 10% across the scheme as a whole, with 122 units within the proposed development, which represents 69% of the total,

are an excess of the 110% requirement as outlined, which is considerably in excess of the required minimum levels as outlined.

Public, Communal and Private Open Space

Public Open Space

- 5.37 total, the proposal provides for 1,577 sq.m of public open space, which equates to 24% of the overall site area. This is well in excess of the minimum level required within the development plan, as outlined in section 7 of this report..
- 5.38 As noted above, as established under previous applications at Northern Cross, including Reg. Ref.: ABP-307887-20, Reg. Ref.: 1103/06, Reg. Ref.: 1127/06 and Reg. Ref.: 2200/07, an area of 3,700 sq.m of public open space to serve the Northern Cross development as a whole was agreed with DCC following a request for a park with a minimum area of 3,400 sq.m at Northern Cross. Thus, it is submitted that sufficient existing and proposed open space as part of the proposed development to further complement the existing open space provision within Northern Cross.

Communal Open Space

- 5.39 The communal amenity space provision within the scheme has an area of 1,705 sq.m. Communal open space is provided at terrace and roof levels, in addition to an element of communal open space within the central courtyard at first floor level.
- 5.40 As per the accompanying design statement prepared by Plus Architecture, the proposed communal open space provision consists of the following four areas:
1. *“At ground floor, residents are welcomed by a landscaped garden at the center of the proposed development. This open private garden space consists of a large pond which reflects natural light into the two spaces. It also features two stairs, to be designed as a highlight in the garden, which leads up to a communal open private space on the first floor forming a split level courtyard.*
 2. *The 520sqm open space on the first floor consists of outdoor seating areas surrounded by trees and planters which provide privacy to the surrounding units. It also features a small waterlily pool which acts as a water feature, flowing into the garden below.*
 3. *The rooftop garden at fourth floor level is allocated to childrens’ play space and features sheltered play dens and other amenities, safely pulled back from the parapet.*
 4. *Another 444 sqm open space dedicated for adults and will include further outdoor seating and areas for barbeques, yoga, sunbathing.”*
- 5.41 Under the Apartment Guidelines 2020, there is a total requirement for 1,182 sq.m based on the requirements of the table below from Appendix 1 and the provision of 176 no. units on site (72 no. 1 beds @ 5 sq.m = 360 sq.m, 57 no. 2 bed / 4 person @ 7 sq.m = 399 sq.m, 47 no. 3 bed units @ 9 sq.m = 423 sq.m). Thus, the proposals exceed the minimum standards by a considerable margin and as such are consistent with the necessary requirements. Please refer to the accompanying landscape drawings and report for further details of communal open space provision.

Table 5.2: Minimum floor areas for communal amenity space

Studio	4 sq. m
One bedroom	5 sq. m
2 bedroom (3 person)	6 sq. m
2 bedroom (4 person)	7 sq. m
3 bedrooms	9 sq. m

Source: Apartment Guidelines 2020

Private Open Space

- 5.42 As illustrated in the architectural drawings and HQA, the private open space requirement is met through the provision of balconies / terraces for each unit which meet or exceed the minimum standards set out within the Apartment Guidelines 2020. The balconies provided are in compliance with the necessary requirements, as illustrated on the architectural drawings.

Table 5.3: Minimum floor areas for private amenity space

Studio	4 sq. m
One bedroom	5 sq. m
2 bedroom (3 person)	6 sq. m
2 bedroom (4 person)	7 sq. m
3 bedrooms	9 sq. m

Source: Apartment Guidelines 2020

Car and Cycle Parking Facilities

- 5.43 The proposal contains 134 no. car parking spaces, 7 no. of which are accessible spaces, in addition to 6 no. motorcycle spaces, which are to be located at basement level. The proposed parking ratio is 0.72 spaces per residential unit, as per the Architectural Schedule prepared by Plus Architecture, based on 127 of these spaces being residential. Of the 134 no. spaces, 6 shall be designated to the office aspect (including 1 no. accessible space, for a total of 7) whilst the remainder shall be for residential use and will be clearly designated as such.
- 5.44 The proposed underground car park entrance is located to the west of the block, directly off Mayne River Avenue at a location which has been selected due to high levels of visibility and minimised passing traffic.
- 5.45 The provision of 434 no. bicycle parking spaces within the scheme provides for a number of high-quality alternatives to car-based transport for the development, in recognition of the accessible site in which the proposal is located. 398 no. of these spaces are located at a secure, covered area at surface level, 8 no. at basement level while 28 no. spaces are provided externally within the development for use by visitors.
- 5.46 It is considered that this level of bicycle parking provision will encourage the use of this active transit mode to access the city centre (a c. 20-25 minute cycle), the nearby high-frequency bus services within a 3 minute cycle / 5 minute walk at Malahide Road, the DART line (Howth Junction station is within a c. 10 minute cycle), and other facilities and amenities within the vicinity of the scheme, thereby minimising vehicular traffic movements within the Northern Cross lands. We note that since the below map was produced in 2013, there have been a number of improvements to cycling provision, including along the R139 east of Northern Cross



Figure 5.4: Cycle facilities (2013) near Northern Cross (Greater Dublin Area Cycle Network Plan)

Public Transport

The development site is located within 350 metres from Malahide Road, a proposed high frequency corridor under the Bus Connects scheme and currently serviced by several arterial bus routes such as 15, 27, 42 and 43 Dublin Bus routes. Bus stops benefiting from high-frequency services are within 500 metres and 5 minutes walking distance. Clongriffin railway station is c. 2km away from the site and is accessible by both bicycle and bus (Dublin Bus route 15). We also note the proximity of the site to high quality public transport, Dublin bus route nos. 15, 27, 27x, 42 and 43 run along the Malahide Road with the no. 15 bus service having peak frequencies of 4-12 minutes to Clongriffin Railway Station and Dublin City Centre while operating a 24 hour schedule. The scheme is adjacent to a number of proposed Bus Connects routes, including the D1, D2 and D3 Spine / Branch Routes which travel proximate to Northern Cross.

- 5.47 The below image is per the current Bus Connects Application, which will run adjacent to Northern Cross, it includes the provision of an additional bus stop, located c. 300 metres to the east of the subject site, as shown in the figure below. This will have the benefit of further improving access to public transport at this location.

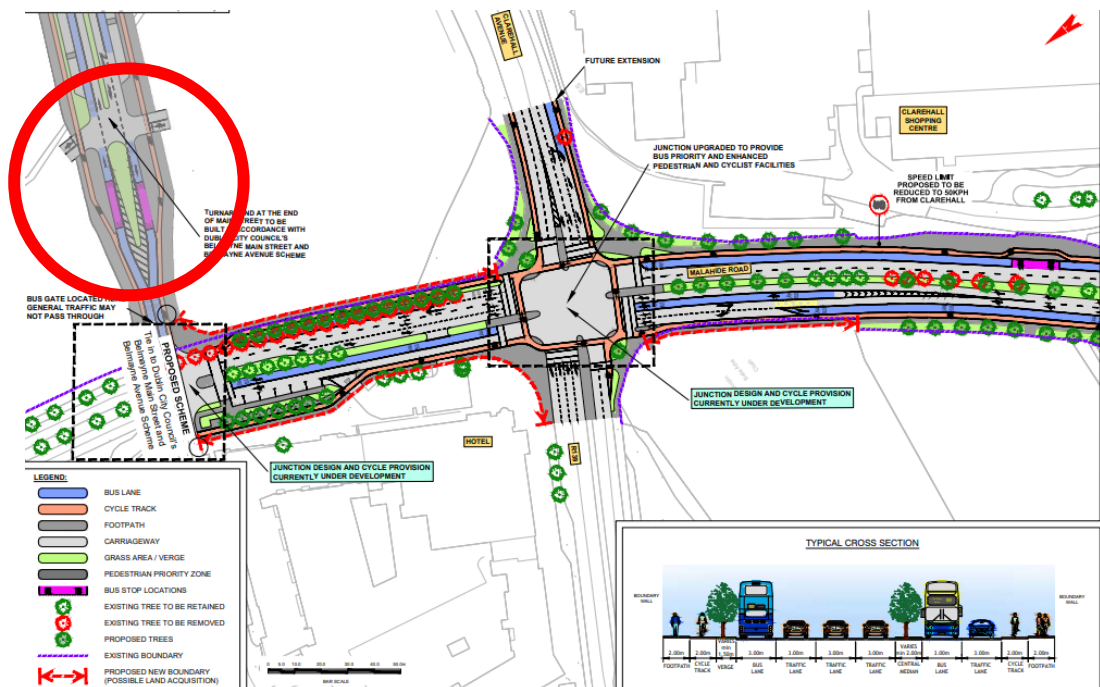


Figure 5.5: Proposed Bus Stop Circled under Bus Connects (Bus Connects)

- 5.48 Works to the Bus Connects corridor are currently under construction c. 350 metres east of the subject site as shown in the image below, captured on 17th August 2022, looking east from Malahide Road.



Image 1: Bus Connects construction works, August 2022 (Source: JSA)

- 5.49 The below table demonstrates the current frequencies of public transport proximate to Northern Cross:

Transport Route	Frequency
Bus	
15 - Clongriffin to Ballycullen (Via Dublin City)	8-10 minutes
27 - Clare Hall to Jobstown (Via Dublin City)	10 minutes
27x - Clare Hall Towards UCD Belfield (Via Dublin City)	3 Services Daily
42 - Sand's Hotel (Portmarnock) Towards Talbot St.	20-30 minutes
43 - Swords Business Park Towards Talbot St.	25 Minutes Peak
Train	
DART	30 mins – Peak 10 mins
Commuter (Dublin-Dundalk)	3 Times Daily

Phasing of Development

- 5.50 The development is to be delivered as a single phase over the duration of the planning permission being sought. This will represent the delivery of a significant quantum of housing to meet the established and increasing housing need in Dublin, at a location suitable and capable of catering for an increased populace, in combination with the recently permitted and proposed nearby developments as outlined within the Planning History section of this report.

Daylight/Sunlight Assessment

- 5.51 The accompanying daylight/sunlight assessment report prepared by OCSC provides further details on the acceptability of the proposed scheme in terms of daylight / sunlight levels to the proposed buildings and associated open space and in terms of impacts on / of existing and future development in proximity to the site.
- 5.52 The ADF of all units within the development were assessed, with 100% compliance achieved under the BS 8206 methodology and 95% compliance achieved when assessed under the EN 17037 methodology prescribed in the BRE Guide 3rd Edition.
- 5.53 In relation to daylight impact to surrounding properties, the development under construction at Site 2 has been assessed for ADF, with just 1 no. unit failing to comply. In terms of sunlight to amenity spaces, the OCSC report notes that the proposed development will achieve 'excellent levels of sunlight' with 90% of communal amenity spaces achieving at least 2 hours of sunlight on 21st March, with 100% of public open space meeting this target. Neighbouring amenity space in Site 2 and Site 10 has also been assessed, with compliance demonstrated.
- 5.54 The full detailed results of these proposals are included within the conclusion section of the accompanying Daylight and Sunlight and Overshadowing Assessment prepared by OCSC.

Microclimate Assessment

- 5.55 A Wind and Pedestrian Comfort Study has been prepared by OCSC and is included as part of this application. This study concludes positively, stating that:

“Based on the CFD modelling results, the proposed development will be a comfortable environment for occupants. Certain areas have been highlighted as being potentially uncomfortable for a limited period of time, however, these concerns have been largely addressed through the incorporation of landscaping which will mitigate excessive wind speeds in these areas.

Overall, the proposed development will be a high-quality, comfortable environment for occupants throughout the year”.

Arboricultural Impact Assessment

- 5.56 An Arboricultural Impact Assessment and Tree Survey has been undertaken for the site, prepared by J M McConville & Associates. The existing trees on site are planted and primarily located along the site periphery. Full details of the findings of the assessment, and the acceptability of the findings, can be consulted within the accompanying Arboricultural documentation. The proposal, including the proposed removal of trees, is respectfully submitted to be acceptable to the Board in light of the nature of the proposed development, and the high quality integrated landscaping which includes the planting of new trees and shrubs.

Ecological Impact Assessment

- 5.57 An Ecological Impact Assessment has been prepared by Altamar and is included as part of this application. A bat fauna assessment is included within the report., and found no evidence of roosting bats. The Assessment confirms that the proposed development will not have a significant impact, stating that:

“The construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the application the standard construction and operational phase controls. The overall impact on the ecology of the proposed development will result in a long term minor adverse not significant residual impact on the ecology of the area and locality overall. This is primarily as a result of the proposal to demolish existing buildings on site and the construction of new structures”.

AA Screening Report and Natura Impact Statement

- 5.58 An AA Screening Report has been prepared by Altamar Ltd. The screening report concludes that significant effects to the Natura 2000 network are not likely to arise as a result of the proposed development, however on a ‘strictly precautionary basis’ an NIS would be required. As such, we refer to the accompanying Natura Impact Statement, which is prepared by Altamar and submitted with the AA Screening Report. In its conclusion, the NIS states the following:

“On the basis of the content of this report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites’ conservation objectives, will adversely affect the integrity of the European site. No significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.”

Archaeological Assessment

- 5.59 We note that archaeological assessments have been undertaken as part of the permitted and ongoing applications to the north and east, and that these both found low potential for archaeological remains to be located within these sites. This is further supported by the accompanying Archaeological Assessment prepared by IAC, which states in its conclusion that *“Given the level of ground disturbance that has occurred within the proposed development area, the overall archaeological potential of the site is considered to be very low.”*

Waste Management

- 5.60 This application is accompanied by a Resource and Waste Management Plan report (encompassing construction and demolition waste management plans) prepared by AWN and an Operational Waste Management Plan (OWMP), also prepared by AWN.
- 5.61 The Resource and Waste Management Plan document outlines the principles of how the waste generated during the demolition and construction phases will be managed and disposed of in a way that ensures the provisions of the relevant acts, as outlined, are complied with. It will also ensure that optimum levels of waste reduction, re-use and recycling are achieved.
- 5.62 The OWMP has informed the size, design and location of the bin storage areas within the scheme. Implementation of the OWMP will ensure a high level of recycling, reuse and recovery at the development. All recyclable materials will be segregated at source to reduce waste contractor costs and ensure maximum diversion of materials from landfill, thus contributing to the targets set out in the EMR Waste Management Plan 2015 – 2021. Adherence to this plan will also ensure that waste management at the development is carried out in accordance with the requirements of the DCC Waste Bye-Laws.

Building Lifecycle

- 5.63 A Building Lifecycle Report prepared by Aramark accompanies this application. The report details how the building is intended to be managed, including a schedule of maintenance and details regarding measures to effectively manage and reduce costs for the benefit of residents.

Environmental Impact Assessment

- 5.64 This application is accompanied by an EIA Screening Report, prepared by Enviroguide. This concludes:

‘The Proposed Development has been assessed in accordance with the screening criteria set out in Annex III of the European Union ‘EIA Directive’ and Schedule 7 and Schedule 7A of the Regulations.

Having regard to:

- *the nature and scale of the Proposed Development on an urban site served by public infrastructure,*
- *the absence of any significant environmental sensitivities in the area, and*
- *the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended)*

The Proposed Development is not likely to have significant effects on the environment. Therefore, a mandatory Environmental Impact Assessment Report (EIAR) is not required for the Proposed Development.’

Glint & Glare

- 5.65 Given the proximity of the site to Dublin Airport, a Glint & Glare Assessment has been undertaken to assess the potential impact of the proposed development, particularly its proposed solar panels, on air traffic and Air Traffic Control Navigation. This Glint & Glare Report prepared by Macroworks is included with this application, with accompanying detailed appendices, and finds that there is no potential for any impact, with the conclusion stating that *“From the analysis and discussions*

contained herein, it is considered that there will not be any hazardous glint and glare effects upon the Dublin Airport aviation receptors identified as a result of the proposed roof-mounted solar PV panels". The findings of the report also indicate that there is no theoretical potential for glare at either of the Air Traffic Control Towers in Dublin Airport.

Telecommunications

- 5.66 ISM have prepared a Telecommunications Report and this is included with the application. The inclusion of the telecommunication report is based upon the specific assessments contained within the Building Height Guidelines, which states that supporting documentation may include "An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links". This report found that the proposed development will not have any impact on the potential microwave links. However, the report notes that 2 no. identified radio frequency links will be impacted by the proposed development. The applicant confirms that the mitigation measures as outlined within the report shall be adhered to. These mitigation measures include the provision of telecommunications infrastructure at roof level, which are further detailed and shown within the accompanying telecommunications report.

6.0 CONSISTENCY WITH NATIONAL AND REGIONAL PLANNING POLICY

- 6.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy context relating to the proposed development are set out in the following sections, with a summary provided of how the proposal is consistent with all relevant requirements.
- 6.2 The policy and guidance documents of relevance to the proposed development are listed below:
- The National Planning Framework (2018)
 - Regional Spatial & Economic Strategy for the Eastern & Midland Regional Assembly 2019
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and accompanying Urban Design Manual (2009)
 - Sustainable Urban Housing: Design Standards for New Apartments (2020)
 - Urban Development and Building Heights Guidelines 2018
 - Guidelines for Planning Authorities on 'The Planning System and Flood Risk Management (November 2009)'
 - Design Manual for Urban Roads and Streets (2013)
 - Transport Strategy for the Greater Dublin Area 2016 - 2035
 - Childcare Facilities Guidelines for Planning Authorities (2001)
- 6.3 An evaluation of the consistency of the proposed development in the context of the relevant policies and objectives set out in the above-referenced documents is included within each section.

National Planning Framework (NPF) – Ireland 2040

- 6.4 Project Ireland 2040 National Planning Framework was published on the 16th February 2018 and updated in December 2020. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland out to the year 2040. The plan will guide national, regional and local planning opportunities together with investment decisions for at least the next two decades.

- 6.5 The companion to this document is the National Development Plan, a ten-year strategy for public capital investment of almost €116 billion. The NPF notes the documents align *‘our investment strategy with our strategic planning documents to, for the first time in the history of our State, create a unified and coherent plan for the country’*.
- 6.6 It is stated that the NPF will be given *‘full legislative support within the planning system’*, including regular review with the future potential to make adjustments where necessary. Each of the three regions will prepare their own strategy in accordance with the Framework set by the NPF, known as Regional Spatial and Economic Strategies (RSES). County and City Development Plan review cycles will then fall in to line with their respective regional strategies, ensuring alignment between the hierarchy of plans.
- 6.7 The National Strategic Outcomes set out in the NPF are:
- Compact Growth
 - Enhanced Regional Accessibility
 - Strengthened Rural Economies and Communities
 - High-Quality International Connectivity
 - Sustainable Mobility
 - A Strong Economy, supported by Enterprise, Innovation and Skills
 - Enhanced Amenities and Heritage
 - Transition to a Low Carbon and Climate Resilient Society
 - Sustainable Management of Water, Waste and other Environmental Resources
 - Access to Quality Childcare, Education and Health Services
- 6.8 In relation to residential development the plan states:
- ‘A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built up areas of cities, towns and villages on infill and/or brownfield sites’*.
- 6.9 A core objective of the NPF is achieving compact growth and the Framework targets a *‘significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas’*.
- 6.10 The NPF seeks to achieve *“better use of under-utilised land and buildings, including ‘infill’, ‘brownfield’ and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport”*. National Policy Objective 3a targets the delivery of at 40% of future housing development to be within the footprint of built-up footprint of existing settlements.
- 6.11 National Policy Objective 4 aims to *‘ensure the creation of attractive, liveable, well designed, high urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’*.
- 6.12 National Policy Objective 6 seeks to *‘Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment*

activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area’.

- 6.13 National Policy Objective 11 states that *‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.*
- 6.14 The proposed development will provide residential units at an appropriate location, whilst increasing demand locally for shops and services which are within close walking distance, providing a boost to the immediate economy within Northern Cross while meeting targeted growth goals for the area as are outlined within the applicable Clongriffin-Belmayne LAP. The proposal will act also as an employment generator, during the construction process and during the operational phase also, due to the office and retail/commercial aspect proposed at ground floor level of the development.
- 6.15 The NPF advocates compact urban development and focuses maximising existing uses onsite and maximising potential with respect to connections to transport links. National Policy Objective 13 states that: *‘In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.’*
- 6.16 National Policy Objective 27 seeks to *‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages’.*
- 6.17 The proposed development is located at a highly accessible urban location with access to a number of bus routes along the nearby Malahide Road QBC and Bus Connects proposals. The scheme also provides access to existing cycle facilities on Malahide Road, which are destined to be upgraded under the forthcoming BusConnects proposals which are currently under construction as noted above, while on site facilities in terms of ample bicycle parking and car sharing facilities included as part of the proposal helps to ensure sustained uptake in alternative transport methods. The Clongriffin to City Centre corridor under bus connects has yet to commence however a planning application has been lodged and is currently under consideration with the Board, with a decision date scheduled for the 5th of October 2022.
- 6.18 National Policy Objective 33 seeks to *‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’.* The application site is within an existing area defined by residential apartment units in blocks of over 12 storeys in height, within Northern Cross itself and similarly at adjacent developments located at Clarehall, with an abundance of commercial, retail and sustainable transport nearby with well-established physical and social infrastructure within the surrounding area. Accordingly, the proposal of 176 no. units of residential apartments within 1 no. block of up to 9 storeys in height over basement is considered appropriate in light of this policy

- 6.19 Objective 35 of the National Planning Framework aims to *'Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area of site-based regeneration and increased building heights.'*
- 6.20 It is considered that the current use of the subject lands constitutes an underutilisation of an urban space at a highly accessible location. The development of this site will provide additional uses from what is currently in place, and provides for increased building heights at a suitable and highly accessible location. This will optimise the use of the site and ensure sustainable development at an appropriate location in close proximity to a range of services and public transport facilities. Given the provision of commercial and retail facilities within the Northern Cross area, the proposal will result in an increased provision of housing, increased provision of retail and a minor reduction in office space (noting the office use at ground floor), which is considered highly appropriate given the surrounding context.
- 6.21 In summary, the NPF shows broad policy support for residential development as proposed in an existing settlement area on appropriately zoned land, within the metropolitan area of the GDA and in close proximity to good quality public transport. The proposals will achieve compact growth and further densification of the existing urban area and will ensure efficient use of zoned land under which residential development is permissible and constitutes effective land and transport planning whilst complying with all applicable guidance and requirements. The precedent for commercial development is already in place on site through the current use of the existing block as an office, which is owned and operated by the applicant.

***Regional Spatial and Economic Strategy for the Eastern and Midlands
Regional Assembly 2019-2031***

- 6.22 The Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond. The RSES was adopted at the meeting of the Eastern and Midland Regional assembly on the 5th of May 2019 and was published / came into effect on the 28th of June 2019.
- 6.23 The Eastern and Midland Regional assembly (EMRA) was established in 2015 as part of the regional tier of governance in Ireland. The region covers nine counties, Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow, and Dublin. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all-encompassing strategy.
- 6.24 The vision of the RSES is to *'create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all'*.
- 6.25 The subject site is located within 500 metres walk of the No. 15 and No. 27 high-frequency bus services, and within close proximity to a QBC / Bus Connects Corridor, with Clongriffin railway station a c. 10 minute cycle away. The site is located within KDC 1, with significant existing and future employment capacity within the immediate area, while the proposal will not lose the employment generation of the current subject site due to the commercial aspect of the development.
- 6.26 It is therefore considered that the provision of 176 no. residential units along with own door office space at ground floor level and is appropriate given that the site is

zoned appropriately for residential use and is located in close proximity to high quality public transport and existing and planned services.

Housing for All - a New Housing Plan for Ireland

- 6.27 “Housing for All - a New Housing Plan for Ireland” (hereinafter ‘Housing for All’) is the government’s housing plan to 2030. Launched in September 2021, it is a multi-annual, multi-billion euro plan which will improve Ireland’s housing system and deliver more homes of all types for people with different housing needs.² The government’s overall objective is that every citizen in the State should have access to good quality homes:
- to purchase or rent at an affordable price;
 - built to a high standard and in the right place;
 - offering a high quality of life.
- 6.28 The government’s vision for the housing system over the longer term is to achieve a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system. It is estimated that Ireland will need an average of 33,000 new homes to be provided each year from 2021 to 2030.
- 6.29 The policy has four pathways to achieving housing for all:
- supporting home ownership and increasing affordability;
 - eradicating homelessness, increasing social housing delivery and supporting social inclusion;
 - increasing new housing supply;
 - addressing vacancy and efficient use of existing stock.
- 6.30 The proposed development is consistent with the overall aim of Housing for All to accelerate social housing and build more an average of 33,000 homes per annum in the State between and 2030.
- 6.31 The proposed development provides for 176 no. new apartments which will substantially add to the residential accommodation availability of the area and cater to the increasing housing demand. The proposed development will contribute to the quantum of new of social housing units available to the Council through the Part V agreement which is consistent with the objectives of Housing for All.

Rebuilding Ireland – Action Plan for Housing and Homelessness

- 6.32 Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing stock and laying the foundation for a more vibrant and responsive private rented sector.
- 6.33 Rebuilding Ireland is set around 5 no. pillars of proposed actions summarised as follows:

Pillar 1 – Address Homelessness: Provide early solutions to address the unacceptable level of families in emergency accommodation; deliver inter-agency supports for people who are currently homeless, with a particular emphasis on

² <https://www.gov.ie/en/publication/ef5ec-housing-for-all-a-new-housing-plan-for-ireland/>

minimising the incidence of rough sleeping, and enhance State supports to keep people in their own homes;

Pillar 2 – Accelerate Social Housing: Increase the level and speed of delivery of social housing and other State – supported housing;

Pillar 3 – Build More Homes: Increase the output of private housing to meet demand at affordable prices;

Pillar 4 – Improve the Rental Sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents;

Pillar 5 – Utilise Existing Housing: Ensure that existing housing stock is used to the maximum degree possible – focusing on measures to use vacant stock to renew urban and rural areas.

- 6.34 The proposed development is consistent with Pillars 2, 3 & 4 to accelerate social housing, build more homes and improve the rental sector. The proposed development provides for 176 no. new apartment as part of mixed use development. The provision of the 176 no. residential units will substantially add to the residential accommodation availability of the area and cater to the increasing housing demand. The proposed development will contribute to the quantum of new of social housing units available to the Council through the Part V agreement which is consist with Pillar 2. While the proposed development consists of Build-to-Sell units only, with no Build-to-rent proposed, the proposal will still serve to increase the provision of rental properties though the standard approach of landlords letting individual units.

***Sustainable Urban Housing: Design Standards for New Apartments;
Guidelines for Planning Authorities 2020***

- 6.35 The ‘Sustainable Urban Housing: Design Standards for New Apartments’ (Apartment Guidelines 2020) were first published in March 2018 and amended in December 2020 following the Ministerial review of the shared accommodation / co-living aspect contained therein. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.
- 6.36 Details as to how the proposed development complies with the relevant requirements of the Apartment Guidelines 2020 is outlined below.

Location

- 6.37 A key inclusion in the Apartment Guidelines 2020 is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The guidelines identify locations in cities and towns that may be suitable for apartment development as follows:
- Central and/or Accessible Urban Locations
 - Intermediate Urban Locations
 - Peripheral and/ or Less Accessible Urban Locations
- 6.38 Accessible Urban Locations are generally suitable for small to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, and such locations are classified as follows:

- *'Sites within walking distance (i.e. up to 15 minutes or 1,000- 1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;*
- *Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas); and*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/ from high frequency (i.e. min 10 minute peak hour frequency) urban bus services'.*

6.39 It is submitted that the subject site falls into the category of 'Accessible Urban Locations', given the site's location in proximity to the Malahide Road QBC, and within 300 metres of the "Clongriffin to City Centre Core Bus Corridor Scheme", proposed under bus connects. The development site is located less than 500 metres from Malahide Road, a proposed high frequency corridor under the Bus Connects scheme and currently serviced by several arterial bus routes such as 15, 27, 42 and 43 Dublin Bus routes, with buses operating at a high frequency. Clongriffin railway station is c. 2km away from the site and is accessible by both bicycle and bus (Dublin Bus route 15). The roads are safe for pedestrians with separate footpaths and signalised pedestrian crossing points available. A Public Transport Capacity Study has been undertaken at the subject site by Transport Insights. The Study found that there is sufficient capacity within the existing services, stating that "During the AM and PM peak hours, bus service excess capacities were found to be 67% and 17% respectively. As such, it is apparent that current public transport capacity is sufficient to accommodate the small additional demand generated by the proposed development". Furthermore, and as previously outlined within the report, peak frequencies of buses are less than 10 minutes (when accounting for all routes and average wait times between buses, typical single route frequencies are reproduced in the table below), furthering the acceptability of the proposed development in this regard.

Route No.	Route	Weekday Off-Peak Frequency	Average Weekday Peak Frequency
15	Ballycullen Road – Clongriffin	8-12 minutes	8-12 minutes
27/C	Clare Hall – Jobstown / City Centre	20 minutes	10 minutes
27X*	Clare Hall – UCD Belfield	No Service	30 minutes
42	Sand's Hotel (Portmarnock) – Talbot St.	30 minutes	20 minutes
43	Swords Business Park – Talbot St	60 minutes	10 minutes

Figure 6.1: Peak Frequencies of buses (Transport Insights)

6.40 The Apartment Guidelines also note that the scale and extent of the development should increase where the site is strategically located near quality public transport hubs, service and urban amenities.

"The scale and extent of apartment development should increase in the relation to proximity to core urban centres and other relevant factors. Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services also particularly suited to apartments."

- 6.41 The proposed development is located adjacent to a proposed BusConnects corridor and within close proximity to Clarehall Shopping Centre, which provides for a range of shops and restaurants for future residents, in addition to those which are within Northern Cross at present. There are a number of significant local employers, including the Bewleys head office immediately adjacent to the subject site, and the Malahide Road Industrial Park c. 1km from the subject site. It is therefore considered that the proposed development is suitable for increased heights and increased densities in accordance with the objectives of the Apartment Guidelines

SPPR 1- Unit Mix

- 6.42 Specific Planning Policy Requirement 1 (SPPR 1) states that “Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)”

- 6.43 The proposed unit breakdown is as follows (percentage figures are rounded):

- 1 Bedroom: 72 (41%)
- 2 Bedroom: 57 (33%)
- 3 Bedroom: 47 (27%)

- 6.44 This unit mix is consistent with the guidance set down in SPPR 1, as the percentage of 1 bed units does not exceed 50%.

SPPR 2- Small Urban Infill Sites

- 6.45 SPPR 2 does not apply to the subject site, as it applies to building refurbishment schemes or sites of up to 0.25 hectares only, which the subject site exceeds at 0.6462 hectares.

SPPR 3- Floor Areas

- 6.46 SPPR 3 of the Apartment Guidelines 2020 states that the following minimum floor areas for apartments apply:

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

- 6.47 The HQA and drawings prepared by Plus Architecture, which accompany this application, demonstrate that the proposed development complies with and exceeds the standards outlined in the Sustainable Urban Housing: Design Standards for New Apartments 2020, with all units in excess of the minimum requirements outlined above. The proposed development includes an extensive emphasis on including larger units, with the vast majority exceeding the minimum standards for area by at least 10%. The below table demonstrates the minimum size of each type of unit proposed.

Table 6.1: Apartment Guidelines 2020 Minimum Floor Areas

Apartment Type	Floor Area Requirement	Min. Size Proposed
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1 bedroom (2 persons)	45 sq.m.	49.5 sq.m
2 bedroom (4 persons)	73 sq.m.	75 sq.m
3 bedroom (5 persons)	90 sq.m	94.5 sq.m

- 6.48 The Apartment Guidelines 2020 state that *‘the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total but are not calculable as units that exceed the minimum by at least 10%)’*. As set out above and illustrated in the HQA prepared by Plus Architecture, throughout the scheme as a whole, 122 no. individual apartment units, exceed the relevant standard by at least 10%. Accordingly, the proposed development aligns with the requirements under SPPR 3 in addition to the further guidance provided in tandem with that specific requirement.
- 6.49 While we note that the Guidelines permit 3 person, 2 bed units which have a smaller size requirement, we note that the proposal does not include any of these units, and that all 2 bed units adhere to the minimums required for 4 person, 2 bed units.

SPPR 4- Aspect / Orientation

- 6.50 SPPR 4 of the Apartment Guidelines 2020 relates to the provision of dual aspect units and states the following:

“Specific Planning Policy Requirement 4

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

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*
 - (ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
 - (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.”*
- 6.51 It recommends that *‘a minimum of 33% of dual aspect units will be required in more central and accessible locations’* which, as outlined above, the subject site is considered to fall within the definition of, based on the site’s location within 500m of the Malahide Road QBC. The 33% minimum requirement also applies to sites where a specific design response is required having regard to the site characteristics or where good street frontage is necessary.
- 6.52 As indicated within the development drawings and HQA, 43% of units within the proposed development are dual aspect and thus the proposal exceeds the minimum requirement. The higher level of dual aspect provision proposed seeks to ensure that a high-quality residential scheme is delivered with good levels of light for residential units and an attractive aspect. The level of dual aspect units offered is submitted to be acceptable given the constraints placed on the site, namely the permitted and proposed residential developments immediately adjacent to the north and east, and that, as demonstrated within the accompanying daylight and sunlight assessment, the proposed units achieve sufficient access to daylight

- 6.53 Section 3.18 of the Guidelines state *'Where single aspect apartments are provided, the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings'*. The proposed single aspect units are east and west facing, conforming with the Guidelines, and there are no single aspect units that are exclusively north facing.

SPPR 5- Floor to ceiling height

- 6.54 SPPR 5 of the Apartment Guidelines states that *'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 0.25 ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.'*
- 6.55 As highlighted within the accompanying section drawings and Plus Architecture, which demonstrates compliance in this regard with the minimum standards. Ground floor heights, while maintaining no residential units, are 3.4 metres in height, while subsequent floors are a minimum of 2.5 metres in height. This is acceptable per sections 3.21 and 3.22 of the Guidelines, which states that:

"Building Regulations Technical Document F deals with Ventilation. It provides guidance on ceiling height in habitable rooms. The suggested minimum floor to ceiling height, consistent with good room design, the use of standard materials and good building practice is generally 2.4m."

"From a planning and amenity perspective, applicants and their designers may consider the potential for increasing the minimum apartment floor-to-ceiling height to 2.7 metres where height restrictions would not otherwise necessitate a reduction in the number of floors. In relation to ground floors, it is a policy requirement that ground level apartment floor to ceiling heights shall be a minimum of 2.7m and applicants and their designers should consider 3.0 metres on the ground floor of multi-storey buildings."

SPPR 6 - Apartments to stair/lift core ratios

- 6.56 SPPR 6 states that *'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.'*
- 6.57 The proposed development includes 4 no. stair and lift cores. As demonstrated within the accompanying floor plans, none of the cores facilitate in excess of the maximum 12 apartment limit per floor under SPPR 6. The maximum number of units proposed per core is 8.

Other Relevant Standards from the Apartment Guidelines 2020

- 6.58 The following outline relevant standards as set out within the Apartment Guidelines 2020, which have not been covered in detail within the previous section of this statement.

Living Dining Kitchen Area

- 6.59 The drawings and HQA prepared by Plus Architecture demonstrate how the minimum living, dining, kitchen area requirements are met for all the units as per Appendix 1 of the 2020 Apartment Guidelines.

Bedroom areas

The drawings and HQA prepared by Plus Architecture demonstrate how the bedroom area requirements are met for all the units as per Appendix 1 of the 2020 Apartment Guidelines.

Storage space

- 6.60 The drawings and HQA illustrate how the minimum storage area requirements are met for all units as per Annex 1 of the Apartment Guidelines 2020. The guidelines provide for storage space at the following level:

- Studio: 3 sq.m
- 1 Bedroom: 3 sq.m
- 2 Bedroom (3 Person): 5 sq.m
- 2 Bedroom (4 Person): 6 sq.m
- 3 or More Bedrooms: 9 sq.m

- 6.61 The accompanying HQA provides further details outlining the required levels of storage space for each unit in light of the above in addition to the actual level of storage space provided, demonstrating compliance with the Apartment Guidelines 2020. In summary, each unit meets or exceeds the minimum requisite amount of storage.

Private Amenity Space

- 6.62 The Guidelines require the following minimum floor areas for private amenity space:

- Studio: 4 sq.m
- 1 Bedroom: 5 sq.m
- 2 Bedroom (3 Person): 6 sq.m
- 2 Bedroom (4 Person): 7 sq.m
- 3 Bedroom: 9 sq.m

- 6.63 Private amenity space is provided for in each residential unit in the form of a private balcony/terrace which meets or exceeds the above standards. Compliance with all relevant apartment standards is demonstrated in detail in the accompanying HQA and drawing pack. A number of units are provided with private amenity space significantly in excess of the minimum standards to provide a greater range of unit typologies.

Communal Amenity Space

- 6.64 The Apartment Guidelines 2020 state that all apartment development must provide a level of communal amenity space. The Apartment Guidelines 2020 require the following minimum floor areas for communal amenity space:

- Studio: 4 sq.m.
- 1 Bedroom: 5 sq.m

- 2 Bedroom (3 Person): 6 sq.m
- 2 Bedroom (4 person): 7 sq.m
- 3 Bedroom: 9 sq.m

6.65 Under the Apartment Guidelines 2020, there is a total requirement for 1,182 sq.m based on the requirements of the table below from Appendix 1 and the provision of 176 no. units on site (72 no. 1 beds @ 5 sq.m = 360 sq.m, 57 no. 2 bed / 4 person @ 7 sq.m = 399 sq.m, 47 no. 3 bed units @ 9 sq.m = 423 sq.m). Thus, the proposals exceed the minimum standards by providing 1,846 sq.m of communal open space, and as such are consistent with the necessary requirements. The communal open space is provided at courtyard level (ground and first floor) and rooftop level (seventh and fourth floor). Please refer to the accompanying landscape drawings and report for further details of communal open space provision.

Bin Storage

6.66 The bin storage areas are identified on the basement floor plans, and the location and quantum of storage has been informed by the anticipated demand. A bin staging area is also positioned at the vehicular entrance to the scheme in the northwest corner of the site for ease of collection by refuse workers. Please consult the accompanying floor plans and sections prepared by Plus Architecture for further details, while further details regarding waste management are included within the accompanying Operational Waste Management Plan.

Children's Play

6.67 The Guidelines require that children's play needs around apartment buildings should be catered for and the following should be provided:

- within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and
- within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.

6.68 The proposed development includes more than 100 units with two or more bedrooms. The proposed development, at fourth floor level, includes a children's play area which is provided within the secure 444 sq.m communal open space area. Play equipment within this area is well located so as to maintain a distance between boundary walls, which have increased heights to maintain safety, with sufficient buffers from the residential units to maintain residential amenity. Please refer to the accompanying landscape drawings prepared by Plus Architecture, which demonstrates full conformity with the above.

Car Parking

6.69 The Apartment Guidelines 2020 state that the '*quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria*'.

6.70 In relation to Central and/or Accessible Urban Locations, the Apartment Guidelines state that planning authorities must consider a reduced overall car parking standard in Central/Accessible Locations as follows:

*“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” (emphasis added).*

- 6.71 As previously outlined within this document, the proposed development is at a site that can be defined a Central/Accessible Location, and so accordingly a reduced quantum of parking for the proposed development may be provided. We note that the adjacent SHD development, granted under ABP Reg. Ref.: 307887-20, included 118 no. car parking spaces for 191 no. apartments. This is a lower provision than what is currently proposed, and was acceptable to the Board, with the Inspector’s Report stating that *“In total 118 car parking spaces are proposed (which includes for 4 no. Go-Car spaces). Parking provision equates to approximately 0.6 spaces/unit. This figure is considered acceptable and is similar to the levels of parking permitted recently in the wider area.”*
- 6.72 The proposed development will provide for 134 no. car parking spaces, with 127 of these to serve the residential scheme which results in a car parking ratio of 0.72 spaces per unit. As addressed in greater detail in Section 5 and specifically in the Parking and Mobility Management Plan prepared by OCSC, the proposed car parking provision is deemed appropriate for the subject scheme. The provision is split between 127 no. units designated as residential, with 7 no. spaces designated toward the office portion of the development. The proposal includes a set-down area, which is suitable for dropping off passengers and for vehicles loading or making deliveries. 2 no. car sharing spaces are also included, fronting the street to the south, and will benefit residents and workers within the proposed development through providing for additional modes of transport and reducing dependency on private cars.

Cycle Parking

- 6.73 The Apartment Guidelines 2020 recommend the provision of 1 cycle space per bedroom, plus 0.5 spaces per unit for visitors. For the subject scheme this equates to a requirement for 327 cycle spaces. (72 x 1 = 72, 57 x 2 = 114, 47 x 3 = 141, total 327)
- 6.74 It is proposed to provide 424 no. cycle spaces for the 176 no. residential units proposed. The proposal includes for 88 no. bicycle spaces for use by building visitors, 8 no. spaces provided for the office portion of the development and 1 no. space provided for the café, providing for a total of 424 no. spaces.
- 6.75 It is considered that the level of cycle parking provision, along with a reduction in proposed car parking, will encourage active transit to and from the proposed development and to reduce car usage given the location of the development.

SPPR 7, 8 and 9 - Build to Rent and Shared Accommodation

- 6.76 The above SPPRs do not apply to the proposed development as it is not Build to Rent or a Shared Accommodation scheme.

Urban Development and Building Height Guidelines 2018

- 6.77 The ‘Urban Development and Building Height Guidelines 2018’ (Height Guidelines) were published on the 7th of December 2018 under Section 28 of the Planning and Development Act 2000, as amended. Therefore, the Strategic Planning Policy Requirements (SPPRs) in these Guidelines will take precedence over local planning policy including Development Plans, particularly in respect of the specific planning policy requirements set out within the guidelines. Development Plans and Local Area Plans are to be reviewed to reflect the new Guidelines.
- 6.78 We note that the proposed heights of up to 9 storeys over basement are supported in this location under the Development Plan and LAP (notwithstanding the separate material contravention statement in relation to building heights and the LAP, as certain aspects of the LAP for heights are exceeded on the subject site). The SDRA for North Fringe and the Clongriffin / Belmayne LAP state that the KDC area which the subject site is located within is subject to a minimum building height of 5 storeys, and a maximum height of 50 metres as it is regarded as a mid-rise area under the 2016-2022 DCC Development Plan (Sec. 16.7.2). Notwithstanding the above, we outline below how the proposed heights accord with the development management criteria and SPPR 3 of the Building Height Guidelines.
- 6.79 The Building Height Guidelines espouse a move away from blanket caps on building heights and seek to encourage greater height in central and/or accessible urban locations, such as the subject site, to encourage compact urban form and the delivery of housing and employment at accessible urban locations.
- 6.80 The Building Height Guidelines emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density.
- 6.81 The Guidelines also place significant emphasis on promoting development within the existing urban footprint utilising the existing sustainable mobility corridors and networks, stating the following;
- “In order to optimise the effectiveness of this investment in terms of improved and more sustainable mobility choices and enhanced opportunities and choices in access to housing, jobs, community and social infrastructure, development plans must actively plan for and bring about increased density and height of development within the footprint of our developing sustainable mobility corridors”.*
- 6.82 The site of the proposal is located proximate to a sustainable mobility corridor in the form of a QBC along Malahide Road. The area is also set for future improvements under the Bus Connects proposals for the area.
- 6.83 In addition, the Guidelines states that *“the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights”.*
- 6.84 The proposed development seeks to provide a development of up to 9 storeys over basement in height on a site which is located within the Clongriffin – Belmayne LAP area, which states that heights should be at least five storeys in the KDC within which the development site is situated. On this basis the proposed development is considered to accord with the local planning policy context, however for completeness a justification has also been provided below under SPPR 3 of the Building Height Guidelines.

Justification under the 2018 Urban Development and Building Height Guidelines

6.85 SPPR 3 of the Building Height Guidelines notes that where the applicant sets out compliance with the criteria for assessing building height at the scale of the relevant town / city, at the scale of district / neighbourhood / street and at the scale of a site / building that the planning authority or An Bord Pleanála may approve such development even where specific objectives of the relevant development plan, local area plan or planning scheme may indicate otherwise.

6.86 SPPR 3 (A) states:

"It is specific planning policy requirement that where:

- 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic national policy parameters set out in the National Planning framework and these guidelines;*

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

6.87 Compliance with the relevant criteria set out in the Building Height Guidelines is demonstrated below.

6.88 The Building Height Guidelines introduce Development Management criteria which proposals for higher buildings will be required to satisfy. The relevant criteria in respect of the proposed residential development are noted and responded to as follows:

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

6.89 The subject site is located in the Northern Cross area, which is well served by Dublin Bus with bus stops located on Malahide Road within 500 metres walking distance of the subject site. Five existing routes provide a peak frequency of a bus every 10 minutes, complemented by other services, as set out in the table below:

Transport Route	Frequency (peak)
Bus	
15 - Clongriffin to Ballycullen (Via Dublin City)	8-12 minutes
27 - Clare Hall to Jobstown (Via Dublin City)	10 minutes
27x - Clare Hall Towards UCD Belfield (Via Dublin City)	30 minutes
42 - Sand's Hotel (Portmarnock) Towards Talbot St.	20 minutes
43 - Swords Business Park Towards Talbot St.	10 Minutes Peak
Train	
DART	30 mins – Peak 10 mins
Commuter (Dublin-Dundalk)	1 Times Daily

6.90 The proposed Bus Connects will further enhance this service, with two more routes to be added, with a planning application currently pending for the works and the new bus stop on Malahide Road c. 350 metres from the site currently under construction following a grant of permission by Dublin City Council under the provisions of Part VIII of the Planning & Development Act 2000, as amended. A new bus interchange is to be provided, some 350 metres east of the site, ensuring that buses will serve this interchange every 15 minutes. These works are currently under construction,

noted in Image 1 below, captured in August 2022 looking east from Malahide Road. The bus service will also serve Clongriffin Dart Station, which provides access to heavy rail. The station is 10 minutes cycle from the site.



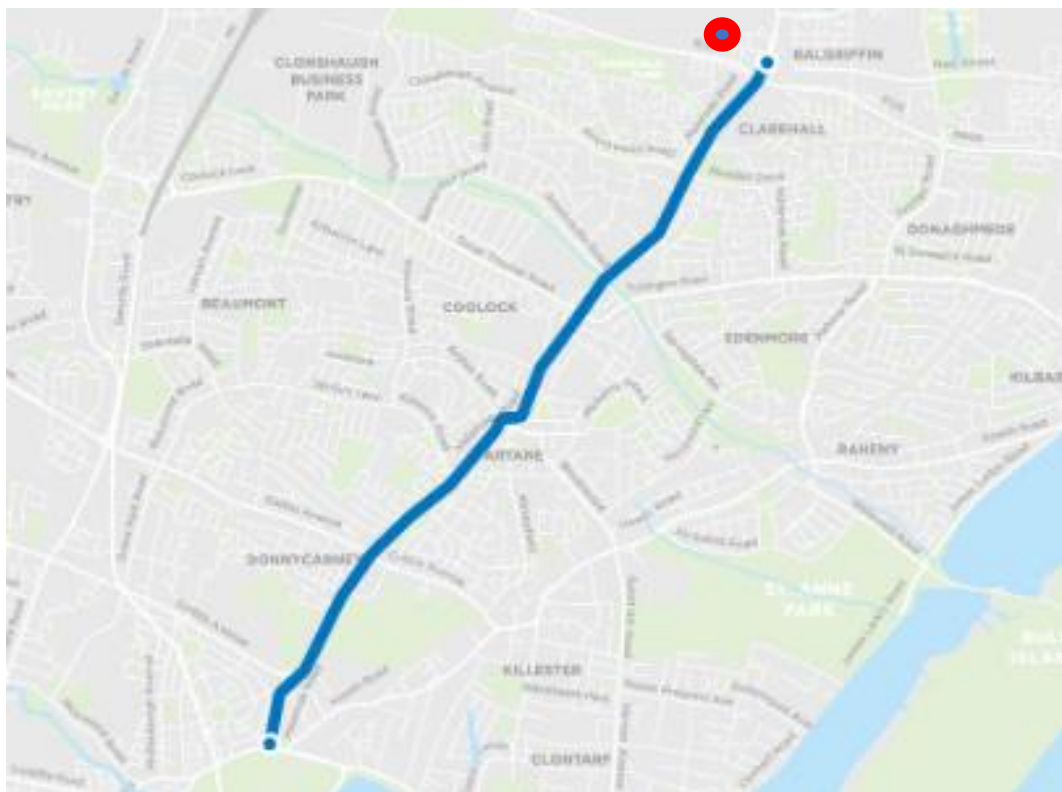
Image 1: Bus Connects construction works, August 2022 (Source: JSA)

- 6.91 The site is located within an 'Accessible Urban Location', as per the Apartment Guidelines, 2020. Dublin bus route nos. 15, 27, 27x, 42 and 43 run along the Malahide Road with the no. 15 bus service having peak frequencies of 8-12 minutes to Clongriffin Railway Station and Dublin City Centre while operating a 24-hour schedule. Bus stops are located within 500 metres walking distance of the subject site as detailed within the accompanying DBFL Traffic & Transport Assessment. The site is also located within 500 metres of a public transport corridor where minimum densities of 50 units per hectare are requirement under the Sustainable Residential Development in Urban Areas Guidelines 2009.
- 6.92 The site is adjacent to a number of proposed Bus Connects routes, including the D1, D2 and D3 Spine / Branch Routes which travel proximate to Northern Cross. Permission has been applied for by the NTA for a Bus Connects corridor, the Clongriffin to City Centre Core Bus Corridor Scheme, which was applied for on the 1st of April 2022 and is currently under consideration by the Board with a decision expected in October 2022. The proposal will provide a dedicated route directly from the Northern Cross/ Clarehall Junction to the City Centre.
- 6.93 The table reproduced below indicates the frequency of existing public transport proximate to the Subject Site.

Table 2.1 Current Public Transport Services in Application Site's Vicinity

Route No.	Route	Weekday Off-Peak Frequency	Average Weekday Peak Frequency
15	Ballycullen Road – Clongriffin	8-12 minutes	8-12 minutes
27/C	Clare Hall – Jobstown / City Centre	20 minutes	10 minutes
27X*	Clare Hall – UCD Belfield	No Service	30 minutes
42	Sand's Hotel (Portmarnock) – Talbot St.	30 minutes	20 minutes
43	Swords Business Park – Talbot St	60 minutes	10 minutes

**Peak Hour Only Service*

Figure 6.2: Public Transport Frequency (Transport Insights)**Figure 6.3: Bus Connects Clongriffin to City Centre Route (NTA)**

- 6.94 A Public Transport Capacity Study has been undertaken for the proposed development by Transport Insights and accompanies this application. This report details that the subject site is “well served by frequent bus routes operating in its vicinity. Together, these bus routes offer a cumulative peak frequency of one bus every 3 minutes”. The proposed development is also assessed in terms of the upcoming Bus Connects proposals, which finds updates frequencies per the below table.

Table 2.2 BusConnects: Proposed Bus Services in Application Site's Vicinity

Route No.	Route	Weekday Peak Frequency
D1	Clongriffin - City Centre - Grange Castle	15 minutes
D2	Clare Hall - City Centre – Citywest	15 minutes
D3	Clongriffin - City Centre - Clondalkin	15 minutes
N8	Blanchardstown SC - Dublin Airport - Clongriffin	30 minutes
20	Malahide - Kinsealy - City Centre	30 minutes
21	Swords Business Park - Kinsealy - City Centre	30 minutes
L80	Clongriffin - Beaumont Hospital – DCU	20 minutes

Figure 6.4: Frequency of Bus Connects proximate to subject site (Transport Insights)

- 6.95 In terms of existing capacity, the aforementioned report surveys the a.m. and p.m. peak capacities of the nearby bus-stops in relation to the proposed development. The report concludes in stating that *“Based on the findings of public transport occupancy surveys, mode share targets set out within the MMP, and analysis contained within this Report, it was found that the residents and staff of the proposed development would utilise 3.1% and 4.7% of the total capacity of existing AM and PM peak hour bus service capacities respectively in the proposed development’s assumed year of opening (2023). These figures rise to 3.4% and 5.0% respectively in 2028, due to the targeted increase in bus mode share as per the MMP. During the AM and PM peak hours, bus service excess capacities were found to be 67% and 17% respectively. As such, it is apparent that current public transport capacity is sufficient to accommodate the small additional demand generated by the proposed development”*.
- 6.96 As such, it is respectfully submitted that the existing public transport provision in the area of the subject site have sufficient capacity to cater for the proposed development and are of high frequency and can justify the proposed development in terms of height and density in the context of the Building Height Guidelines.
- Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.***
- 6.97 As noted in the accompanying Mitchell & Associates LVIA, the subject site is not located in a particularly architecturally sensitive area. The height in the immediate surrounding area, taking account of the emerging developments at Site 2 to the east (8 storeys), proposals for Site 10 (11 storeys) and existing development in the area (over 7 storeys) is of an urban, rather than suburban area. The architectural design takes a contemporary urban approach and building heights proposed are consistent with the prevailing heights in the area.
- 6.98 The accompanying elevations and sections and photomontages provided by Plus Architecture and the Verified Views prepared by Digital Dimensions illustrates the

proposed building height in the context of the existing urban environment. The series of photomontages indicate that the proposed development for an increase in height and unit numbers is in keeping with the surrounding context of the development in the immediate vicinity. It is clear that the proposed additional height can be accommodated in the context of the surrounding existing and permitted development. The proposed development sits comfortably in the wider context and streetscape and is therefore considered appropriate in this regard.

- 6.99 The development is considered to provide for an appropriate proportional framing of the proposed open space to the north and south of the block. The proposal enhances the sense of enclosure, resulting in open space enclosed on two sides by blocks of up to 9 (Block 2, under construction) and proposed of up to 11 storeys to the north, while providing a proportional framing of Mayne River Avenue to the south.
- 6.100 A Landscape and Visual Impact Assessment has been prepared by Mitchell & Associates to accompany the application. This LVIA concludes that “the proposed development represents the continuing change in the planned and developing urban landscape of this area. It represents a clear increase in the scale, height and quantum of the building occupying the existing site, however it is in keeping with the trends in this regard for the area. The predicted effects on the local landscape are assessed however, as being of some positive benefit in how the proposed development relates to adjacent developments, to the emerging community and in how it addresses the introduction of new built elements in a developing, planned urban context. The architectural design of the proposed development is effective in mitigating its potential visual impact in this changing context”.

On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.

- 6.101 The proposed development site extends to approximately c. 0.65 ha and is therefore not considered to constitute a ‘larger urban redevelopment site’. Notwithstanding this, the proposals are considered to make a positive contribution to place-making through a high-quality development and associated improvements to the public realm.
- 6.102 The proposed development will provide for a high-quality architectural design that will respond to and reflect the existing and permitted developments in the area. The proposed massing of the development has been carefully considered to create a presence on the street and to contribute to the emerging streetscape, while allowing sunlight to penetrate the proposed development.
- 6.103 The development creates visual interest at the site through a high-quality design which responds to the surrounding pattern of development. The northern frontage of the buildings, facing the future linear park along the riparian corridor of the River Mayne, is of a style and materiality consistent with that of adjacent blocks while providing a strong urban edge. Both the northern and southern frontages of the blocks have been designed as such to maximise light and provide a visually interesting façade, which while of similar style and materiality to the nearby residential and mixed use developments, has been carefully modulated and broken down to provide a sense of visual interest, while allowing for the introduction a centrally located plaza.
- 6.104 The scale of Northern Cross creates an environment capable of facilitating heights and densities at a scale as proposed. The context of the site with the emerging

developments in the area which provide for greater heights and densities is evolving and therefore there is a need to provide for an appropriate design response to this frontage to create a strong urban edge as part of this application.

- 6.105 The proposed development significantly increases the quality of the public realm and creates a sense of place within the scheme providing for commercial units at ground floor and new public realm, linking Rosemount House to its neighbour to the north, so a combined area of public open space can be created. It will make a positive contribution to the overall structure, form and connectivity of the development.
- 6.106 The materials and finishes proposed provide for a high impact visual amenity which enhances the overall quality and appearance of the street frontage making a positive contribution to the place-making of the area.
- 6.107 The guidelines further set out the criteria for developments at the scale of district/ neighbourhood / street context as follows:

The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape;

- 6.108 As referred to above, the proposed development will sit more easily in the emerging building profile of area and contribute to improve public realm and enhanced local connections. The proposed development will significantly enhance the existing streetscape within Northern Cross. It will provide for high quality contemporary design at an appropriate location and make a significant positive contribution to the existing urban neighbourhood and streetscape at this location.
- 6.109 A review of the proposed development in the setting of the surrounding context is included in the Architecture Design Statement and CGI's and photomontages which sets out the appropriateness for the proposed height storeys in this regard. The photomontages submitted with this SHD application also illustrate how the proposed development incorporates into the surrounding streetscape. It is clear from the photomontages submitted that the proposed height is appropriate in the context of the surrounding area and streetscape.
- 6.110 It is considered that the proposal introduces a high-quality development at an underutilised site, which given its location, has potential to cater for a mixed used development at an increased density. The proposed development responds appropriately to the massing and scale of the surrounding urban pattern and scale, with higher built elements of the proposal to the central block edges.
- 6.111 In the context of the district of Northern Cross the environment is composed of five to eight storey dense urban blocks with strong street edges. Recent permissions at Site 2 for nine storeys and Site 5 for 8 to 12 storeys took consideration of the urban form of the location where buildings of such height could be successfully integrated into the streetscape. In this instance, where the two blocks would form the northern extent of Northern Cross as it relates to the river valley this presents a suitable context and prominence to accommodate signature buildings as proposed.
- 6.112 The proposals constitute the sustainable development of the site and will provide integration with the existing context and enhancing the urban realm at this location through the introduction of high-quality landscaping and public realm improvements which are accessible to the public. The access road for the development to the west and south of the proposed block incorporates and connects to the end of Mayne River Street to the east and Mayne River Avenue to the south. This will add positively to the quality and appearance of the KDC when viewed as a whole.

- 6.113 It is respectfully submitted that the proposed development has had regard to the planning policy framework as set out in the building height guidelines and National Planning Framework. The provision of residential development at this location at 9 no. storeys is supported by the height guidelines which encourages increased density and building heights. The proposed development complies with such objectives therefore is considered to be in accordance with the provisions of national policy guidelines.

The proposal avoids long, uninterrupted walls of building in the form of perimeter blocks or slab blocks with materials / building fabric well considered;

- 6.114 The proposal introduces apartment buildings to be constructed with high quality materials which relate well to the site's location and the style and palette of neighbouring properties. The use of a range of external finishes to the scheme provides for visually interesting facades, which creates the impression of reduced massing, while remaining sympathetic to the neighbouring developments to the east. The incorporation of cladding to the upper level in association with the vertical rise of the external surfacing serve to reinforce the vertical emphasis of the design.
- 6.115 The layout and siting of the development has been sensitively chosen to complement existing buildings within Northern Cross and to provide for a strong edge to Mayne River Street and Mayne River Avenue, whilst not being of an overbearing scale, imbuing a greater sense of place upon the development site area. Elevations have been carefully designed and introduce varied aspects, through materials and elements deviating from the dominant building line, particularly along the northern and southern elevations where the modulated design mitigates any potential long uninterrupted walls with cognisance taken to minimise any potential impacts upon permitted and proposed adjacent developments. This is complemented by a high quality hard and soft landscaping scheme, which further enhances the visual appeal of the proposals, as well as attracting public use and animation long the street frontage.
- 6.116 The proposal introduces a development which is compatible with its land use zoning and adjacent developments. The additional height for the proposed development makes optimal use of a presently unused area of land which benefits from a strategic location within both Northern Cross and the KDC as a whole. The layout of the blocks contributes to the enhancement of public open space while allowing for a high level of pedestrian permeability throughout the exterior of the proposal, with the café and office aspect encouraging regular use of the scheme throughout the day and furthering its integration into the established locality. Please refer to accompanying Landscape Masterplan and Landscape Report prepared by Plus Architects for further details.
- 6.117 The design has been modulated and defined through the use of materials and articulation in the façade to create a distinction in the streetscape. The elevational treatment provides for greater height to the rear to create variation in roof profile.
- 6.118 The proposed architectural treatment creates an interesting façade treatment which avoids the creation of long uninterrupted walls of buildings. The variation in the building heights provides for visual interest to the development and avoids a monolithic visual appearance.
- 6.119 The materials and finishes have also been considered with regard to the surrounding existing pattern of development and material pallet in the locality. It is considered that the proposed development is in keeping with the character and building fabric of the area. For full details please refer to Plus Architecture's Design Statement.

The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway / marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of the “the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009;

6.120 The proposed development extends to 9 storeys, which is a height which is similar to that of the surrounding permitted and existing prevailing context and consistent with emerging trends as set out in the accompanying Mitchell & Associates LVIA. The introduction of the element of increased building height will strengthen the western extremity of the Key District Centre.

6.121 At the height proposed, the development will assist with wayfinding within Northern Cross as a whole, while also improving passive surveillance and perceived level of safety and security within the immediate area. A Site-Specific Flood Risk Assessment has been prepared by DBFL in accordance with the Planning System & Flood Risk Management Guidelines and accompanies this submission. Please refer to this document for details.

The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrated in a cohesive manner.

6.122 The proposed development will add interest and articulation to the site and its context, while effectively breaking down the scale and massing of the scheme to ensure that it sits comfortably within its setting. It will make a positive contribution to the legibility of the area, the wider KDC, and the surrounding area.

6.123 The development will introduce a new residential population at the location who will benefit from the site's accessibility in terms of public transport and existing pedestrian links. The development will integrate successfully with the site's location and increase pedestrian movement and activity in the area, where currently footfall levels on internal routes within Northern Cross are low, and will encourage footfall through the provision of a commercial and office aspect to the development, while also providing for a degree of connectivity with the proposed site to the north.

6.124 The proposed development enhances the public realm and street frontage at this location. The proposed development improves the pedestrian quality of the development and creates new pedestrian connections. The Landscape Masterplan prepared by Plus demonstrates the positive contribution it makes to the Northern Cross area and enhances connections to adjoining sites.

6.125 The urban height guidelines lastly set out the following criteria for developments at the scale of the site / building:

The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.

6.126 The proposed scale, massing and height of the development has been informed by the existing and emerging built environment in the surrounding area. The development introduces a slightly higher built element to the surrounding urban frame which seeks to optimise the site's location and position. The scale and height of the proposed residential blocks take cognisance of the surrounding urban form, stepping down in height at the block edges with increased heights at centre. This is seen to integrate successfully with the urban environment whilst introducing an

element of height which effectively responds to the site's prominent location, whilst minimising any potential negative effects to the surrounding context. The proposed building heights have been informed by the permitted 9 storey development at Site 2 to the east, with a taller 11-12 storey building proposed at Site 10 to the north.

- 6.127 A daylight / sunlight assessment has been prepared by OCSC and is submitted with this application. The report assesses a variety of different unit types and uses within the development, the common spaces and the impact of the adjacent development on the adjoining sites to the north and east. The proposed internal layout has been carefully considered with regard to the best possible results for daylight / sunlight levels. The orientation of the room layout has been carefully considered to ensure that the best amenity value is obtained for the residents.

Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlines in guides like the Building Research Establishment's "Site Layout Planning for Daylight and Sunlight" (2nd edition) or BS 8206-2;2008 – "lighting for Buildings – Part 2; Code of Practice for Daylighting".

- 6.128 As mentioned above, a daylight / sunlight assessment has been prepared and is submitted with this application. The design, form and layout have been informed by achieving the best possible results for daylight/ sunlight within the development and the surrounding properties. The performance of the proposed development in terms of sunlight availability to the amenity areas has been considered to determine how they perform when assessed against the four standards for daylight and sunlight (including BRE *Site Layout Planning for Daylight and Sunlight* (3rd edition 2022).
- 6.129 The ADF of all units within the development were assessed, with 100% compliance achieved under the BS 8206 methodology and 95% compliance achieved when assessed under the EN 17037 methodology prescribed in the BRE Guide 3rd Edition.
- 6.130 In relation to daylight impact to surrounding properties, the development under construction at Site 2 has been assessed for ADF, with just 1 no. unit failing to comply. In terms of sunlight to amenity spaces, the OCSC report notes that the proposed development will achieve 'excellent levels of sunlight' with 90% of communal amenity spaces achieving at least 2 hours of sunlight on 21st March, with 100% of public open space meeting this target. Neighbouring amenity space in Site 2 and Site 10 has also been assessed, with compliance demonstrated.
- 6.131 The full detailed results of these proposals are included within the conclusion section of the accompanying Daylight and Sunlight and Overshadowing Assessment prepared by OCSC.

Where a proposal may not be able to fully meet all the requirements of the daylight provisions above this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and to an effective urban design and streetscape solution.

- 6.132 The proposed development achieves a dual aspect that exceeds the minimum of 33% in the Apartment Guidelines 2020 (42% dual aspect), for the redevelopment of urban site. It should be noted that the apartments are very generous in area, with

minimum areas of 48 sq.m for a one-bedroom unit and 103 square metres for a three bedroom unit. Section 6.8 of the accompanying D/S Report sets out compensatory measures where target values are not fully achieved:

'It is important to note that even though the projection of balconies will impact the daylight reaching the windows in some areas, it will provide occupants with an outdoor amenity space that will receive excellent levels of sunlight. In addition, BRE Guidelines outline the difficulty in achieving the recommended targets within apartments and they recommend to aim for a good design to minimise the number of dwellings that are only facing north, north east or north west. This is unless there is some compensating factors such as an appealing view to the north for instance, which is the case for some units in the proposed development, which will have views into the green courtyard. In addition, all units will have access into the high quality amenity area.'

The proposed development includes compensatory design solutions through the significant regeneration of an underutilised site and provides a mixed-use development of high-quality architecture which will vastly enhance the visual appearance of the streetscape Northern Cross, provides permeability through the site for pedestrians and cyclists and includes well-lit public open spaces, improved public realm and publicly accessible facilities. This will assist in achieving the Z14 land use zoning objective for the site and the wider objective of the Strategic Development & Regeneration Area as specified within the current and draft Dublin City Development Plans.'

- 6.133 Specific assessment as set out in the Guidelines also include the following:

Specific Impact assessment of the microclimatic effects such as down draft. Such assessments shall include measures to avoid/ mitigate such microclimatic effects and where appropriate shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.

- 6.134 The proposed development is not considered a tall building (i.e. in excess of 50m+ high rise category as indicated in the Development Plan height strategy) so as to fall under the category that may give rise to any significant concerns in terms of microclimatic effects. A Wind Microclimate Report accompanies this application which demonstrates that the proposed development will result in an acceptable design response in respect to the wind environment.

In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight line and / or collision.

- 6.135 An ecological assessment report has also been prepared by Altermar and is included in the application, which assess the potential interaction of the proposed development with flora and fauna at the site. The EclA concludes:

'The construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the application the standard construction and operational phase controls. The overall impact on the ecology of the proposed development will result in a long term minor adverse not significant residual impact on the ecology of the area and locality overall. This is primarily as a result of the proposal to demolish existing buildings on site and the construction of new structures.'

- 6.136 In respect of flight line and / or collision this report notes that:

'No bat roosts will be lost. No trees of bat roosting potential are noted on site. The proposed development will change the local environment as new structures are to be erected and some of the existing vegetation will be removed. However, the site is currently brightly lit and no foraging was noted on site. The potential for collision risk and impact on flight paths in relation to bats is considered low due to the low level of bat activity on site and the buildings would be deemed to be clearly visible to bats...'

The proposed development will change the local environment as new structures are to be erected. No impact is foreseen in relation to bird collision. The proposed development is within an existing brightly lit brownfield site proximate to additional tall buildings."

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

- 6.137 The proposed development has been assessed for any potential impacts on telecommunication channels in the area. In the report prepared by ISM they found that there was the potential for impacts on 2 no. identified radio frequency links. The ISM report contains mitigation measures to negate any impact on these radio frequencies, including the provision of radio antennae at roof level of the proposed block which have been included into the submitted plans. Specific details regarding the nature, scale and location of these antennae are included within the appendices of the aforementioned Telecommunications Report prepared by ISM and the architectural drawings prepared by Plus Architecture.

An assessment that the proposed maintains safe air navigation;

- 6.138 The Development Plan states that the Irish Aviation Authority should be notified in respect of buildings in excess of 45 m. The proposed development at 33.975m does not exceed this threshold. There is no likely impact on air navigation as the height of the building is below the construction threshold. IAA and DAA have been consulted in advance of this submission. The IAA response states that *"The heights /elevations of the proposed structure and associated construction craneage to be used associated with this project are noted and, in my assessment, do not affect flight procedures at Dublin Airport, provided that any craneage associated with this project does not exceed an Above Mean Sea Level (AMSL) elevation of 106m."* The IAA response is appended to this document.

- 6.139 A glint and glare assessment has been undertaken by Modelworks and concludes:

'there will not be any hazardous glint and glare effects upon the Dublin Airport aviation receptors identified as a result of the proposed roof-mounted solar PV panels'.

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

- 6.140 A Planning Application Architectural Design Statement has been prepared by Plus Architecture which sets out the proposed development in urban design terms. There is no historic built environment in the immediate vicinity of the site. Plus Architecture have prepared an Architectural Design Statement. The subject site is not proximate to elements of the historic built environment.

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

- 6.141 An AA Screening and Natura Impact Statement has been prepared by Altermar and is submitted as part of this location. The AA and NIS states:

'On the basis of the content of this report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site. No significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.'

- 6.142 An Environmental Impact Assessment (EIA) Screening report has been prepared by Enviroguide, and a Natura Impact Statement was prepared by Altermar, and are included with this application. The NIS concludes that *"On the basis of the content of this report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site. No significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites."*

- 6.143 The Enviroguide EIA Screening Report concludes:

'The Proposed Development has been assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive' and Schedule 7 and Schedule 7A of the Regulations.

Having regard to:

- *the nature and scale of the Proposed Development on an urban site served by public infrastructure,*
- *the absence of any significant environmental sensitivities in the area, and*
- *the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended)*

The Proposed Development is not likely to have significant effects on the environment. Therefore, a mandatory Environmental Impact Assessment Report (EIAR) is not required for the Proposed Development.'

- 6.144 A Noise and Vibration Impact Assessment Report prepared by RedKite, accompanying this application, demonstrates that subject to mitigation measures the residential units will benefit from appropriate noise environments, taking into consideration the impact of local roads and flight paths to Dublin Airport. The assessment recommends the incorporation of acoustic glazing and insulated roof level ceilings, which are to be utilised during the construction stage of the proposed development. Overall, the assessment concludes that:

"The site is classified as low to medium noise risk rating from north to south for future residential development. Elevated noise is expected to occur at times during the temporary site development and construction phases however this will be controlled to comply with standard criteria for these phases of development. Therefore, no significant effects will occur on existing NSRs."

- 6.145 Having regard to the assessment of the proposed development under the criteria under Section 3.2 in accordance with SPPR 3(A), as set out above, it is considered that the proposed development is compliant with the relevant criteria and the proposed height of 9 no. storeys is appropriate. If it is the Board's view that the

proposed development was in breach of the building height provisions under the Local Area Plan, any such material contravention is justified by reference to the Building Height Guidelines and, in particular, SPPR 3(A) thereof, having regard to the provisions of Section 37(2)(b)(iii) and (iv), as outlined above.

- 6.146 It is evident there is a strong emphasis towards increased density and building height in appropriate locations within existing urban centres and in close proximity to public transport links within existing and emerging Government policy.
- 6.147 From the above analysis, it is considered that the proposal meets the criteria for higher buildings as set out within the Building Height Guidelines. The site is well placed to absorb a high-density development which is appropriately scaled and designed in the context of its urban surroundings, whilst introducing an element of increased building height which will strengthen this area of the Key District Centre, whilst responding to the scale and width of the adjacent development and the Northern Cross development as a whole. A key aspect of the proposal is increasing the heights and density on the subject site from what is currently in place, in order to maximise its development potential both to the benefit of Northern Cross and the housing demand for Dublin City as a whole.
- 6.148 The site benefits from excellent public transport links and an abundance of services and amenities within the KDC area. Employment locations within Dublin city centre, the Docklands and Dublin Airport are also easily accessible from the subject site via public transport, whilst the subject site also provides an element of employment generation.
- 6.149 The proposals make optimum use of this well located site, which is zoned Z14 and located within a designated KDC, under which residential development, office development and restaurant / shop use is permissible. The proposals are therefore considered compatible with the zoning objective, whilst also compatible with the adjacent uses and the existing uses within Northern Cross. The scheme integrates appropriately with the urban environment and enhances public open space provision and pedestrian permeability without compromising the amenity of existing adjacent properties.

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

- 6.150 The role of the ‘*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas*’ (Sustainable Residential Guidelines) is to ensure the sustainable delivery of new development throughout the country. The Sustainable Residential Guidelines focus on the provision of sustainable residential development, including the promotion of high-quality layouts that:
- Prioritise walking, cycling and public transport, and minimise the need to use cars;
 - Deliver a quality of life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;
 - Provide a good range of community and support facilities, where and when they are needed and that are easily accessible;
 - Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained;
 - Are easy to access for all and to find one’s way around;
 - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
 - Provide a mix of land uses to minimise transport demand;

- Promote social integration and provide accommodation for a diverse range of household types and age groups;
 - Enhance and protect the green infrastructure and biodiversity; and
 - Enhance and protect the built and natural heritage.
- 6.151 The Sustainable Residential Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Sustainable Residential Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 6.152 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000, as amended. Section 2.1 of the Sustainable Residential Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.
- 6.153 The Sustainable Residential Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'*
- 6.154 The subject site is zoned Z14, located within a KDC, a SDRA and within c. 500m walking distance to an existing and proposed high quality and high frequency 24-hour public transport corridor. The proposed development is therefore appropriate as it seeks to make the most efficient use of the subject site, increasing the housing stock in an existing urban area and in a strategic location which is well served by existing public transport and local services. The loss of office space will be compensated by the provision of separately accessed offices at ground floor level, with the proposal increasing the overall efficiency of the site, with a further balance of uses through providing for non-retail, office and residential uses in place of the existing single use on site. This contributes to a high quality mixed-use development.
- 6.155 The proposed development is therefore compliant with the Sustainable Residential Guidelines in terms of the sequential approach to development through its efficient use of appropriately zoned lands at sufficiently high densities that balance the number of units that can be feasibly delivered on site with protection of the amenity of the surrounding area, whilst maintaining existing uses on site.
- 6.156 Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally. The proposed development is located within the mixed use Northern Cross scheme. The broad range of facilities currently present within Northern Cross include a large childcare facility, hotel, restaurants, offices, various retail applications and a nursing home. The proposal provides an extra retail unit facing the public street, while the existing office block, which is to be demolished, will not result in a significant loss of office space within Northern Cross, as the proposal includes a large, separately accessed office area at ground floor level. The proposed non-retail, café unit at ground floor level will further contribute towards the diverse range of commercial activities within the locality. Presently the concentration of commercial units within Northern Cross are along its eastern boundary with Malahide

Road. The location of the proposed café will promote a greater range of uses within Northern Cross and encourage greater footfall within the western area of Northern Cross, which currently lacks any meaningful provision of non-retail uses.

- 6.157 The subject site is located in close proximity to ‘*Public Transport Corridors*’ in the context of the density recommendations of the Sustainable Residential Guidelines.
- 6.158 Section 5.8 of the Guidelines recommends that ‘*in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes*’. The proposed development provides for a density of 272 units per hectare. It is considered that given the location of the site in close proximity to a number of surrounding services, including within the defined 500 m walking distance to public transport links, existing local facilities and education and employment centres that the proposed density on site is appropriate in this instance.
- 6.159 The Sustainable Residential Guidelines also provide advice on the core principles of urban design when creating places of high quality. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and applied in various settings.
- 6.160 The proposed development also has regard to the advice *set down in the ‘In Practice’ section of the Urban Design Manual (2009)*, which recommends the following approach in progressing scheme up to full application stage:
- *Development Brief:* An analysis of the site has been carried out which includes reviewing the existing and emerging development to the south and east of the subject site within Northern Cross and an analysis of the surrounding land uses. The proposed development has been designed to ensure that the development responds effectively to the surrounding context, while achieving an appropriate density of development on the subject site.
 - *Site Analysis:* The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.
 - *Concept Proposals:* An Architectural Design Statement is included as part of this application, which outlines the design proposal. The Design Statement outlines the progression of the scheme design in terms of mass and density, boundary conditions and connections which is discussed in greater detail below.
 - *Pre-planning:* Pre-application discussions were held with Dublin City Council (the relevant Planning Authority) on the 18th of August 2021 and the 25th November 2021. Details of these consultations are outlined previously within in this Statement of Consistency.
- 6.161 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The section below demonstrates how the proposed development has due regard to the best practice in regard to urban design. The Design Statement, prepared by Plus Architecture and accompanying this applicaiton, should be read and consulted in conjunction with this Statement of Consistency, particularly the section regarding the Urban Design Manual below.

Urban Design Manual (2009)

- 6.162 The Urban Design Manual (the Manual) is a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The Manual sets out 12 criteria for sustainable residential development. The accompanying Architectural Design Statement prepared by Plus Architecture accompanies this submission, which provides an evaluation of the proposal against the Manual's 12 criteria for sustainable residential development. The table below, further summarises the compliance of the development with these criteria.

Table 6.1: Evaluation of the proposal against the 12 criteria for sustainable development contained within the Urban Design Manual

Design Criterion	Evaluation
<p>1. Context How does the development respond to its surroundings?</p>	<ul style="list-style-type: none"> The height, scale and massing of the proposed development has been informed by the surrounding context of the development site, in particular that of the adjacent mixed use and residential buildings within Northern Cross and the River Mayne riparian corridor. The proposed development is up to 9 storeys in height, which is broadly in line with the adjacent developments including that which is under construction. The height is felt to be acceptable in this immediate context, and its acceptability is supported by the accompanying documentation, including the accompanying daylight and sunlight analysis report. The proposed design remains sympathetic to the existing and permitted schemes adjacent and is designed in such a manner to compliment these schemes, with particular attention being paid to reduce possibilities of overbearance.. Please consult the accompanying Design Report prepared by Plus Architecture, which provides a Design Rationale and details of materiality and appearance.
<p>2. Connections How well connected is the new neighbourhood?</p>	<ul style="list-style-type: none"> The development site is situated within a c. 500m walk to existing high-quality and high-frequency bus services into and through Dublin City; these include 2 no. Dublin Bus routes with peak hour service intervals of 10 minutes or less, with a 24 hour operating schedule. All Dublin Bus services within a 5-minute walk of the development site run along the Malahide Road Quality Bus Corridor. Under the proposed Bus Connects scheme upgrades are envisaged in this area with a number of spinal routes to travel adjacent to the Northern Cross development. The site is also approximately 10 minutes' cycle distance from Clongriffin DART station. Howth Junction and Donaghmede DART station are also within short cycling distance of the site.

	<ul style="list-style-type: none"> The proposed development itself provides for a high level of permeability, with pedestrian access and pathways provided, in addition to providing a link in the proposed public open space area to the north with that of the proposed development to the north, creating a more inclusive and less restrictive public atmosphere. The design is such that the proposal is not intended to represent a standalone block separate from the rest of Northern Cross, but instead represents a permeable block which encourages regular pedestrian footfall and discourages hard boundaries.
<p>3. Inclusivity How easily can people use and access the development?</p>	<ul style="list-style-type: none"> The proposed development includes public realm improvements along the street edge connection with Mayne River Avenue while providing enhanced public open space and a high level of permeability, without having to overly rely on hard surface methods of separation. The enhanced public realm of the development provides for a further degree of inclusivity between the development to the north, rather than creating a situation where these schemes are wholly separate.
<p>4. Variety How does the development promote a good mix of activities?</p>	<ul style="list-style-type: none"> The site provides for 176 no. residential apartment units across a 9 storey over basement block, with non-retail, office space and residential amenities located at ground floor level. The proposed development promotes a mix of activities on site and the broad range of apartment types and sizes provided is intended to attract a variety of residents when operational. The use of offices and non-retail, café unit ensures a consistent level of activity and surveillance on site, providing a variety of visitors to the proposal and encouraging improved interactions with ones surroundings.
<p>5. Efficiency How does the development make appropriate use of resources, including land?</p>	<ul style="list-style-type: none"> The proposed development is located on an underutilised site in an existing urban area. The proposed density makes efficient use of these valuable zoned lands along a good quality Dublin bus route. The present use of the site as a single use, 3 storey standalone office unit with surface parking, represents an underutilisation, while the proposal allows for office use to be retained at this location while also providing a greater mix of uses and at greater densities.

	<ul style="list-style-type: none"> The layout and orientation of the scheme has been designed to have regard to aspect and views and ensure residential units and areas of open space achieve light throughout the day. The current use of the site, as office only, is being improved upon by the proposal, which provides a more efficient use of these lands to retain an elements of office use, however now incorporating a café aspect and residential units which improves the efficiency of such a well located and suitable site.
6. Distinctiveness How do the proposals create a sense of place?	<ul style="list-style-type: none"> The exterior treatments provide for a design that is individual within Northern Cross yet sympathetic of its context. The mixed use nature of the development and its corner location as a standalone block forms a distinctive piece of architecture which is deftly incorporates high quality open space.
7. Layout How does the proposal create people friendly streets and spaces?	<ul style="list-style-type: none"> The scheme has been designed to provide activity and passive surveillance to communal and public open spaces within the scheme, including well located and ample communal facilities for residents, with a layout that will foster ease of access between this scheme and the proposal to the north, while the café unit encourages active day time uses and socialising.
8. Public realm How safe, secure and enjoyable are the public areas?	<ul style="list-style-type: none"> The scheme has been designed to provide activity and passive surveillance of the public realm and to enhance it through the landscape proposals.
9. Adaptability How will the buildings cope with change?	<ul style="list-style-type: none"> The proposed buildings are of a high quality design and include generous apartment sizes and communal areas, with ample communal facilities provided. The separate access office area at ground floor, in addition to the proposed café unit, provides a broader, more diverse range of uses which ensures that there is ongoing activity on site. The building lifecycle report accompanying sets out how the development can be adapted to future uses.
10. Privacy and amenity How does the scheme provide a decent standard of amenity?	<ul style="list-style-type: none"> All units are provided with private balconies or terraces area. In addition, communal outdoor space is provided to the roof gardens, at points where the overall developments height is modulated to reduce any potential visual impacts. The scheme has been designed to include suitable setbacks to adjacent properties to minimise the extent of overlooking and loss of light, including that of the potential

	future scheme to the north. Amenity spaces are provided in line with the requirements of the apartment guidelines.
11. Parking How will the parking be secure and attractive?	<ul style="list-style-type: none"> The car and cycle parking is provided in a secure setting that is accessible to all residents from a dedicated entrance, with parking also for office users which is to be separately designated. Facilities for those visiting the development are provided within the public realm at surface level, with a loading bay and car sharing parking to be included fronting Mayne River Avenue. All other parking is provided at basement level to allow for increased densities and better efficiencies of land use. In total, 134 no. car spaces and 424 no. bicycle spaces (bicycle at both basement and surface level, including inner courtyard area) will be provided.
12. Detailed design How well thought through is the building and landscape design?	<ul style="list-style-type: none"> The building and landscape design has been carefully considered when developing the proposals. Please refer to the accompanying landscape and architectural documents for a comprehensive demonstration of the suitability of the proposed designs.

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

- 6.163 The '*Planning System and Flood Risk Management Guidelines*' (Flood Risk Guidelines) were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Flood Risk Guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.
- 6.164 In order to comply with these Flood Risk Guidelines a Site Specific Flood Risk Assessment has been prepared by DBFL Consulting Engineers, and accompanies this application. The Assessment shows that the proposed development is located within Flood Zone C, (where the probability of flooding from rivers and the sea is low (less than 0.1% Annual Exceedance Probability or 1 in 1000 for both river and coastal flooding). Flood Zone C covers all areas outside zones A and B.) and concludes in stating that '*In conclusion the proposed development is considered to have the required level of flood protection up to and including the 100 year return event*'.

Design Manual for Urban Roads and Streets (DMURS), 2013

- 6.165 The ‘*Design Manual for Urban Roads and Streets*’ (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The Traffic Impact Assessment (TIA) and DMURS Statement prepared by DBFL provides further detail in respect of the compliance of the proposed development with DMURS. The DMURS statement concludes in stating that *“It is DBFL’s opinion that the proposed residential development is consistent with both the principles and guidance outlined within the Design Manual for Urban Roads and streets (DMURS) (Version 1.1, 2019)”*.

Transport Strategy for the Greater Dublin Area, 2016 – 2035

- 6.166 The Transport Strategy for the Greater Dublin Area, 2016 – 2035 (Transport Strategy) has been prepared by the National Transport Authority. The Vision of this Strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 6.167 The Transport Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
 - Improve economic competitiveness
 - Improve the build environment
 - Respect and sustain the natural environment
 - Reduce personal stress
- 6.168 The Transport Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 6.169 The Transport Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government’s Transport 21 investment framework are included in all of the strategy options.
- 6.170 The proposed residential development is located adjacent to existing good quality public transport, with future improvements through Bus Connects proposed, is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

Draft Transport Strategy for the Greater Dublin Area 2022 - 2042

- 6.171 The Draft Transport Strategy for the Greater Dublin Area 2022-2042 was published in 2021. It is proposed that this Strategy will replace the existing Transport Strategy for the Greater Dublin Area 2016-2035.
- 6.172 The overall aim of the draft Transport Strategy is *“To provide a sustainable, accessible and effective transport system for the Greater Dublin Area which meets the region’s climate change requirements, serves the needs of urban and rural communities, and supports economic growth.”*
- 6.173 The draft Transport Strategy includes measures that are considered to be essential in meeting the high level objectives of fostering sustainable development and fully

integrating land use planning and transport planning. These measures include the consolidation of development to ensure more people live close to services and public transport and the prioritisation of walking, cycling and public transport in urban street networks.

- 6.174 Of relevance to the proposed scheme is that the draft Transport Strategy verifies that the BusConnects schemes from the previous Transport Strategy are already in development and will be carried forward into the new Transport Strategy. In this regard, the draft Transport Strategy states that the first tranche of planning applications for the BusConnects Dublin Core Bus Corridors are being brought forward, and implementation of the BusConnects Dublin new services network has commenced and will continue throughout 2022, 2023 and into 2024.

Guidelines for Planning Authorities on Childcare Facilities, 2001

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

- 6.176 The following definition of childcare is included in the Childcare Guidelines:

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

- 6.177 The recommendations of the Childcare Guidelines must also be considered in the context of the Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities, 2020 which state that:

“Notwithstanding the Department’s Planning Guidelines for Childcare Facilities, which are currently subject to review and recommend the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision in apartment scheme should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile for the area”.

- 6.178 The Apartment Guidelines 2020 also state that *“One bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.*

- 6.179 Thus, the 72 no. 1 bed apartments can be discounted from the childcare requirements of the scheme under the provisions of the Apartment Guidelines 2020. Based on the Apartment Guidelines, a conservative estimate of 30% of the remaining units are not considered to contribute to a requirement for childcare provision. The childcare requirement for the remaining 73 no. 2 and 3 bed would be

c. 27.7 no. childcare spaces (104 units / 75 x 20 = 27.7) under the Guidelines. It is respectfully submitted that a childcare facility catering for 27.7 no. children would not be commercially viable and this potential additional requirement arising from the proposed development can be accommodated in the surrounding area.

- 6.180 Given the ample provision of existing childcare facilities within the surrounding area, the proposed development does not include for a childcare facility. A detailed audit of childcare provision in the wider area has been prepared and is included in the Social and Community Infrastructure Audit which accompanies this application, which provides full justification for the decision to not include a childcare facility, including an assessment of the nearby existing capacity and educational facilities in relation to the existing demographics of the area.

7.0 CONSISTENCY WITH LOCAL PLANNING POLICY

- 7.1 The key provisions of local planning policy relating to the proposed development are set out in the following sections. Reference is made to the following documents:

- The Dublin City Development Plan 2016-2022
- The Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (extended to 2022 in November 2017)
- South Fingal Transport Study 2019
- Draft Belmayne & Belcamp Lane Masterplan, July 2020

- 7.2 An evaluation of the proposed development in terms of the relevant policies, objectives and standards is included below, noting that Section 5 above in describing the scheme has also referred to relevant standards and requirements of the local planning policy framework where relevant. The accompanying Northern Cross Masterplan Report and relevant masterplan drawings provide further information on how the subject development sits in the wider existing and planned context, with reference to strategic roads and open space objectives.

- 7.3 We note that the quantitative apartment standards in the Development Plan / LAP are superseded by the Apartment Guidelines 2020, as '*Specific Planning Policy Requirements*' set out in Section 28 Guidelines supersede the relevant sections of the Development Plan. In this respect, please refer to Section 6 above and the HQA for compliance with the Apartment Guidelines 2020. As noted in Section 5 and 6 above, the Development Plan and LAP support the proposed heights with minimum heights of 5 storeys supported in the KDC and up to 50 metres in the SDRA, with the proposed development consisting of 9 storeys over basement, for a total height of 33.975 metres. However, as noted, a standalone material contravention statement has been prepared and accompanies this application. The potential contravention relates to the indicative heights shown within the LAP, which indicate indicative heights on the subject site of up to three storeys. Whilst we understand that this relates to the existing height of the office block that the time the LAP was prepared, the accompanying material contravention statement has been prepared nonetheless in order to further support and solidify the acceptability of the proposed heights on site.

Dublin City Development Plan 2016-2022

Core Strategy

- 7.4 Part of the vision and core strategy of the Plan is to deliver over 29,500 new residential units in the period 2016 - 2022. This is to be achieved '*in a variety of ways, including infill and brownfield development, regeneration and renewal of the*

inner city; redevelopment of strategic regeneration areas; and the encouragement of development at higher densities, especially in public transport catchments' (Section 2.2.1 of the Plan).

- 7.5 The proposal complies with the above strategic objective for the city given the site's location within a KDC, SDRA and adjacent to a good quality Public Transport Corridor which is destined for upgrades as part of Bus Connects, and consists of the redevelopment of a site with an existing structure to provide for greater densities and mix of uses.

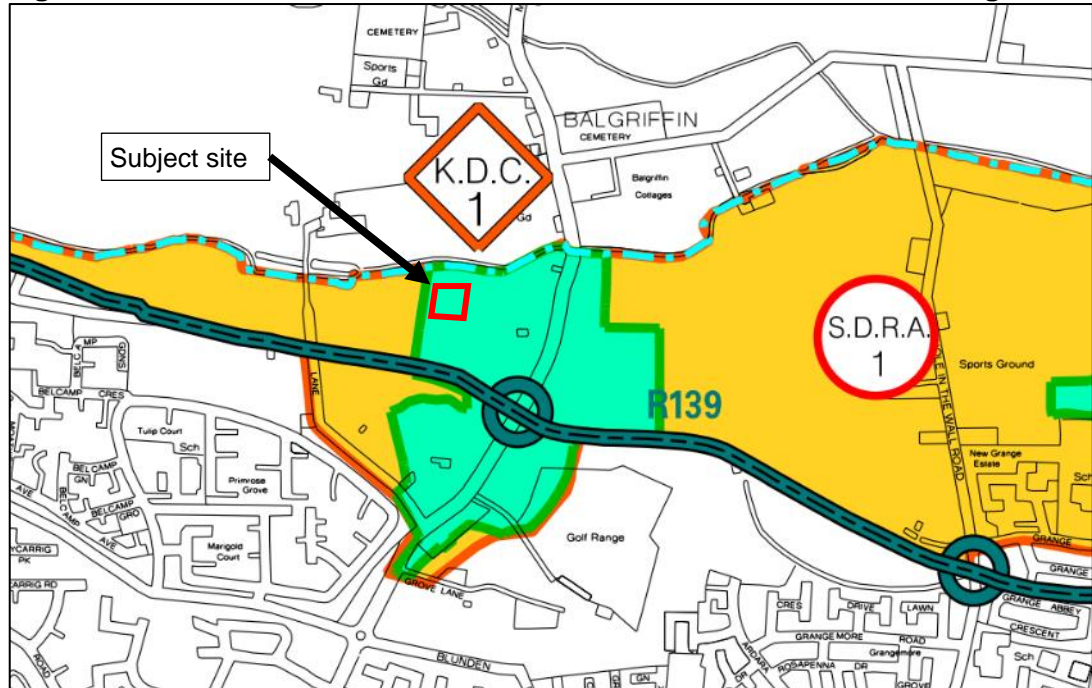
Land Use Zoning and Designations

- 7.6 The site is zoned Objective Z14 with a stated objective to *"seek the social, economic and physical development and/or rejuvenation of an area with a mixed use of which residential and "Z6" would be the predominant uses."* Residential use, office use and restaurant/shop use are all permissible under the Z14 zoning objective. Each of these aspects of the development will further contribute to the mixed use, dense nature of Northern Cross and the greater SDRA as a whole.
- 7.7 The site is within North Fringe West KDC 1 and within North Fringe SDRA 1. It is respectfully submitted that a mixed use development is appropriate for the subject site.

North Fringe Strategic Development and Regeneration Area

- 7.8 The site forms part of the North Fringe Strategic Development and Regeneration Area (SDRA 1). The North Fringe SDRA was first designated in 2000 and significant development has since taken place, including over 3,400 new homes and 41,000 sq. m. of commercial floorspace, with an estimated capacity of 7,100 residential units. This is in addition to water and drainage infrastructure, a new DART station and public square, sections of a new main street thoroughfare and a large public park with sports facilities (Father Collins Park).
- 7.9 Chapter 15 of the City Development Plan sets out guiding principles for development in SDRAs, summarised below:
- To create a highly sustainable, mixed use urban district, based around high quality public transport nodes, with a strong sense of place.
 - To achieve a sufficient density of development to sustain efficient public transport networks and a viable mix of uses and community facilities.
 - To establish a coherent urban structure, based on urban design principles, as a focus for a new community and its integration with the established community.
- 7.10 The SDRA contains two designated 'key district centres' (KDCs) (planned mixed use / town centre areas). As shown in Figure 7.1, the subject site is situated within KDC 1, where minimum building heights of 5 storeys are advocated.

Figure 7.1: Site location in relation to the KDC and SDRA of North Fringe



Source: City Development Plan Map K

Development Management – Residential

- 7.11 As set out in Section 6 above, the scheme has been designed to meet the requirements of the Apartment Guidelines 2020, which supersede the relevant criteria in the Development Plan. Other relevant Development Management Criteria from the Development Plan and LAP are referenced below, which should be read in conjunction with Section 5 and 6 above.
- 7.12 Section 16.7.2 of the Development Plan states the following:

*“Planning applications will be assessed against the building heights and development principles established in a relevant LAP/SDZ/SDRA. **Proposals for high buildings should be in accordance with the provisions of the relevant LAP/SDZ/SDRA in addition to the assessment criteria for high buildings and development plan standards.** Chapter 15 provides guiding principles for the design of potential high buildings in SDRAs, where appropriate. All areas outlined in the table below are considered to be in the low-rise category unless the provisions of a LAP/SDZ/SDRA indicate otherwise” (emphasis added)*

Heights

(See Material Contravention Statement)

- 7.13 Under Section 16.7.2 of the Development Plan, in general, 28 m equates to 9 storeys residential or 7 storeys office, 16 m equates to 5 storeys residential or 4 commercial generally, and 50 m is the equivalent to 16 storeys residential or 12 storeys commercial. Areas defined as 'Low-Rise' can achieve building heights of up to 16m (5 storey residential) in the outer city and up to 24m (8 storey residential) in the inner city. In 'Mid-Rise' areas, building heights of up to 50m (16 storeys residential) are permissible. In areas designated for 'Taller Development', building heights can exceed 50m.

- 7.14 The subject site is located within the North Fringe which is designated as being a mid-rise area under section 16.7.2 of the Dublin City Development Plan 2016-2022 where building heights of up to 50m or 16 storeys residential can be achieved. See Figure 7.2 below.

Figure 7.2: Building Height in Dublin

Category	Area	Height (m)	Category	Area	Height (m)
Low-rise (relates to the prevailing local height and context)	Inner City	Up to 28 (commercial) Up to 24m (residential)	Mid-rise	Digital Hub	Up to 50 m
				St Teresa's Gardens	
				North Fringe	
	Rail hubs (See 3)	Up to 24m (commercial and residential)		Clonsaugh Industrial Estate	
				Ballymun	
				Pelletstown	
				Park West/Cherry Orchard	
	Outer City	Up to 16 m (commercial and residential)		Naas Road	
				Oscar Traynor Road	
				National Concert Hall Quarter	
			High-rise	Docklands Cluster	50m +
				Connolly	
				Heuston	
				George's Quay	

Source: Dublin City Development Plan 2016-2022, Section 16.7.2

- 7.15 However, as set out above, under Section 16.7.2 of the Development Plan development proposals for high buildings should be in accordance with the provisions of the relevant LAP/SDZ/SDRA, therefore Section 7.9 / Objective UD07 of the LAP is applicable.
- 7.16 In summary, the LAP provides for a minimum building height of 5 storeys in the Key District Centres and one location for a landmark 10-14 storey (office height) building adjacent to Clongriffin Rail Station. The proposal does not constitute a landmark. The heights of the proposed building match that of the surrounding context, particularly the permitted development to the immediate east. For the full text of Section 7.9 / Objective UD07 of the LAP, please refer to the “*Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (as extended to 2022)*” section of this report below.
- 7.17 The subject development, at a maximum height of 33.975 metres, is considerably less than the 50 metres maximum height provided for at the subject location under section 16.7.2 of the operative Dublin City Development Plan. In addition, it is consistent with Site 2, the subject site that directly bounds the development to the east (currently under construction), and so visual harmony and a consistent streetscape will be maintained. The proposed height also provides alignment with the proposed residential development immediately to the north, lessening the potential of either proposal for visual incongruity or overbearance.
- 7.18 In addition to the above, and in the interests of robustness we also refer the Planning Authority and the Board to the Urban Development and Building Height Guidelines 2020, which were prepared since the publication of the Development Plan and LAP. The Height Guidelines have been prepared in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040. Under Section

28 (1C) of the Planning and Development Act 2000 (as amended), Planning Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.

- 7.19 The Guidelines place significant emphasis on promoting increased heights and densities within the existing urban footprint utilising the existing sustainable mobility corridors and networks. Section 6 of this report includes an assessment of the proposal against the Development Management criteria listed under SPPR3 of the Guidelines. The proposed development provides for increased heights in the form of a mixed use development at a currently underutilised, single use site centrally located within Northern Cross and immediately proximate to both a public transport corridor and a wealth of employment opportunities. It is considered, as further justified within sections 6 and 7 of this report, that the proposed heights are acceptable, conforming with the minimum and maximum heights permitted under the current 2016-2022 development plan.
- 7.20 We note that figure 8.13 of the LAP, titled 'Indicative Heights', includes the existing structure on site with indicative heights of 2-3 storeys. While the proposal involves the demolition of this structure, the indicative height of 2-3 storeys remains shown in this figure. While this is the only instance within the relevant plans and guidance where the proposed height of the structure exceeds permitted levels (we note that, as demonstrated within this report, the proposal abides by the requirements of the Building Height Guidelines and both the 2016-2022 and 2022-2028 Draft Dublin City Development Plan), it has been elected, for reasons of robustness, to prepare a Material Contravention Statement in relation to the proposed heights due to this specific illustration. In the event that the Board considers that the proposed development constitutes a material contravention of Section 16.7.2 of the Development Plan and Section 7.9 / Objective UD07 of the LAP by virtue of the proposed building height, a justification for the material contravention of the Development Plan and LAP is included in the Material Contravention Statement which accompanies this application.

Storage

- 7.21 Section 16.10.1 of the Development Plan provides minimum storage requirements for apartments. All apartments shall be provided with designated internal storage space for the storage of everyday household items, separate from the areas allocated for kitchen presses, bedroom furniture or areas containing the cold and hot water tanks. No individual storage room within the apartment should be bigger than 3.5 sq.m. Storage area requirements are as follows:

Table 7.1: Development Plan minimum storage areas required

Apartment Type	Storage Requirements
1 bedroom (2 persons)	3 sq.m
2 bedroom (4 persons)	6 sq.m
3 bedroom (5 persons)	9 sq.m

- 7.22 As shown within the accompanying floor plans and HQA prepared by Plus Architecture, the proposed development complies with these standards for minimum storage areas, with a number of units providing storage well in excess of these minimum requirements.

Plot Ratio and Site Coverage

(See Material Contravention Statement)

- 7.23 The indicative plot ratio is 1.0-3.0 and the indicative site coverage is 50% for Z14 zoned lands. The plot ratio for the development is 2.64 and within the range for the site. The site coverage is 58% which is marginally above the indicative ratio of 50%. The slight increase in site coverage is respectfully submitted as being acceptable given the sites location and the ample amount of communal open space being provided for residents. The level of public open space will also further complement the existing provision of Northern Cross, particularly the internal public park which forms the centre point of the Northern Cross area.
- 7.24 We note that under Section 16.6 of the Development Plan, it states that higher rates of site coverage can be permitted in certain circumstances, such as the following:
- Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed
 - To facilitate comprehensive redevelopment in areas in need of urban renewal
 - To maintain existing streetscape profiles
 - Where a site already has the benefit of a higher site coverage
- 7.25 With regard to the above, criteria, it is respectfully submitted that the proposed site coverage of the development is acceptable, although above the 50% level indicated in respect of the site zoning. Within both the subject development and Northern Cross as a whole, there is a good mix of office, residential and commercial uses which define the area, and the proposed layout of the block provides a stronger frontage than the existing building does, providing improved framing of Mayne River Avenue. The site is located adjacent to high quality public transport also and will facilitate comprehensive redevelopment of the area which is designated as a SDRA. It is submitted that these aspects of the proposal further the schemes acceptability in regard to the proposed site coverage. Please refer to the accompanying material contravention statement for further details in this regard.
- 7.26 It is considered that the proposed development is a marginal increase of this indicative level and therefore, may not be considered a material contravention of the development plan. It is considered that the site coverage can be justified has regard to the National Planning Framework, 2018, which requires compact growth, better use of underutilised land and to regenerate urban areas:
- ‘A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built up areas of cities, towns and villages on infill and/or brownfield sites’.*
- 7.27 A core objective of the NPF is achieving compact growth and the Framework targets a *‘significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas’.*
- 7.28 The NPF seeks to achieve *“better use of under-utilised land and buildings, including ‘infill’, ‘brownfield’ and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport”.* National Policy Objective 3a targets the delivery of at 40% of future housing development to be within the footprint of built-up footprint of existing settlements.

- 7.29 National Policy Objective 4 aims to *'ensure the creation of attractive, liveable, well designed, high urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'*.
- 7.30 National Policy Objective 6 seeks to *'Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area'*.
- 7.31 National Policy Objective 11 states that *'In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth'*.
- 7.32 We also note that the Apartment Guidelines recommend a move away from prescriptive limits and advocate for a more flexible approach, in stating that *"While it would not be appropriate for these Guidelines to indicate performance criteria for building height or building separation distance relative to location, it is recognised that there is a need for greater flexibility in order to achieve significantly increased apartment development in Ireland's cities. This will be subject to separate guidance to planning authorities with regard to the different types of location set out above and in the context of an approved National Planning Framework"*. We also refer to Section 2.23 of these Guidelines, which states that *"The National Planning Framework signals a move away from rigidly applied, blanket planning standards in relation to building design, in favour of performance based standards to ensure well-designed high quality outcomes."*

Overlooking / Separation

- 7.33 Section 16.10.2 of the plan refers to houses and states that at the rear of dwellings there should be adequate separation between opposing first floor windows. Traditionally, a separation of about 22m was sought between the rear of 2-storey dwellings. There is no target for apartment schemes. However, it is acknowledged that development should be designed in such a way as to preserve the amenities and privacy of adjacent occupiers.
- 7.34 The proposed scheme has been designed to have regard to the residential amenity of adjacent uses, whilst providing a high-density redevelopment on the subject site, and the design rationale for the proposed layout and relationship to adjoining uses is outlined further within the accompanying Architectural Design Statement. There are no residential units at ground floor level.
- 7.35 The location of the proposed development and its layout has been carefully designed to minimise any potential overlooking of adjacent developments while maintaining appropriate separation distances insofar as is practical. Acknowledging the permitted development to the east, and the proposed development to the north. The distances provided between the block and the aforementioned neighbouring developments is considered appropriate.
- 7.36 It is noted that the Sustainable Residential Guidelines states the following in Section 6.10:
- 'The emphasis in designing and considering new proposals should be on achieving good quality development that reinforces the existing urban form, makes effective use of premium centrally located land and contributes to a sense of place by*

strengthening for example the street pattern or creating new streets. While a 22 metre separation distance between opposing above ground floor windows is normally recommended for privacy reasons, this may be impractical and incompatible with infill development. In these cases, innovation and flexibility will be essential in the interpretation of standards so that they do not become inflexible obstacles to the achievement of an attractive village and small town character in new development’.

- 7.37 Thus, while the recommended separation distance of 22 metres between directly opposing windows is not achieved in every instance, this is considered acceptable given the urban context of the proposed infill development, the general compliance of the scheme in this regard (with any deviations minor in nature and generally close to the 22 metre distance) and minimum impact on this adjacent use, as further supported by the accompanying Daylight & Sunlight Assessment. The separation distances between opposing windows of residential units within the central courtyard area is 34.1 metres. The subject site constitutes infill development, and as noted, the recommended separation distances may be impractical, and that these standards should not be deemed as inflexible. The proposal constitutes an intelligent design which maximises residential amenity, with amenity maintained as per the daylight and sunlight assessment, which accompanies this application.
- 7.38 We also note the opinion received from Dublin City Council following the pre-application consultation meeting, at which stage separation distances were below the 22 metres standard, and were the same distances as are currently proposed. The opinion stated the following, which confirms that the proposed distances are in principle acceptable to the Planning Authority:
- “Rosemount would be a stated 9.193m from the northern boundary and between c.18.5m and c.21.5m from the indicative southern elevation of Block 10A while being between 18m and 22m from the indicative southern elevation of Block 10B. While such distances might seem narrow for a suburban development site the context is an urban dense streetscape with the separation distances being similar to distances between street facing blocks such as on Mayne River Street. Given the area between the two proposed blocks is to be largely public open space and a route through to the river valley area the separation distances are not unreasonable.”*
- 7.39 Objective 13 of the National Planning Framework states that:
- “In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria enabling alternative solutions that seek to achieve well-designed high quality and safe outcomes in order to achieved targeted growth and that protect the environment”.*
- 7.40 The Development Plan highlights the importance of finding a balance and protecting residential amenity. The proposed development finds, through the creation of a development at a scale and density that does not impact the surrounding residential areas where also providing an appropriate layout and urban form on the site.
- 7.41 The National Planning Framework signals a move away from rigidly applied, blanket planning standards in relation to building design, in favour of performance-based standards to ensure well-designed high-quality outcomes. In particular, general blanket restrictions on building height or building separation distance that may be specified in development plans, should be replaced by performance criteria, appropriate to location
- 7.42 Providing the Development Plan separation distances at every location would entail a significant reduction in the developability of the site and would weaken the urban

form with a layout that does not respond to the surrounding context, while also reducing its density. Consequently, this would fall below the acceptable density range as required by the 2009 Guidelines.

Public Open Space

- 7.43 Section 16.10.3 sets a standard that 10% of the site area of residential schemes should be provided as open space. As set out in Section 5 above the public open space for the scheme is provided in the form of open space and public realm improvements, which result in the provision of public open space in excess of 10%. The total provision of 1,577 sq.m, or 24%, is considered to represent a generous application of high quality public open space with regard to the site layout and the existing sites provision, while the location and design of the public open space, mainly centred around a square to the southeast of the block, has been carefully considered to ensure its potential for use by the public is maximised.

Private Open Space

- 7.44 Private Open Space is provided in the form of balconies and terraces for all proposed residential units. The minimum standards adhere to those required per the Apartment Guidelines, as reproduced in the table below:

Unit Type	Min Size
Studio	4 sq.m
1-bedroom unit	5 sq.m
2-bedroom unit	7 sq.m
3-bedroom units	9 sq.m

- 7.45 As demonstrated within the accompanying HQA document, all private amenity space meets or exceeds these minimum standards, with sufficient levels of screening and sheltering provided to maintain both privacy and comfort for occupants.

Communal Open Space

- 7.46 The Development plan outlines the minimum standards required for communal amenity space, as reproduced in the table below (size is provision that must be provide per unit):

Unit Type	Min Size
Studio	4 sq.m
1-bedroom unit	5 sq.m
2-bedroom unit	7 sq.m
3-bedroom units	9 sq.m

- 7.47 There is a total requirement for 1,182 sq.m based on the requirements of the table below from Appendix 1 and the provision of 176 no. units on site (72 no. 1 beds @ 5 sq.m = 360 sq.m, 57 no. 2 bed / 4 person @ 7 sq.m = 399 sq.m, 47 no. 3 bed units @ 9 sq.m = 423 sq.m). Thus, the proposals exceed the minimum standards by providing 1,846 sq.m of communal open space, and as such are consistent with the necessary requirements. The communal open space is provided at courtyard level (ground and first floor) and rooftop level (seventh and fourth floor). Please refer to the accompanying landscape drawings and report for further details of communal open space provision.
- 7.48 The Development Plan further states that new development will need to “consider the needs of children in particular in terms of safety and supervision. In schemes of

25 or more units small play spaces of 85-100 sq.m are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/ guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should be provided." The proposed development includes more than 100 units with two or more bedrooms. The proposed development, at fourth floor level, includes a children's play area which is spread within the secure 444 sq.m communal open space area. Play equipment within this area is well located so as to maintain a distance between boundary walls, which have increased heights to maintain safety, with sufficient buffers from the residential units to maintain residential amenity. Please refer to the accompanying landscape drawings prepared by Plus Architecture, which demonstrates full conformity with the above

Parking

- 7.49 The proposed development includes provision of 134 no. car parking spaces, with 7 no. further motorcycle parking spaces, at basement level. The split between residential and commercial/office use is 127 spaces for residential use, with 7 spaces for commercial/office use. This equates to c. 0.72 spaces per residential unit within the scheme.
- 7.50 The DCC Development Plan (Table 16.1) includes a maximum car parking requirement in this area of the City as 1.5 no. spaces per dwelling. However, the Apartment Guidelines 2020 allow for a reduction in the provision of parking for 'accessible' and 'intermediate' urban locations. The development plan sets requirements for 1 space per 150 sq.m of seating area for cafes, and 1 per 100 sq.m of office space.
- 7.51 The DBFL Traffic and Transport Assessment provides a detailed justification for the quantum of car parking proposed based on the 'Accessible' location of the site and the requirements of the Apartment Guidelines 2020, justified by the proximity of the proposed residential development to high quality public transport (high frequency urban bus services). They also provide detailed information on the management and mobility measures that will be imposed by the management company to ensure the parking provision is sufficient.
-
- 7.52 As noted in Table 16.1 of the Dublin City Development Plan 2016-2022, the maximum parking standards are 1.5 no. space per unit, and 1 per 100 sq.m GFA of office use. As noted, these levels represent a maximum and so the proposal is acceptable in this regard, further promoting sustainable methods of transport.
- 7.53 The DCC Development Plan requires 183 no. bicycle spaces are provided while the Apartment Guidelines require 415 no. spaces. It is respectfully submitted that the provision is acceptable when held in regard to both contrasting requirements. Further justification is included within Section 4.2 of the TTA document accompanying.

Floor Areas

- 7.54 As noted, the above figures provided within the plan are equal to those of the Apartment Guidelines. Section 16.10.1 of the Development Plan sets out the Residential Quality Standards for apartments and includes minimum floor areas for individual apartment units. The minimum overall apartment floor areas permissible under the Development Plan are stated as being as per the Apartment Guidelines, as follows:

Table 7.1: Apartment Guidelines 2020 Minimum Floor Areas

Apartment Type	Floor Area Requirement	Min. Size Proposed
1 bedroom (2 persons)	45 sq.m.	49.5 sq.m
2 bedroom (4 persons)	73 sq.m.	75 sq.m
3 bedroom (5 persons)	90 sq.m	94.5 sq.m

- 7.55 122 no. units or 69% of all units exceed the minimum floor area by at least 10% required under the Apartment Guidelines 2020 and therefore a high quality of residential development is proposed.
- 7.56 Please refer to the HQA and drawings prepared by Plus Architecture accompanying this application which provides further detail in relation to the proposed floor areas and demonstrates that the proposed development complies and exceeds the standards outlined in the Apartments Guidelines.
- 7.57 With all units in excess of the minimum requirements outlined above, the proposed floor areas are in accordance with the standards set out in the Development Plan.

Unit Mix

(See Material Contravention Statement)

- 7.58 Section 16.10.1 of the Development Plan states that where apartment developments comprise 15 units or more the residential unit mix shall contain:
- A maximum of 25-30% one-bedroom units,
 - A minimum of 15% three- or more bedroom units.
- 7.59 Under this SHD application, the proposed unit mix is as follows:
- 72 no. 1 bed units (41%)
 - 57 no. 2 bed units (32%)
 - 47 no. 3 bed units (27%)
- 7.60 It is recognised that the proposed mix would not be fully consistent with the Development Plan requirements as the number of one bed units exceeds 30%. In respect of the 2 and 3 bed units, the proposed development is fully compliant in this regard. There are no studio units, or 2 bed, 3 person units, proposed within the scheme.
- 7.61 However, notwithstanding this, the proposed mix is consistent and considered to be justified in the context of the Apartment Guidelines 2020. Specific Planning Policy Requirement 1 (SPPR1) of the Apartment Guidelines which states:
- “Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).”*
- 7.62 The proposed unit mix is consistent with the guidance set down in SPPR1 of the Apartment Guidelines 2020, as the percentage of 1 bed units does not exceed 50%, with 41% to be provided. There is no requirement for 3 bed units under SPPR1, however these have been provided so as to achieve the minimum requirements set

out by the Development Plan. Having regard to the above, it is considered that where the proposed unit mix would not be consistent with the unit mix set out in the Development Plan, the mix is justified under SPPR1 of the Apartment Guidelines (which were issued under Section 28 of the 2000 Act).

- 7.63 In the event that the Board considers that the proposed development constitutes a material contravention of Section 16.10.1 of the Development Plan by virtue of the proposed unit mix, a justification for the material contravention of the Development Plan is included in the Material Contravention Statement which accompanies this application.

Aspect, Natural Lighting, Ventilation and Sunlight Penetration

- 7.64 Per the requirements of the Development Plan, the proposed development adheres with the standards of the apartment guidelines with regard to dual aspect units, with 43% of units offering dual aspect. As justified previously in this report under the assessment of the Apartment Guidelines, this is in excess of the 33% requirement for the site (serving as a reduction of the 50% standard, due to the requirement to provide for a strong street frontage and the limitation in design space due to the permitted and proposed adjacent blocks).
- 7.65 Page 324 of the Development Plan further states that “It is a specific planning policy requirement in the Department of Environment, Community and Local Government (DECLG) 2015 Guidelines that a minimum floor to ceiling height of 2.7 m shall be required for ground floor level units and 2.4 m for all other levels, measured from finished floor level to finished ceiling height.” In this regard, we refer to the accompanying section drawings and the Architectural Design Statement, prepared by Plus Architecture,

Block configuration / Lift and Stair Cores

- 7.66 Section 16.10.1 of the Development Plan states that there shall be a maximum of 8 units per core per floor.
- 7.67 The proposed development includes 4 no. stair and lift cores. These cores span the entirety of the development, from basement level through to the 7th floor.
- 7.68 The proposed number of apartment units per floor per core within the scheme is 8, which meets the criteria set out in the Development Plan.

Entrance Lobbies, Circulation and Safety / Privacy

- 7.69 Section 16.10.1 of the Development Plan provides guidance on visibility into apartments from public areas. Where ground floor apartments are to be located adjoining the back of a public footpath or other public area, the Development Plan states that “*consideration may be given to the provision of a ‘privacy strip’ of approximately 1.5 m in depth, subject to appropriate landscape design and boundary treatment.*”³
- 7.70 The proposed scheme provides for a clear separation between the windows of the ground floor and the public/communal access areas to ensure adequate residential amenity residents of the ground floor apartments. Low level privacy planting is included to ensure that appropriate distances are maintained from pathways and entrances, specifically at entrances and windows, allowing privacy and amenity value to be maintained for units which front the internal courtyards and communal

³ Dublin City Development Plan 2016–2022, pg. 325

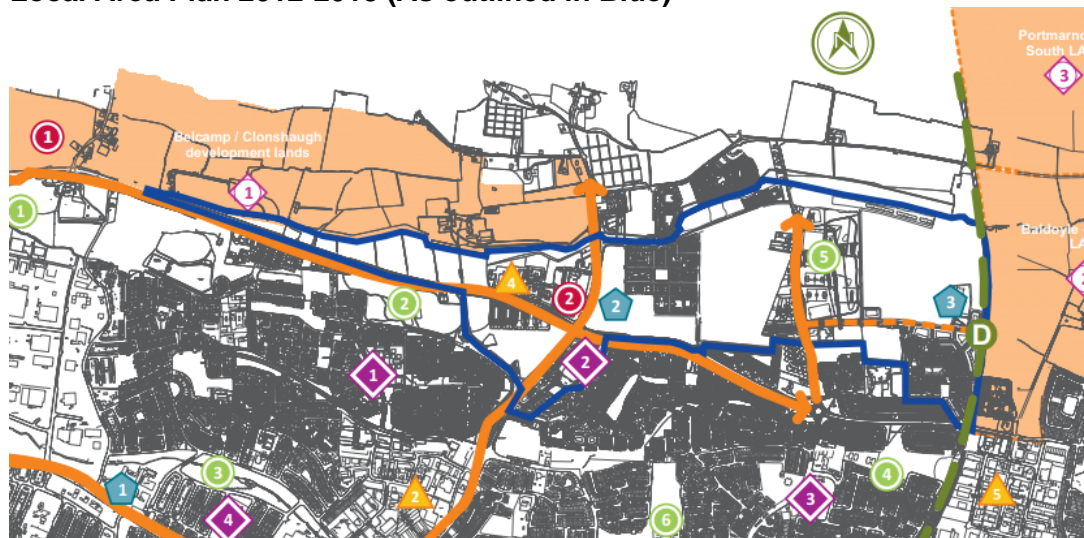
areas. Please refer to the enclosed architectural drawings prepared by Plus Architecture, which provide further detail in this regard, and including sections at ground floor level.

- 7.71 To ensure privacy, balconies facing the internal courtyard are recessed where possible, while apartment layouts minimise exposure of bedrooms to the cores.

Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (as extended to 2022)

- 7.72 The North Fringe SDR is covered by the Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 ('the LAP'). The Planning Authority formally extend the life of the LAP to December 2022. The relevant area subject to the LAP, as illustrated below, includes the subject site.

Figure 7.2: Strategic Context of the Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (As outlined in Blue)



Source: Clongriffin-Belmayne (North Fringe) Local Area Plan, Fig. 2.2

- 7.73 The consistency of the proposed development with the relevant policies and objectives of the LAP is discussed in detail below.

Building Height

- 7.74 The subject site is within the LAP area and subject to LAP height policies (the LAP takes precedence over the City Development Plan in this respect (City Development Plan Page 319 refers)). Permissible heights under the LAP are generally set at 4 storeys, with this increasing to minimum heights of 5 storeys for KDC's. The LAP states the following at Section 7.8:

*"In recognition of this character, the LAP identifies three areas for potential future height, which are the Key District Centre's at Clongriffin rail station and **the R139/Malahide Road Junction** and the axis of the Main Street Boulevard connecting the two. (Emphasis added)*

- 7.75 These locations have been identified based on the understanding of the existing urban structure of North Fringe and the vision to create a compact and sustainable urban neighbourhood.

- 7.76 The LAP recommends that in general, *“minimum heights for new developments in the designated Key District Centres of five storeys, and four to five storeys along the Main Street Boulevard are achieved.”*
- 7.77 As the subject site is within the Key District Centre identified at the junction of the R139 / Malahide Road, minimum heights of five storeys apply. The proposed development of a 9 storey over basement block exceeds the minimum recommended heights and ensures the creation of a more compact and sustainable neighbourhood through its associated residential density, in accordance with the objectives of the LAP and client led masterplan for Northern Cross which informed the development of this area of the City. The heights have generally been shown to be acceptable, with the last 2 no. large scale permissions granted in Northern Cross being for developments of 9 storeys (ABP-307887-20) and 12 storeys (DCC Reg. Ref.: 3506/20) respectively, while the scheme proposed immediately to the north intends to achieve heights of up to 11 storeys. It is further noted that these heights represent a potential material contravention, and are justified as such within the accompanying Material Contravention Statement.

Density

- 7.78 The subject site is located within c. 500 metres of key bus stops, along the quality bus corridor in operation along the Malahide Road. The LAP states that for sites that are located within this distance higher densities are supported. The LAP recommends a density of in excess of 50 units per hectare. The proposal would result in a density of 272 units per hectare, but this must be considered in the context of the overall Northern Cross development area, which it is submitted the proposal sits comfortably within, particularly so should one consider the development proposed to the northern boundary of the site. The density is also considered appropriate in the context of the subject site's proximity to public transport, location within a KDC and central location to a range of employment and commercial activities.
- 7.79 The LAP further states that *‘All proposals for higher densities must demonstrate how the proposal contributes to place making and the identity of the area’*. As discussed within this report and the accompanying landscape and architecture documentation, the proposal will positively contribute to the Northern Cross, through a scheme with a high level of architectural merit that is both immediately recognisable for its own design and layout yet will not be visually incongruous with the existing and permitted development in Northern Cross.

Streetscape

- 7.80 The LAP aims for new buildings to address the street appropriately at ground floor level. The proposed development through the use of hard and soft landscaping at street level provides for an enhancement of the surrounding streetscape and responds appropriately to the existing site context. The connection to Mayne River Avenue to the west will provide vehicular and cycle access to the proposed development, while to the south access for residents and a loading bay provide further access points. The building design and general site layout provides for a strong frontage to the access road and open space, which will ensure active and passive surveillance of the adjacent public realm in accordance with best practice, with links proposed that will provide permeability with the future development to the north.
- 7.81 The office unit at ground floor level serves to provide a degree of daytime supervision, and its locations closer to the existing roadway than what is presently in place on site serves to further frame the existing road while providing an increased

sense of liveliness. The café unit, along the southern elevation, further activates this frontage.

- 7.82 The rear of the building (along its northern façade) includes for high levels of glazing with visibility from both the office area, as well as residential units on subsequent floors and those of the south facing units in the proposed scheme to the north. Access to the residential portion of the development as well as the central bicycle parking area is from the north of the block, further ensuring this frontage remains active. The provision of vehicular access at the rear, along the same route that traffic will flow for the development to the north, maintains the flow of traffic and lessens the impact of vehicles on the most active frontage.

Mix of Uses

- 7.83 Mixed-use development is an important overarching principle for development within SDRA's. The proposed development is located within the mixed use Northern Cross area. The proposal further bolsters the mixed-use nature of the area through providing, at ground floor level, own door office access and an additional non-retail unit which is envisaged to be utilised as a café, with residential uses solely on the floors above. The café fronts onto the public open space, ensuring that usage of this area is maintained through active footfall.

Road Objectives

- 7.84 The Clongriffin-Belmayne Local Area Plan 2012 contained provision for a by-pass road of the R107 / Malahide Road junction to ease the traffic congestion levels experienced in the area. The indicative route of the bypass was north of the subject site following a similar line to the River Mayne before turning south and joining the R139 past Bewley's office, and then re-joining the Malahide Road nearby the vehicular entrance to Clarehall Shopping Centre. This road's objective is also indicated in the City Development Plan (see Section 7 and Northern Cross Masterplan report for relevant land use zoning map extracts).
- 7.85 However, the South Fingal Transport Study, published in January 2019 no longer includes the previously proposed Malahide Road bypass road's objective to the immediate north of Northern Cross, through the River Mayne Riparian Corridor, but rather proposes a new road alignment further north and west. We understand that these new road objectives for the area supersede the proposals in the current Development Plan and LAP zoning / objective maps, which will be updated in the next review of the subject plans, and as reflected in the Draft City Development Plan 2022-2028, which this application is further assessed against below. Furthermore, the proposed SHD application to the north under Reg. Ref.: 313494-22 includes provisions for a new roadway,
- 7.86 Thus, as demonstrated above, the proposal is considered to be consistent with the LAP for the area.

South Fingal Transport Study January 2019

- 7.87 The South Fingal Transport Study (Transport Study) was prepared by FCC to inform future land use and planning strategies for the wider area, including the Belcamp / Clongriffin / Belmayne area of Dublin City Council. The Study was prepared in consultation with key stakeholders, including DCC.
- 7.88 The Transport Study sets out recommendations for the Fingal / Dublin City Fringe area. Of relevance to the subject lands at Northern Cross is the proposal that the R107 Clarehall Junction Relief Road (CJRR) (previously referred to as the Malahide

Road Bypass) is now proposed to the west of Northern Cross, and not along the River Mayne corridor, as previously indicated, as illustrated in Figure 7.3 below.

Figure 7.3: Potential Route for future road proposal (dashed line)



Source: South Fingal Transport Study Jan 2019 – pg 55

Draft Belmayne & Belcamp Lane Masterplan

- 7.89 The Draft Belmayne & Belcamp Lane Masterplan (Draft Masterplan), a non-statutory development framework document which translates and implements the statutory policies and objectives of the City Development Plan 2016 and the Clongriffin – Belmayne Local Area Plan, 2012, was published by Dublin City Council in July 2020. The Draft Masterplan relates to the presently undeveloped Belcamp and Belmayne areas which are in close proximity to Northern Cross, located south and east of the application site. It does not specifically relate to the application site and therefore this assessment is included for information purposes only.
- 7.90 The Draft Masterplan seeks to provide a cohesive framework and a number of objectives for the development of c. 24 hectares of lands with cognisance paid towards the proximity of the masterplan area to public transport and its location within a KDC. The draft masterplan provides an outline for the future development of these currently vacant landbanks and will help to further realise the potential of these lands into a high density KDC. The potential capacity of the masterplan lands is identified within the table below.

Table 7.1: Breakdown of Masterplan Development Yield

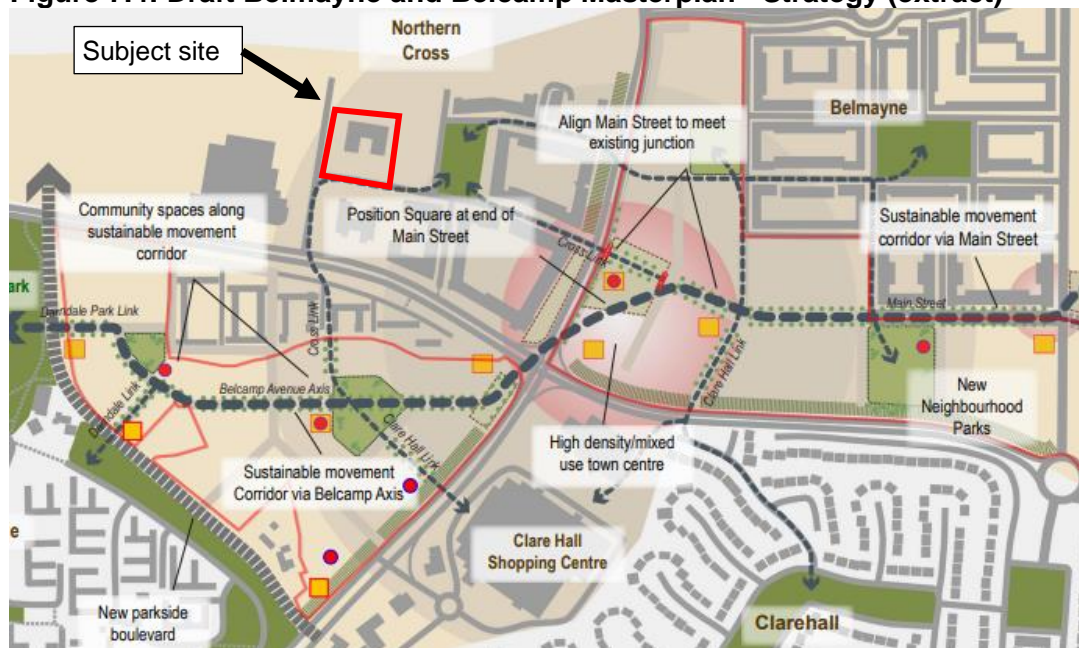
	Belmayne District Centre	Belcamp Lane	Masterplan Total
Residential Units	c. 1,400 - 1,600 units	c. 800 - 1,000 units	c. 2,200 - 2,600 units
Retail/café/commercial	c. 10,000 sq. m	c. 2,000 sq. m	c. 12,000 sq. m
Community/ Educational	c. 21,500 sq. m	c. 4,000 sq. m	c. 25,500 sq. m
Public Open Space/Civic Space	c. 20,000 sq. m	c. 6,000 sq. m	c. 26,000 sq. m

Source: Draft Belmayne & Belcamp Lane Masterplan

7.91 Whilst the draft masterplan itself does not cover the subject site lands, proposals within the plan are in close proximity to the subject site. Section B2 of the masterplan includes the following two elements of relevance to Northern Cross:

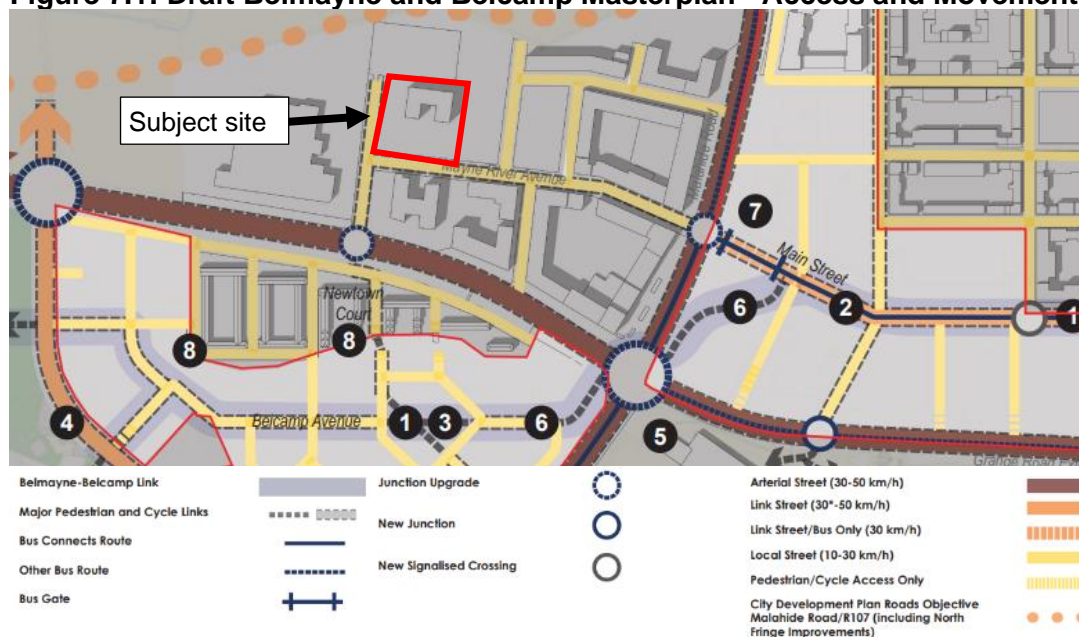
- Alignment of Main Street with Mayne River Avenue (Northern Cross) to facilitate bus movements into Belmayne.
- Locating the Town Square at the end of the Main Street away from the busy Malahide/Grange Road junction, opposite existing shops and to align with public transport services.

Figure 7.4: Draft Belmayne and Belcamp Masterplan - Strategy (extract)



Source: Draft Belmayne & Belcamp Lane Masterplan

Figure 7.1: Draft Belmayne and Belcamp Masterplan - Access and Movement



Source: Draft Belmayne & Belcamp Lane Masterplan

7.92 As demonstrated within Figure 7.4 above, the masterplan proposes further integrating the internal roadways of Northern Cross and the existing public park with

the surrounding area, which will provide further improved transport links for the subject site, with the proposed car park access located away from this route.

- 7.93 Under B3, section 5 of the masterplan '*Improved Crossings and Junction Access*', it refers to a number of new junctions and crossings that would be required, including '*Upgrade of existing junction to provides pedestrian crossing between Northern Cross and Belcamp (via Newtown Court)*'. This junction upgrading would provide for greater residential accessibility for future residents, and ensure access can be provided for those travelling by foot to the proposed development from the future masterplan lands to the south.
- 7.94 The proposed development does not impact on any proposals under the Draft Masterplan and will contribute to the development of the KDC as a high density development area.

8.0 CONSISTENCY WITH DRAFT DUBLIN CITY DEVELOPMENT PLAN 2022-2028

- 8.1 The Draft Dublin City Development Plan 2022-2028 ('draft Development Plan') was published on the 25th of November 2021. It is noted that at the time this planning application was lodged the Draft Development Plan has not been adopted and it is not expected to come into effect until late 2022, however, this Statement is provided in the event of a situation where a decision will be made on the application after the new Dublin City Development Plan 2022-2028 comes into effect. The final content of the 2022-2028 CDP is not known at the time of submission and the below is based on the contents of the Draft Plan. Where a Material Contravention of the draft Development Plan has been identified, this has been assessed separately and in detail within the accompanying Material Contravention Statement for the 2022-2028 plan.

Core Strategy

- 8.2 The draft Development Plan states that, based on the population targets and calculated housing need set out within national and regional planning policy, guidelines and prescribed methodology, the calculated housing demand is approximately 40,000 housing units between 2022 and 2028.
- 8.3 The draft development plan seeks to implement a Core Strategy that continues to build mixed use communities within the city that can sustain and grow a low carbon society by providing for housing in locations that fully support sustainable forms of development and allow large numbers of people live, move and work in a way that limits their carbon footprint. The draft Development Plan notes that City life provides the critical mass that creates the opportunity for people to engage with a wide range of services and social opportunities as well as a work location all within distances that are well served by high quality public transport, premium cycle routes and attractive public realm.
- 8.4 In terms of delivery, the SDRA lands are critical to the Core Strategy. The Planning Authorities focus is on the on the 17 no. Strategic Development Regeneration Areas which will be prioritised for development over the development plan period. The estimated capacity of SDRA 1 Clongriffin/Belmayne and Environs is c.6,950 -7,350 housing units.
- 8.5 As per the current Development Plan, the proposal complies with the above strategic objectives for the city given the site's location within a SDRA 1 and adjacent to a good quality Public Transport Corridor which is destined for upgrades as part of Bus Connects. The proposed development includes 176 no. residential units which further contributes toward the estimated capacity of SDRA 1.

Land Use Zoning

- 8.6 Consistent with the current Development Plan, the site is zoned Objective Z14 and is within an identified LAP area as shown in the extract from the draft Development Plan 2022-2028, Map B presented as shown in the figure below. The stated objective of the Z14 zoning under the Draft Development Plan is to *"To seek the social, economic and physical development and/or regeneration of an area with mixed use, of which residential would be the predominant use."*

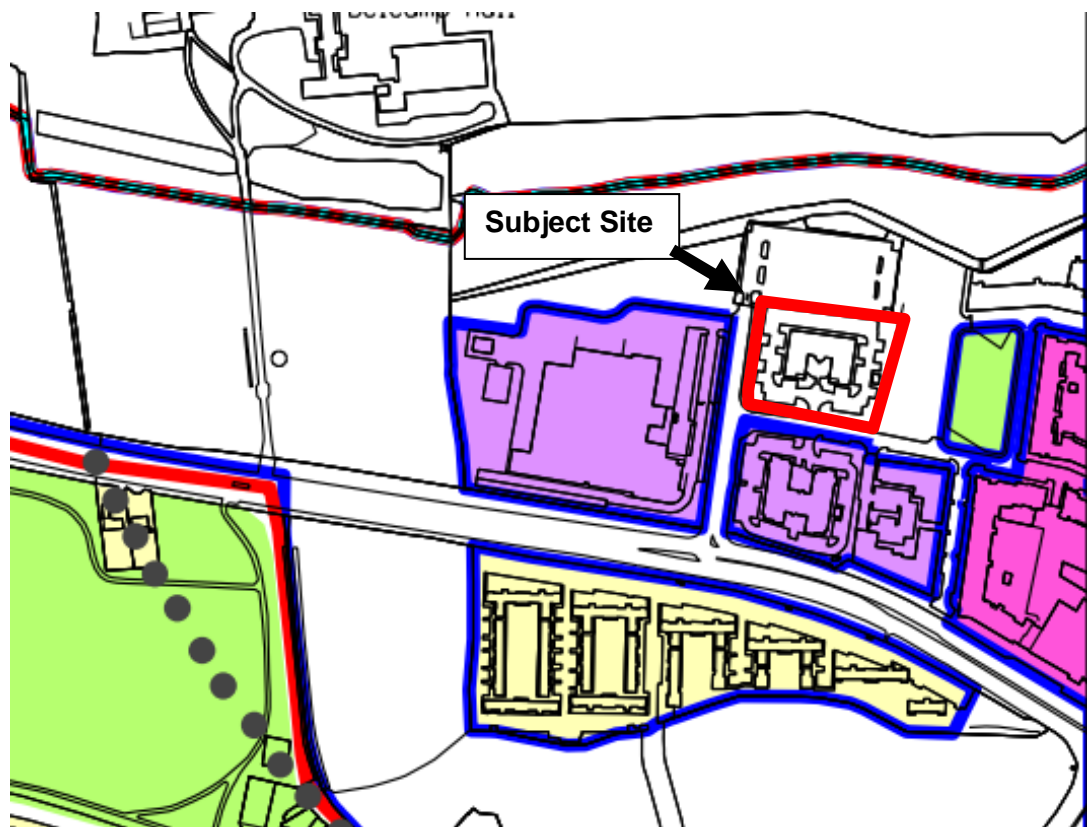


Figure 8.1: Zoning Context of the Subject Site

- 8.7 New residential development, office use and café use, such as that proposed is a permissible use under the Z14 zoning objective.
- 8.8 The site also retains its SDRA designation under the Draft Development Plan, however we note that the boundary of the KDC (which has been reclassified to 'Key Urban Village' (KUV)) has been revised and the subject site now falls outside the area designated as a KUV.
- 8.9 Therefore, the proposed development remains compliant with the zoning designation for the subject site for a mixed use development, under which all proposed uses are permitted, with residential the predominant use.

SDRA 1 – Clongriffin/Belmayne and Environs

- 8.10 The site forms part of the Clongriffin/Belmayne and Environs Strategic Development Regeneration Area (SDRA 1) (previously North Fringe Strategic Development and Regeneration Area, first designated in 2000).

Section 13.3 of the draft Development Plan sets out guiding principles for development in SDRA1. The principles of relevance to the subject application are summarised below:

“Urban Form and Block Layouts shall be arranged in a perimeter block configuration and shall form a continuous urban edge with the street in order to create enclosure, provide passive surveillance and animation. Typical block widths shall generally be in the range of between 45-50 m (lower scale housing) to 55-60 m (higher scale apartments). This will enable suitable separation distances to be achieved between the rear of blocks, as well as providing for private open space.”

- 8.11 As demonstrated in this report, and per the above principles, the proposed development forms a strong urban edge along the perimeter with the existing roads, providing a sense of enclosure and creating passive surveillance along all frontages. Separation distances are maintained toward the rear of the block, while public open space is provided for in line with the standards required within the draft plan.

“A rich mix of uses to include retail, commercial, community, employment and residential uses will be sought on these lands, relative to the two KUV. At Belcamp the development will be primarily residential with a mix of typologies and tenures supported by community and social infrastructure. Commercial uses will be located along the Malahide Road and around the Town Squares at the Malahide Road junction.”

- 8.12 While the proposed development is not located within the KUV, directly bounding it, it provides for a mixed use development which further contributes towards the rich mix of the SDRA 1 area.

“Building heights shall respond to the proposed urban structure and land uses and activities. In general, the KUV centres at Belmayne Town Centre and Clongriffin Train Station shall contain the greatest building heights, in order to reinforce their status as a KUV, subject to amenity and design safeguards.”

and

“The following building heights shall be applied:

- *Minimum height of five stories to the Key Urban Village centres at Clongriffin Rail Station and Belmayne Town Centre at the R139/R107 junction.*
- *Minimum heights of four to five storeys for Main Street Boulevard.*
- *A locally higher building adjacent to the rail station and at the junction of Malahide Road / R152.*

- *Any proposed height must have regard to existing neighbourhoods and character, in order to protect residential and visual amenity”*

and

“Architectural treatment shall be of the highest quality and allow for a range of building types and designs, creating a visually coherent urban form.”

- 8.13 The proposed height of up to 9 storeys have been informed by the surrounding context, where permitted and proposed development of up to 9 storeys in height immediately bound the subject site. The materiality of the development has been carefully chosen in order to present a façade which is both durable and distinctive. The proposal utilises mixes of brick, render and metal to create a structure which is both in keeping with the general style and aesthetic of Northern Cross while also producing a unique and interesting façade that generates a sense of place and character, while also helping with placefinding. The appearance of the structure is such that it has its own unique defining character while also remaining visually complementary of the existing and permitted structures. The scheme has subtle yet distinguishable features which allow residents to form an emotional attachment to the place. The building has recognisable features such as the varied material treatment of the facades and the saw tooth roofs of the uppermost levels. The integrated balconies create a clean border while the collonade and canopies at ground floor level serve as a positive addition to the identity of the locality. The layout is clear and memorable while the stepped terraces break up the monotony of the square form in section. The courtyard provides a discernible focal point to the

scheme, even reinforcing the role of the existing centre to the site. Please refer to the accompanying Architectural Design Report for further information in this regard.

“Tree planting, landscaping and SuDS features will be integrated into the urban structure and movement framework for the SDRA lands. Key green links shall provide additional landscaping in order to accentuate their strategic importance as amenity, sustainable movement and biodiversity corridors”.

and

“All future developments shall comply with the SuDS Strategy outlined in the 2020 Masterplan”.

- 8.14 The proposed development, as demonstrated within the accompanying engineering and drainage drawings and documentation, complies with the outlined SuDS strategy. The proposed landscaping approach emphasises providing a link with the lands of the proposed development immediately to the north. This landscaping creates a link at which there is no readily identifiable site boundary, creating a greater flow between the developments and promoting pedestrian activity.
- 8.15 Whilst the majority of the principles outlined above do not directly affect or impact upon the subject site (which are not listed above), the proposed development will not inhibit or otherwise negatively affect the achievement of these principles.
- 8.16 The proposed development is therefore considered appropriate in the context of the guiding principles set out in the draft Development Plan for development in SDRA1.

Building Height

- 8.17 Appendix 3- ‘*Density and Building Height in the City*’ of the draft Development Plan sets out guidance on how to achieve appropriate and sustainable compact growth in the city and specifically, to ensure consistency with the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018) and the SPPR’s contained therein.
- 8.18 A comprehensive set of performance based criteria are detailed for the assessment of applications where significant urban intensification is proposed. The guidance aims to ensure the highest standard of design and the protection of existing amenities and the natural and historical assets of the city.
- 8.19 In relation to building height, Section 3.1 of Appendix 3 sets out three general categories of height in the Dublin context, as follows:
 - **Prevailing Height:** *This is the most commonly occurring height in any given area. It relates to the scale, character and existing pattern of development in an area. Within such areas, there may be amplified height. This is where existing buildings within the streetscape deviate from the prevailing height context, albeit not to a significant extent, such as local pop up features. Such amplified height can provide visual interest, allow for architectural innovation and contribute to a schemes legibility;*
 - **Locally Higher Buildings:** *These are buildings that are significantly higher than their surroundings and are typically up to 50 metres in height. Higher buildings can act as Local or District landmarks;*

- **Landmark/Tall Buildings:** *A landmark or tall building is one that is a significant intervention in the cityscape and skyline. They are typically located in an area that denotes a specific function such as a public transport interchange or a key urban quarter/ regeneration site. Landmark/tall buildings are typically in excess of 50 metres in height, of exceptional architectural quality, can help people navigate through the City and form memorable reference points.*

- 8.20 The subject development proposes block heights are 9 storeys over basement, with a maximum height of 33.975 metres. Section 4.1 of the appendices of the draft plan refers to adherence with the performance based height criteria in relation to higher developments. The draft plan further states that “*All proposals for greater height than the prevailing context and intensification in SDRA’s must demonstrate compliance with the performance based criteria set out in Table 3.*” We note that the proposed development, at 9 storeys at its highest, is not in excess of the prevailing height of the surrounding context. The adjacent permitted development, Site 2, has a permitted height of 9 storeys, while the recently permitted site 5 has a permitted height of up to 12 storeys. As such, the subject site does not need to be assessed in this context, as it is not of a greater height than the prevailing context. The proposed height is also in keeping with the proposed scheme to the immediate north, which is currently under consideration with the Board.
- 8.21 The proposed height is considerably less than the 50 metres permissible for locally higher buildings above, and within the designated SDRA area. It is considered that the proposed buildings heights are appropriate in the context of the draft Development Plan.

Density

- 8.22 In relation to density, Section 3.2 of Appendix 3 provides density ranges for the City. As a general rule, a density range of between 100-250 units per hectare for development within SDRAs will be supported in the city.
- 8.23 The proposal would result in a density of 272 units per hectare which is marginally in excess of the density range set out in the Draft Plan. We note that the range of 100-250 is a general rule, and is not a cast restriction on any development in excess of this. This density of development is considered to be suitable for the subject site, having regard to its strategic location adjacent to existing and planned public transport provision, its location within a Key District Centre and SDRA, and the range of services and amenities available within the vicinity. This density maximises the developable potential of the site, while providing for a mix of uses and also paying due respect to the residential amenity of the adjacent permitted and proposed residential developments. We note that the two most recently permitted residential developments within Northern Cross, ABP-307887-20 (Site 2) and 3506/20 (Site 5-Adjacent to Malahide Road) had permitted densities of 265 uph and 190 uph respectively. We also note that the nearby permitted development under ABP Ref.: 305943-19 at Newtown, Malahide Road, achieved permitted densities of 314 uph.
- 8.24 The scale and density of the proposed development is consistent with that of adjacent developments within Northern Cross and the wider area, whilst taking cognisance of the capacity of the area to cater for an increased population having regard to its location, access to transport infrastructure and public transport, relevant zoning objectives, proximity to employment opportunities and nearby community facilities. The accompanying Childcare Demand Assessment, included in the accompanying Social and Community Audit, demonstrates that there is sufficient capacity within the local area to cater for increased numbers of children resident resulting from the proposal.

- 8.25 We note that section 3.2 of the Plan states that “*Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport accessibility and capacity will also determine the appropriate density permissible*”. In this regard the proposed development provides for public open space in excess of the levels required within the draft plan, while the general proposed density, heights and character of the scheme are in keeping with both the permitted developments within Northern Cross, and that the two most recently permitted residential developments within Northern Cross, ABP-307887-20 (Site 2) and 3506/20 (Site 5- Adjacent to Malahide Road) had permitted densities of 265 uph and 190 uph respectively. We also note that the nearby permitted development under ABP Ref.: 305943-19 at Newtown, Malahide Road, achieved permitted densities of 314 uph. We also note the proximity of the site to high quality public transport, Dublin bus route nos. 15, 27, 27x, 42 and 43 run along the Malahide Road with the no. 15 bus service having peak frequencies of 4-12 minutes to Clongriffin Railway Station and Dublin City Centre while operating a 24 hour schedule. The scheme is adjacent to a number of proposed Bus Connects route, including the D1, D2 and D3 Spine / Branch Routes which travel proximate to Northern Cross.
- 8.26 It is also noted that under section 3.2 of the draft plan, it is stated that “*There will be a **general presumption against schemes in excess of 300 units per hectare**. Recent research has shown that very high density can challenge positive responses to context, successful placemaking and liveability aspirations, sometimes resulting in poor quality development. Schemes in excess of this density will be only be considered in exceptional circumstances where a compelling architectural and urban design rationale has been presented.*” (emphasis added). In this regard, the proposed scheme provides for a density of less than 300 uph. As a result, and in combination with the above rationale, it is respectfully submitted that the proposed density of the development is acceptable in the context of the Draft Development Plan.

Plot Ratio and Site Coverage

- 8.27 In terms of plot ratio and site coverage, within SDRAs the indicative plot ratio and site coverage is 1.5-3.0 and 50-60%, respectively.
- 8.28 The proposed plot ratio for the development is 2.64 and within the range for the site. The site coverage is 58% which is within the indicative ratio of 50-60%.
- 8.29 The above outlined plot ratio and site coverage further demonstrates that the provision of a development is appropriate for the subject site in the context of the draft plan.

Materials and Finishes

- 8.30 As per section 15.5.7 of the Draft Development Plan, proposed developments will be required to adhere to the following:
- “*To ensure materials and finishes complement the existing pallet of materials in the surrounding area.*”
 - *Promote durability to ensure a good visual appearance over time.*

- *The design and layout of buildings, together with the robustness of materials used in their construction, should be such as to discourage graffiti, vandalism and other forms of anti-social activity.*
- *To support the use of structural materials that have low to zero embodied energy and CO2 emissions as well as the use of sustainably sourced building materials and the reuse of demolition and excavated materials.”*

8.31 The accompanying design statement specifically details the proposed materials, finishes and design details of the proposed development, in line with the requirements of both the Draft Development Plan and the opinion received from the Board resultant of the Tri-Partite meeting. It is submitted that this document fully outlines the acceptability of the proposal in the context of the aforementioned criteria.

Green / Blue Roofs

8.32 Section 15.6.3 notes that all new developments of over 100 sq.m are required to include a green roof. The proposed development includes a green roof per these requirements. Please refer to the accompanying Landscape drawings prepared by Plus Architecture for further details in this regard.

Floor Areas

8.33 Section 15.9 of the draft Development Plan defers to SPPR 3 of the Apartment Guidelines for minimum floor areas for apartments. SPPR 3 of the Apartment Guidelines 2020 states that the following minimum floor areas for apartments apply:

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

8.34 The HQA and drawings prepared by Plus Architecture, which accompany this application, demonstrate that the proposed development complies and exceeds the standards outlined in the Sustainable Urban Housing: Design Standards for New Apartments 2020, with all units in excess of the minimum requirements outlined above. The proposed development includes an extensive emphasis on including larger units, with the vast majority exceeding the minimum standards for area by at least 10%.

Unit Mix

8.35 Section 15.9 of the draft Development Plan states that where apartment developments comprise 15 units or more the residential unit mix shall contain:

- A maximum of 50% one-bedroom units,
- No minimum three- or more bedroom units.

8.36 Under this SHD application, the proposed unit mix is as follows:

- 72 no. 1 bed units (41%)
- 57 no. 2 bed units (32%)
- 47 no. 3 bed units (27%)

- 8.37 The proposed unit mix is consistent with the guidance set down in SPPR1 of the Apartment Guidelines 2020, and with the draft Development Plan as the percentage of 1 bed units does not exceed 50%.
- 8.38 Section 15.9.2 of the draft development plan relates to “Unit Size/Layout”, and in particular relates states the following:

“The majority of all apartments in any proposed scheme of 10 or more apartments (Excluding Build to Rent accommodation) shall exceed the minimum floor area types, by a minimum of 10% (any studio apartments must be included in the total, but are not included as units that exceed the minimum by at least 10%). In accordance with the Housing Options for an Ageing Population Policy Statement 2019, 50% of the apartments that are in excess of the minimum sizes should be designated in accordance with the guidance set out in the Universal Design Guidelines for Homes in Ireland 2015 to ensure that they are suitable for older people, mobility impaired people and people with disabilities.”

- 8.39 We note that the above-mentioned section was amended at Material Alteration stage. While the proposed development fully accords with the requirement to have the majority of units at least 10% greater than the minimum sizes, we note that the proposed development does not meet the requirement of the draft plan above regarding Ageing Population Policy, with all of the proposed units within the development having instead been designed instead to be compliant with Technical Guidance Document M of the Building Regulations 2010, and the Apartment Guidelines, which is in conflict with the aforementioned policy. A justification for the proposed development in this regard is included within the accompanying Material Contravention Statement.

Block configuration / Lift and Stair Cores

- 8.40 Section 15.9.5 of the Development Plan states that there shall be a maximum of 12 units per core per floor, consistent with the Apartment Guidelines.
- 8.41 The proposed number of apartment units per floor per core within the scheme is 8, which is well below the threshold set out in the Apartment Guidelines as expressed in the draft Development Plan.

Separation distances (apartments), Overlooking and Overbearance

- 8.42 Section 15.9.17 and 15.9.18 of the draft Development Plan provides guidance on separation distances and the extent to which a development impacts upon the outlook of the main habitable room in a home or the garden, yard or private open space service a home.
- 8.43 In terms of separation distances, the draft Development Plan states that traditionally a minimum distance of 22m is required between opposing first floor windows. While the proposed development falls below this level (although it predominantly exceeds this, please refer to the accompanying proposed site layout drawing prepared by Plus Architecture for further information), the proposed scheme has been designed to have regard to the residential amenity of adjacent uses, whilst providing a high-density redevelopment on the subject site, and the design rationale for the proposed layout and relationship to adjoining uses is outlined further within the accompanying Architectural Design Statement. There are no residential units at ground floor level.
- 8.44 Section 15.9.17 of the Draft Development Plan further states that *“In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. Separation distances between buildings*

will be assessed on a case by case basis. In all instances where the minimum separation distances are not met, each development will be assessed on a case by case basis having regard to the specific site constraints and the ability to comply with other standards set out within this chapter in terms of residential quality and amenity."

- 8.45 With regard to the above, the proposal constitutes infill development at a central/accessible location which provides for higher and sustainable densities, while adhering with the standards set out within the draft development (unless otherwise stated as contained within the material contravention statement), it is therefore considered that the separation distances are acceptable in this regard.
- 8.46 The location of the proposed development and its layout has been carefully designed to minimise any potential overlooking of adjacent developments while maintaining appropriate separation distances insofar as is practical. Acknowledging the permitted development to the east, and the proposed development to the north. The distances provided between the block and the aforementioned neighbouring developments is considered appropriate
- 8.47 The draft Development Plan states that overlooking may be overcome by a variety of design tools, such as:
- Building configurations (bulk and massing).
 - Elevational design / window placement.
 - Using oblique windows.
 - Using architectural features.
 - Landscape and boundary treatments.

Please refer to Section 7 of this report, the accompanying Architectural Design Statement where it is demonstrated that the proposed scheme has been designed to minimise any potential direct overlooking or overbearance of adjacent development, both existing or proposed by the inclusion of architectural features, angled windows and landscaping.

Car Parking

- 8.48 The proposed development is located in parking zone 3. Table 2 of Appendix 5 of the draft Development Plan sets out a maximum standard of 1 space per dwelling for apartments, 1 per 150 sq.m of seating area for cafes, and 1 per 100 sq.m of office space.
- 8.49 The proposed development includes provision of 134 no. car parking spaces, equating to c. 0.72 spaces per residential unit within the scheme, when noting that 7 no. of these spaces are designated as part of the office portion of the development. The justification for this quantum of car parking has been set out above and in the accompanying BMCE reports.
- 8.50 Motorcycle parking is to be provided at a rate of 5% to the number of car parking spaces provided. The draft development plan under policy SMT27 requires a minimum of 50% of spaces to be equipped with EV Charging Points. The proposed development provides for the 50% of spaces in line with this requirement.

Bicycle Parking

- 8.51 Table 1 of Appendix 5 outlines the requirements in relation to bicycle parking, which are consistent across all parking zones. 1 space per bedroom and one visitor space

per 2 dwellings is required for residential use, resulting in a total residential requirement of 327 no. spaces. The proposed development exceeds this provision. The below table details the cycle parking provision breakdown, per the Plus Architecture Accommodation Schedule:

BICYCLE PARKING			
Apartment Type	No. of Apartments	Cycle Provision	Cycle Requirement
1-bed	72	1	72
2-bed	57	2	114
3-bed	47	3	141
TOTAL	176		327
TOTAL PROVIDED	176		330

Figure 8.2: Bicycle Parking provision (Plus Arch)

- 8.52 The proposed development provides for 434 no. spaces, in line with the above requirements, and in excess of the general standards, per the table produced by DBFL, as reproduced below.

Parking Type (Duration)	Units (Beds)/ GFA	DCC Dev. Standard	DHPLG Standard	DCC Requirement	DHPLG Requirement
Long Stay	176 (327)	1 per Unit	1 per Bed	176	327
Short Stay		-	1 per 2 Units	-	88
Office	1,060.5m ²	1 per 150m ²	-	7	-
Total				183	415

Figure 8.3: Bicycle Parking Standards (DBFL)

- 8.53 The proposal provides for a degree of bicycle parking at a level which meets the requirements under the 2022-2028 draft development plan for residential and office. Under the draft plan the requirement for café cycle parking is 1 space per 5 staff and 1 space per 10 seats. The café is served by 4 no. spaces located directly adjacent to the unit. The overall provision of 434 cycle parking spaces across the proposed scheme meets the requirements of the draft Plan. This is detailed further in the accompanying DBFL TTA. The proposed provision of cycle parking is considered appropriate for the scheme, particularly with regard paid toward the provision of parking in line with national guidance.
- 8.54 Further to the above points, we also wish to highlight section 3.1 of Appendix 5 where the standards of parking are stated. In this, it also states that “A departure from the standards set out in Table 1 may be acceptable in limited circumstances on a case-by-case basis at the discretion of Dublin City Council. The applicant must fully engage with Dublin City Council at pre-application stage to ascertain any deviations from the above standards”. The applicant has fully engaged with the Planning Authority at Pre-Application stage, as outlined within the relevant previous section of this report, and it is noted that the commentary received from the planning authority has been adhered to. It is submitted, therefore, that the proposal presents a suitable level of office bicycle parking in the context of the draft 2022-2028 Dublin City Development Plan.

Cultural and Community Floor Space

(See also Material Contravention Statement)

- 8.55 Chapter 12, Section 12.5.3 ‘*Supporting Cultural Vibrancy in the City*’ of the draft Development Plan relates to cultural facilities within the City. As part of the preparatory work for the draft Development Plan, a cultural infrastructure study was undertaken of the city, and is published as a background document for the Plan. The study provides a detailed analysis of the extent of cultural infrastructure within the city; where challenges lie; and makes a number of recommendations.
- 8.56 In respect of cultural facilities within SDRAs, policy objective CUO22 refers, and is as follows:
- 8.57 SDRAs and large Scale Developments- *“All new regeneration areas (SDRAs) and large scale developments above 10,000 sq. m. in total area must provide for 5% community, arts and culture and artist workspaces internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need.”*
- 8.58 In terms of delivery of community floorspace, we note that while the “Dublin City Cultural Infrastructure Study” (Cultural Infrastructure Study) concludes that Dublin City Council should aspire to a 5% increase in the provision of cultural assets per annum over the life of the Development Plan, it recommends that a mapping exercise is undertaken by the City Council to get an understanding of “where” and “what” cultural infrastructure is in the City and that infrastructure could be developed in a number of locations where it is found that there are deficits in cultural infrastructure .
- 8.59 The Cultural Infrastructure Study highlights that:
- “any roadmap for an ever-evolving city like Dublin needs to be agile and responsive. Shifts in the market, and even changing public attitudes, can immediately impact cultural infrastructure, positively and negatively, and policy must be flexible and regularly reviewed to take advantage of what is working and remove what isn’t.”*
- 8.60 And that:
- “increasingly cities are realising that it is less about building new infrastructure and more about flexing existing assets to make them adaptable to behavioural changes and needs through enhancements or change of use. Future use of refined and enhanced data should help with identification or priority action areas, the development of cultural hubs and potentially allow for the repurposing of existing infrastructure to address a shortfall. The city has a huge opportunity to leverage use of vacant buildings in the city for cultural use, possibly under licence through the Council’s Arts Office.”*
- 8.61 The subject SHD application is a mixed use development which maximises the potential of the site, while the office and café elements add to the vibrancy of the block. The proposed communal amenities provide a highly beneficial use of space on site, which it is respectfully submitted would contribute to the wellbeing of resident’s lives. The proposal does not include any floorspace in respect of cultural facilities within the scheme.

- 8.62 It is recognised that the omission of floorspace for cultural facilities would not be fully consistent with the draft Development Plan requirements as set out in policy objective CUO22 above.
- 8.63 As set out above, it is recognised that the proposed wholly residential scheme would not be fully consistent with the with the draft Development Plan requirements in relation to the provision of floorspace for community, arts and culture and artist workspaces as set out in policy objective CUO22 above. In the event that a decision on the application is made subsequent to the new Dublin City Development Plan 2022-2028 comes into effect, and the Board considers that the proposed development constitutes a material contravention of new Dublin City Development Plan as relates to cultural facilities as currently set out in Section 12.5.3 of the draft Development Plan, a justification for the material contravention of the draft Development Plan is included in the Material Contravention Statement which accompanies this application.

Office

- 8.64 Section 15.14.4 of the development plan relates to the provision of office space and states that *“The provision of office accommodation will be supported in appropriate areas of the city. Regard will be had to the scale of such development depending on location. All office proposals shall be accompanied by an architectural design statement which details the internal building design and layout to ensure a high standard of amenity for future employees, in relation to noise impact, daylight and sunlight, ventilation, etc”*. In this instance we refer to the accompanying Design Statement, prepared by Plus Architecture, which details the proposed office provision and the accompanying amenities to be provided.

“Large scale office schemes, in excess of 5,000 sq. m., will be required to provide for an element of high quality, public open space or contribute to the public realm of the area through landscaped features such as roof terraces, courtyard gardens and enhanced amenity at street level. Such proposals should be accompanied by a landscape design report in this regard which demonstrates how the proposals contribute to the natural and built environment.”

- 8.65 We note that the proposed office aspect of the development constitutes 1,060 sq.m. As such, it falls below the definition of a large scale office scheme as outlined within the Draft Development Plan.

Café

- 8.66 The draft plan recognises the positive contribution made by cafes and restaurants toward the vitality of the city.
- 8.67 The draft plan states in section 15.14.7.4 that *“Café, restaurant and take away uses should be designed having regard to the appropriate noise and ventilation guidelines. All ventilation proposals should avoid direct extracts at street level, where possible. Where extract odour and ventilation is required on main street frontages, careful design solutions should be provided to extract does not interfere with pedestrians and road users in terms of noise and odour. Similarly, noise associated with the use of a café / restaurant / take away should be minimised as to ensure no overspill to street level occurs. Café and restaurant proposals should include an engineering statement to address, noise, ventilation and odour as part of any planning applications”*. We refer to the accompanying engineering report for further detail in regard to the above, including the operational waste management plan.

15.4.5 Safe and Secure Design & Policy QHSNO12

- 8.68 Section 15.4.5 of the Development Plan states the following “*Safe and Secure Design The relationship between buildings and their adjoining spaces strongly influences the sense of personal safety and design plays a key role in ensuring that spaces are well designed and have appropriate passive surveillance. All residential developments shall refer to Design for Safety and Security’ guidance contained in the DEHLG ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).*”
- 8.69 In response the requirements of the above, the proposed development has been designed to provide a strategy for community safety. The proposal design has been informed by the DEHLG ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007) and seeks to promote safety and security and avoid anti-social behaviour by:
- Maximising passive surveillance of streets, open spaces, play areas and surface parking.
- 8.70 The proposed development provides welcoming public realm interfaces to the southern and western perimeters at Mayne River Avenue with footpaths and public spaces observed by ground floor uses and residential upper floor apartments. The northern interface with the proposed development at Site 10 has been designed to fully integrate with this scheme through a high-quality landscaped area of public open space providing permeability and connectivity within a safe environment which benefits from a public lighting scheme and passive surveillance from the proposed development and Site 10. This is also the case in respect of Site 2 to the east.
- Avoiding the creation of blank facades, dark or secluded areas or enclosed public areas.
- 8.71 All elevations have been designed to be animated with high glazing to solid ratios to benefit passive surveillance and observation. All public areas benefit from a lighting scheme enclosed with the application.
- Eliminating leftover pockets of land with no clear purpose.
- 8.72 The subject site is of regular shape and all external areas are incorporated into the landscaping strategy prepared by Plus Architecture providing a purpose to all areas.
- Providing adequate lighting.
- 8.73 All public areas benefit from a lighting scheme enclosed with the application.
- Providing a clear distinction between private and communal or public open space, including robust boundary treatment.
- 8.74 Public open space is provided at the site edges of the proposed development and is clearly distinguished from communal open space which is located within the central courtyard overlooked by apartments on upper floors. Additional communal open space is provided at roof terraces at 4th and 7th floor levels.
- Enabling residents to watch over the entrance to their home; recessed entrances should be avoided and front doors should also be overlooked from other houses or from well-trafficked public areas.

- 8.75 The proposed scheme includes safe access points to apartments at ground floor level which are access via key fob or similar. Entrances are well lit and benefit from passive surveillance from the proposed development and adjacent developments.
- Locating back gardens next to other back gardens or secure private areas rather than on to roadways or other public areas.
- 8.76 This is not considered applicable to this apartment scheme.
- Ensuring that the layout and design of roads within residential areas encourages appropriate traffic volumes and speeds.
- 8.77 The proposal does not include any new roads. An entrance to basement car parking is provided off River Mayne Avenue and is designed in accordance with DMURS as clarified in the accompanying Statement prepared by DBFL.
- Providing clear and direct routes through the area for pedestrians and cyclists with safe edge treatment, maintaining clear sight lines at eye level and clear visibility of the route ahead.
- 8.78 The site is easily legible for cyclists and pedestrians owing to the regular footprint of the building with routes along each perimeter.
- Using materials in public areas which are sufficiently robust to discourage vandalism.
- 8.79 A high-quality mix of materials and finishes are included in the scheme which are robust and durable to ensure resilience in public areas. Please refer to the accompanying Plus Design Statement for further details.
- Avoiding the planting of fast-growing shrubs and trees where they would obscure lighting or pedestrian routes; shrubs should be set back from the edge of paths.
- 8.80 Proposed planting has been located sensitively to avoid conflict with lighting. Please refer to the Landscape Masterplan prepared by Plus Architecture accompanying this submission.
- Consulting with An Garda Síochána crime prevention design advisor where appropriate; Dublin City Council will also have regard to the Guidelines on Joint Policing Committees as established under the Garda Síochána Act 2005 as amended (2014), in order to ensure safe and secure communities.
- 8.81 The on-site operational management will consult with An Garda Síochána where appropriate.
- 8.82 The above assessment and accompanying documents prepared by Plus Architecture and OCSC ensure that the proposed development provides a strategy for community safety which will be implemented as part of the scheme. This will ensure a safe and secure environment for residents and visitors.
- Walking and Cycle Audit
- 8.83 We note that in the material alterations to the draft plan, which at the time of application are open for public consultation, included the following proposed section

under section 8.5.6 of the plan, under ‘Sustainable Modes, subheading Active Travel – Walking and Cycling’

“Permission for major developments (>100 units for example) will only be granted by the City Council, once a full audit of the walking and cycling facilities in the environs of a development is undertaken.”

- 8.84 With regard to the above, we refer to the accompanying Traffic and Transport Assessment (TTA) prepared by DBFL, which addresses this matter within its contents.

Basement Impact Assessment

- 8.85 In accordance with Section 15.18.4 of the draft Plan, a Basement Impact Assessment has been prepared by Byrne Looby and accompanies this submission. The recommendations within the report will be carried out by the applicant.
- 8.86 As detailed above, the proposed development is broadly compliant with the policies and objectives of relevance within the Draft Dublin City Development Plan 2022-2028. It is noted that at the time of preparation of this report, the plan is in draft stage only and as such is likely to be altered from its current state prior to its adoption, which is estimated to be December 2022. Where compliance with the standards of the draft plan cannot be demonstrated, a justification for the scheme in this regard is included within the accompanying 2022-2028 Draft Development Plan Material Contravention Statement.

9.0 CONSISTENCY WITH PART V OF PLANNING AND DEVELOPMENT ACT

- 9.1 This application is accompanied by an indicative Part V proposal for the proposed development and includes a Part V drawing indicating the location of the Part V units and an estimate of costs prepared by the applicant. The proposed Part V units are located at first, second, third and fourth floors, and comprise of a mix of 1 and 2 bedroom units. The subject site was acquired by the applicant prior to 2015. As such, they are obliged to fulfil the requirement of 20% Part V as opposed to the lower 10% threshold.
- 9.2 The proposal is to provide 36 no. units on the subject site for Part V social housing comprising 20.5% of the proposed 176 residential in line with the relevant requirements. The 20% provision is required on the basis that the applicant has purchased the site on the 22nd of December 1999, and so they do not qualify under the caveat which allows a lower rate or Part V to be provided.
- 9.3 The applicant agrees to accept a condition on a grant of planning permission for any subsequent SHD application to the Board that requires the applicant to enter into a Part V agreement with Dublin City Council as per their requirements prior to the commencement of development.

10.0 SUMMARY AND CONCLUSIONS

- 10.1 The statement set out herein demonstrates that the proposed development is consistent with the relevant national, regional and local planning policy context.
- 10.2 At a national and regional level, this statement has demonstrated consistency with the following:
- The National Planning Framework (2018)
 - The Regional Planning Guidelines for the Greater Dublin Area 2010 - 2022

- Regional Spatial & Economic Strategy for the Eastern & Midland Regional Assembly
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and accompanying Urban Design Manual (2009)
 - Sustainable Urban Housing: Design Standards for New Apartments (2020)
 - Urban Development and Building Heights Guidelines 2018
 - Guidelines for Planning Authorities on 'The Planning System and Flood Risk Management (November 2009)'
 - Design Manual for Urban Roads and Streets (2013)
 - Transport Strategy for the Greater Dublin Area 2016 - 2035
 - Guidelines for Planning Authorities on Childcare Facilities (2001)
- 10.3 Consistency is also demonstrated with the policies and provisions of the Dublin City Development Plan 2016-2022 and Clongriffin-Belmayne (North Fringe) Local Area Plan 2012-2018 (extended to 2022 in November 2017) except in circumstances where Specific Planning Policy Requirements (SPPRs) under ministerial guidelines apply instead.
- 10.4 It is respectfully submitted that the proposal is a suitable form, design and scale of development for this strategically located underutilised site, within an existing urban settlement which is designated as a SDRA and a KDC, situated in proximity to an existing quality bus corridor (also designated as Bus Connect Corridor 1- Clongriffin to the City Centre) and in a strategic location which is suited to the scale and nature of development proposed, in accordance with the relevant guidelines and policies relating to a residential development at this location.
- 10.5 It is respectfully submitted that the proposed development will provide an appropriate form of high-quality residential development for this site. This consistency statement demonstrates that the proposed development is consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this site which is highly accessible and well served by public transport and is consistent with the proper planning and sustainable development of the area.