

LRD Planning
Application to
Dublin City
Council

Response to
LRD Opinion

Largescale Residential
Development
comprising
amendments to
previous SHD consent
(ABP Ref. ABP-306569-
20, as amended by
ABP Refs. 310567-21,
311499-21 & 311507-
21).

At No. 42A Parkgate
Street, Dublin 8.

For Ruirside
Developments Ltd

OCTOBER 2023

Document Control: -

Author	Checked by	Purpose	Date
NR	EMP	Final	09.11.2023

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1 INTRODUCTION

This document has been prepared by Stephen Little & Associates, Chartered Town Planners & Development Consultants, 26/27 Upper Pembroke Street, Dublin 2.

We can confirm that an LRD Stage 2 meeting was held with the Planning Authority on 6 September 2023 as required under Section 32 of the Planning & Development Act 2000, as amended.

Within 4 weeks of the date of that meeting, Dublin City Council issued an LRD Opinion that the documentation submitted in accordance with Section 32B of the Act constitutes a reasonable basis for an LRD application, subject to the applicant addressing the issues raised in the Opinion.

This document provides the Applicant's response to the specific issues in the LRD Opinion.

We refer otherwise to the Planning Application Report and Statement of Consistency for confirmation that the proposed amendments to the consented scheme are consistent with the relevant National and Regional strategic planning policies, with the relevant Ministerial Guidelines and with the policies and objectives of the current Dublin City Development Plan 2022-2028.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

Following s.247 consultation and the Section 32C LRD meeting with the planning authority, planning permission is now sought for proposed development described in brief as follows:-

The proposed development seeks amendments to consented Strategic Housing Development ABP-306569-20 (SHD 1), as amended by ABP-310567-21 (SHD 2) and Section 146B amendments ABP-311499-21 & ABP-311507-21 (i.e. 'the consented scheme').

The proposed amendments to the consented scheme include:

- 40no. residential apartments over 8 floors (30no. 2-bed/4 person & 10no. 2-bed/3 person units, each with a private 'winter garden' and/or balcony on the south and/or north elevation, at 1st to 8th floors inclusive), replacing consented office floor area (c.4,113 sqm total, over 6 floors) within the Block B2 building;
- Co-working (c.229 sqm) and community/cultural space (c.52 sqm) at ground floor level, replacing consented café/restaurant (c.236sqm) at Block B1;
- Reconfiguration of ancillary internal residential communal amenity area at mezzanine level, to include residents' lobby, lounge and fitness area (c.256sqm), replacing the consented residential amenity co-working space (c.300 sqm) at Block B.
- And all ancillary and associated site, structural and landscape works proposed to tie amended Block B2 in with the consented scheme, including:
 - Design adjustments at the interface of proposed Block B2 with the consented adjoining Block A building to the east and Block B1 to the west, including tie-in of residential floor levels and increase in roof parapet height (by 1.0m) of Block B2;
 - Amendments to permitted landscaping at roof level of Block B2 and part of Block B1 to accommodate proposed change to Block B2 roof level;
 - Alteration of the northern Parkgate Street façade of Block B2 to suit residential use and to accommodate external, recessed private amenity (wintergardens & balconies).
 - Alteration of the southern façade of Block B2 to suit residential use and to accommodate external, recessed private amenity (balconies);
 - 20no. additional visitor bicycle spaces and 2no. cargo bike spaces within the consented public realm at surface level;

- Minor footprint extension and reconfiguration of internal floor plan at permitted basement / undercroft, resulting in an increased floor area from c.144sqm to c.164sqm, to accommodate additional ancillary residential bicycle storage (80no. spaces);
- Reconfiguration of ground and mezzanine floors of consented Block B1, to accommodate the proposed co-working and reconfigured residential amenity areas and additional ancillary refuse, circulation, plant and non-residential back of house areas;
- Removal of combined heat pump/chiller unit with associated screening on the roof of Block C.

For the avoidance of doubt, all other elements (including uses, buildings, conservation, landscaping, demolition and site infrastructure works) of the consented scheme are as permitted under ABP Reg. Ref. 306569-20 (SHD 1), as amended by 310567-21 (SHD 2) and Section 146B amendments approved by ABP under 311499-21 & 311507-21.

3 PRE-PLANNING CONSULTATION WITH THE PLANNING AUTHORITY

In our opinion the Section 247 pre-planning consultation and Section 32C LRD meeting with the planning authority were generally positive in respect of the proposed amendments to the consented scheme.

While particular issues were raised, as summarised in Section 6 of the DCC Planners Report LRD6042-23-2, the Applicant was under the impression that the planning authority was reasonably satisfied that a cogent argument could be made in respect of:

- Compliance with Z5/SDRA7 land use mix objectives. That there is no specific ratio of mixed use, or particular requirement for office use, applied to the 'Hickeys' site. That the proposed amendments to the consented scheme do not prevent a mixed-use scheme ultimately being delivered at this site, in accordance with the specifications of these Development Plan objectives.
- That CU025 objective is not triggered by the proposed amendments (i.e., the 10,000 sq m commercial development threshold is not exceeded). That community and cultural uses are already provided for in the consented scheme that is not changing. However, that additional community/cultural use amounting to 5% of the floor area subject of the proposed change of use would be proposed.
- That the proposed change from permitted office space to residential use is located at upper floors from 1st level upwards, that the residential amenity space remains at mezzanine provides and that only one permitted floor café/restaurant units changes at ground floor level. That the continued animation and activation of Parkgate Street can be achieved by the relocation of the co-working space and a new cultural/community space (CU025) at ground floor, in combination with the other mix of ground floor uses in the consented scheme including retail, café/restaurant and connected public square and river walk.
- That the proposed change of use at Block B2 and associated modifications to the southern facades (including insertion of balconies) will not have an adverse cumulative impact on the architectural design integrity or residential amenity of the southwest facing façade of Block A (or, in our view, similarly the south east facing façade of Block B1).
- That the uplift in residential density is achieved within largely the same permitted built envelope, is comparatively modest and does not give rise to any new planning or environmental impacts. It is achieved in the context of the consented scheme having already significantly exceeded the residential density range of the current Development Plan. The site conditions supporting the permitted density are unchanged (e.g. strategic location at western edge of the city centre; accessibility by foot and bicycle; proximity to multi-modal transport hub at Heuston Station and nearby centres of employment). There is no change to the previous assessment and determination by Dublin City Council and An Bord Pleanála that the permitted density and height would not give rise to significant adverse impacts on residential, visual or architectural heritage or environmentally sensitive sites.

- That no new demolition works or works to protected structures or other heritage buildings on site are proposed, beyond what already forms part of the consented scheme. The proposed amendments to the scheme do not change the nature or impact of the consented scheme in these respects.
- That the proposed residential units can be demonstrated to meet all of the relevant residential apartment amenity standards, even in the context of BTR apartments no longer benefitting from design flexibilities not afforded to conventional build-to-sell apartment development.
- That consultation with the Dublin Childcare Committee should establish the capacity of existing childcare spaces in the catchment area, to support the case that no new childcare facility is required to support the proposed change of use of Block B2 from office to residential. The application to be accompanied by an updated Childcare Needs Assessment.
- That the proposed amendments do not require material changes to the permitted green roof coverage or sustainable drainage strategy, as agreed with the Council's Water Services Department.

The Applicant is therefore taken aback at the somewhat negative tone conveyed in the LRD Opinion, which we feel does not reflect the generally positive nature of the pre-planning consultation regarding the proposed amendments to the consented scheme.

We refer to the Planning Application Report and Statement of Consistency for confirmation that the proposed amendments to the consented scheme are consistent with the relevant National and Regional strategic planning policies, with the relevant Ministerial Guidelines and with all of the relevant policies, objectives and standards of the current Dublin City Development Plan 2022-2028.

Below we provide the Applicant's Responses to the specific issues raised in the LRD Opinion.

4 APPLICANT'S RESPONSE TO LRD ISSUES RAISED

4.1 Issue 1- Compliance with City Development Plan: Zoning Objectives, Density, Height & Design

4.1.1 Z5-City Centre Objective and SDRA 7 Principles for the Application Site

(a) The Application will be determined under the Dublin City Development Plan 2022-2028. The Application should be accompanied by a statement which demonstrates how the development will comply with:

(I) The requirement set out for Zoning Objective "Z5-City Centre", and;

(II) The Guiding principles for Strategic Development and Regeneration Area No. 7- Heuston & Environs Strategic Development & Regeneration Area.

We refer the Planning Authority to **Section 8.1.1 of the Planning Application Report and Statement of Consistency** which fully demonstrates how the proposed development complies with (I) The requirements set out for Zoning Object "Z5-City Centre", and; (II) The Guiding principles for Strategic Development and Regeneration Area No. 7- Heuston & Environs Strategic Development and Regeneration Area.

For the convenience of the planning authority, we have extracted the text from the planning report below.

Under the current Development Plan, the same majority of the site remains subject to the Zoning Objective "**Z5 – City Centre**". The lands in the immediate vicinity of the site are also thus zoned.

A linear strip along the river edge remains zoned for open space. The riverside amenity space of the consented scheme, within this zone, is not impacted by the proposed amendments.

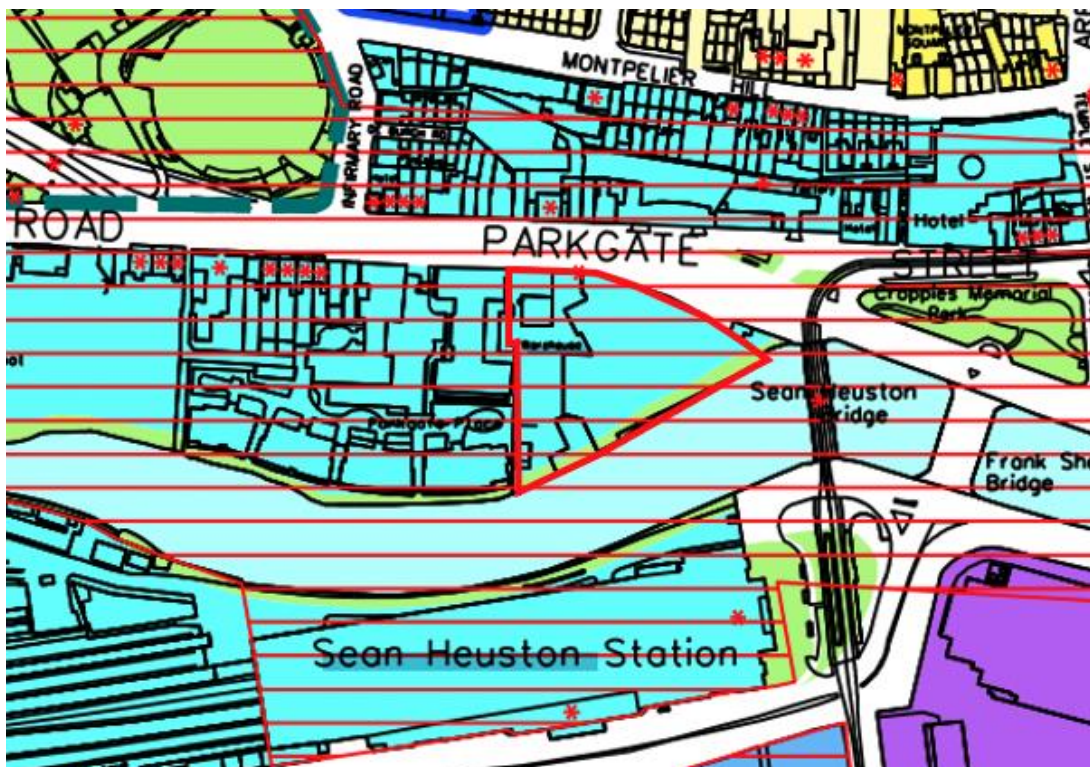


Figure 1: Extract, Map E, Dublin City Development Plan 2022 - 2028 (SLA overlay outlines approximate application site area outlined in red). We refer the Planning Authority to the accompanying Site Location Map prepared by Reddy Architecture & Urbanism for the exact extent of the site area of the consented scheme and the location of the proposed amendments within this site.

Zoning objective **Z5** seeks:

To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.

The purpose of the zoning is to promote intensive and varied mixed-use development, horizontally and vertically, to sustain life within the city centre through day and night. The Plan identifies “*retail, commercial, residential*” as being desirable to promote within the general mix of sustainable uses.

‘Residential’ is a permissible use under the Z5 zoning.

The zoning objective does not impose any specific ratio in respect of the mix of uses to be achieved on site. It does not specifically seek to ensure that a minimum quantum of office floor area is delivered within any given scheme at Z5 lands.

We note that the An Bord Pleanála Orders and Inspectors’ Reports issued in respect of the consented scheme, permitted under 306569-20 (SHD 1) and 310567-21 (SHD 2), does not identify office use as a critical component in ensuring the sustainable mixed use development of the site.

As previously identified in the site description, the application site of the consented scheme forms the eastern section of a larger former industrial site sitting between Parkgate Street and the River Liffey. The former industrial site was divided some time prior to 1940, and the western section is now occupied by the Parkgate Place 4-5 storey office and residential development.

The proposed change of use is located at a site within Heuston & Environs Strategic Development & Regeneration Area (SDRA 7). The SDRA 7 designation is carried over into the Dublin City Development Plan 2022-2028.

The stated “*Capacity of SDRA Designated Lands for Residential Use or a Mixture of Residential and Other Uses and Supporting Infrastructure*”, as identified in Section 13.1, Table 13.1 of the Development Plan, would appear to place a focus on the delivery of *residential* use as a priority over any other specific use in mixed use schemes that would deliver homes and employment in these areas of the city.

Thereafter, overarching, SDRA specific and site-specific guiding principles are set out for the SDRAs. It is stated that the guiding principles are not intended to be prescriptive and are to be read in conjunction with the land use zoning objective and other relevant policies, objectives and development standards of the Plan.

In respect of the overarching principles for development in the SDRAs in a general sense, they set out an overall strategy broadly relating to development form and scale, connectivity/permeability, open space, etc. None refer to the requirement to achieve a specific ratio of uses, or indeed to ensure the delivery specifically of office use in all new large scale development schemes within the SDRAs.

Figure 13-10 of the Development Plan indicates the development footprint and building height potential for the SDRA ‘Development Sites’, including the ‘Hickey’s’ site. It does not identify any particular type or mix of uses for this site.

The Guiding Principles for SDRA 7 Heuston and Environs, included under the theme of ‘*Land Use & Activity*’, do promote the creation of a new mixed-use district incorporating a mix of residential and office uses complemented by culture, retail and service elements specifically at the ‘**Heuston**’ lands. We would understand this to refer to ‘Key Opportunity Site’ No.3 Heuston (i.e., the CIE lands) to the south of the Liffey.

There is no similar promotion specifically of office use as part of the mix of uses promoted at the ‘**Hickeys**’ site (i.e. the application site), as discussed in the next section.

There is reference made in the SDRA 7 principles to Objective **CU025**, which we discuss further in Section 7.1.11 below.

Figure 13-10: SDRA 7 Heuston and Environs

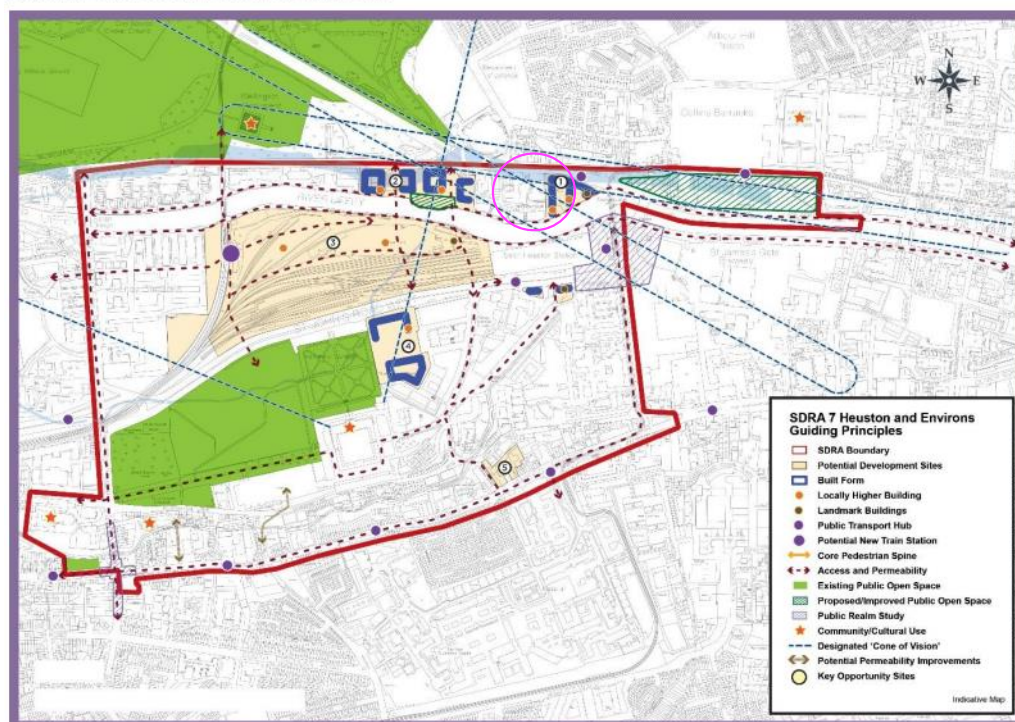


Figure 2: Extract from Figure 13-10 of the Dublin City Development Plan 2022-2028, including subject site.

In respect of the site-specific guiding principles for the 'Hickeys' lands, the intentions are:

- To provide active frontage to Parkgate Street with active non-residential land use.
- To provide a publicly accessible riverside amenity walkway.
- To allow for building heights generally in the order of 6-8 storeys, with locally higher buildings to the rear, and also a landmark building in the order of 30 storeys at the eastern apex.

These site-specific guiding principles for the Hickeys site are already met by the consented scheme, with a mix of residential amenity, retail, café/restaurant uses and public amenity spaces provided at ground to animate Parkgate Street and the river walk.

The consented Block B2 Office does not have a ground floor space, but rather sits over the archway entrance to the new civic space and riverside walk. On either side there is a café/restaurant unit at ground floor of Block B1 and at ground floor of Block A.

As previously noted, there is no reference to or objective for any specific land use, land use mix or ratio applicable to SDRA 7 or the Hickey's site (i.e., the application site) under the provisions of the current Development Plan, beyond the general promotion of "**Residential Use or a Mixture of Residential and Other Uses**" within SDRA 7. The only Key Opportunity Site where promotion of office use is explicitly identified as part of mixed-use development is at Site No.3 Heuston (i.e., the CIE lands) to the south of the Liffey.

As there is no specific requirement for office use to form a component part of development proposed at the Hickey's site, we would conclude that the proposed change of use from office to residential is not in conflict with the land use objectives or development principles for the application site.

The consented scheme, with proposed amendment, will continue to provide a high quality residential scheme at upper levels, with the ground level primarily occupied by active uses, including retail, café/restaurant, public and private amenities and open space, which animate Parkgate Street and the surrounding public realm. The generous restaurant/café unit at the ground level of Block A, with active frontage to Parkgate Street and the public space, will remain as part of the consented scheme.

The proposed amendments will see the replacement of the café/restaurant uses at ground floor of Block B1 with a new co-working space (c.229 sq m) and a cultural/community space (c.52 sq m) at ground level (for use by prospective residents and with potential for public use, throughout the day and into the evening), and reorganisation of residential amenity spaces (lounge, gym, etc) at mezzanine level. These space will be used as a meeting, socialising, exercise, exhibition spaces, activating Parkgate Street and facilitating community development, without the need to make significant changes to the permitted street front elevation.

The proposed uses in combination with the other consented uses would remain a mixed-use scheme with commercial (restaurant/café, retail) and community (co-working, event spaces and amenities) at ground and mezzanine levels, and residential levels above. The combination of mixed lower floor uses and residential upper floors will serve to animate, activate and provide passive surveillance to Parkgate Street and the interior public open space and riverside walk within the site.

The amended mix of uses will complement and support the existing businesses on the north side of Parkgate Street, which include pubs, coffee shops, convenience shop, offices and the law courts, and the existing office use neighbouring the site to the west (formerly part of the original industrial site).

It is noted that permission has been recently granted for the mixed-use redevelopment of the existing Guinness Brewery Lands to the south of James Street, Dublin 8. This includes 336no. dwellings, 2no. new hotels, **5 no. new commercial office buildings**, a Markethall, a Foodhall, retail/café/restaurant/public house/bar uses, community and cultural spaces and new public amenity open space. This permitted development will also significantly add to the mix of commercial uses, including office development, in the immediate vicinity of the 'Hickeys' application site and SDRA7.

It is not intended to materially amend the building height of the consented scheme. Localised roof height adjustment to Block B2 is proposed to align it with the residential floors in Blocks A and B1.)

Land Use Demand within SDRA 7

We refer to the report by Savills property agents, accompanying this application. Within SDRA 7, the report finds that:

- The ratio of residential land use to commercial office is at approximately 4.6 : 1.
- There is a higher vacancy rate within the built office stock (25%) compared to built residential stock (1%). Office vacancy in SDRA 7 is 50% greater than the vacancy rate for Dublin.
- The delivery of Block B2 as 40no. residential units instead of office floor area would cause minimal fluctuation in general land use ratios in SDRA 7.
- Office take-up within SDRA 7 (a city fringe location) is more inconsistent and lower than office take up in the CBD (>75% active office requirements are in Dublin 1, 2 & 4).
- In 2008-2009 Heuston South Quarter (HSQ) doubled the quantum of office stock in the area.
- A spike in office take-up in SDRA 7 in 2019 is attributed to the OPW development of the new Garda HQ offices at Military Road.
- The majority of office take up within SDRA 7 since 2011 has been by State bodies (70%, by HSE & OPW primarily). It is understood that at this point these bodies have largely met their current requirements for office space in this area.
- While there are other potential office developments in the planning pipeline for SDRA 7, e.g., at 17-22 Parkgate St, Heuston Station (CIE Masterplan) and HSQ Ph2, there is no guarantee that any resultant planning permissions will be implemented.
- Dublin's population is expected to expand by 18% between 2020 and 2035, yet undersupply and accumulated shortfall of residential accommodation is a persistent feature of the Irish and Dublin housing market. The shortfall for Dublin since 2011 is estimated at 50,000 dwellings.

- While delivery of PRS apartment schemes in the City remains volatile, with challenges relating to debt costs, construction inflation and planning delays, it is expected to pick up again by 2025.
- 'Older stock' PRS schemes at Clancy Quay and HSQ have been performing well, with very low vacancy rates (c.1%).
- There is a considerable lack of new residential development in the South West Inner-City area.
- The location of the application site is excellent, with immediate access to multiple transport links, the Phoenix Park and to the city centre, and would benefit from additional residential development to address the high demand for housing.

Having regard to the above findings, and given that:

- There is no specific quantum or mix of uses is prescribed in the Development Plan (under the Z5 zoning or the guiding principles for SDRA 7 or the 'Hickey's site') for SDRA 7 or the application site specifically.
- There is a higher vacancy rate at existing office stock (25% vacancy rate) within SDRA 7, compared to that in CBD Dublin postcodes 1, 2 & 4.
- There is evidence of high demand for residential managed rental accommodation (c.99% occupancy rate) within the SDRA 7 area.

The proposed change of use is considered to be sustainable, and consistent with the Council's promotion of the '15-minute city' concept of integrated land use. The site is on the western edge of the city centre where there is a wealth of retail, commercial and employment uses that support the consented and proposed residential use in this mixed-use scheme.

4.1.2 Ratio of Mixed Uses / Residential Use

(b) Notwithstanding the proposal to retain various commercial and community uses approved under the parent permission, i.e., the restaurant/café use and co-working spaces, there is a serious concern that the ratio of mixed uses in the proposed development taken together with the parent permission(s) will result in an overwhelmingly residential development that does not comply with the Z5 zoning objective which seeks to sustain life within the centre of the city through intensive mixed use development and SDRA7 which seeks to realise the creation of a new mixed use district focussed on sustainable modes of transport through the regeneration of the Heuston lands that incorporates a mix of residential and office uses complemented by culture, retail and service elements. The applicant is required to address the concerns outlined above which may involve an increase in the proportion of mixed uses proposed.

We refer the Planning Authority to our response to Issue 1(a) above for confirmation of the requirements of land use zoning objective Z5 and SDRA 7 guiding principles applicable to this site. We submit that the proposed development is not in contravention of either the Z5 zoning or the SDRA7 principles for the 'Hickeys' Key Opportunity Site (site no.1). The Heuston Key Opportunity site (site no.3) is a different site where office use is specifically promoted.

While accepting that pre-planning consultation is without prejudice, as highlight above the Planning Authority had expressed satisfaction at the second s.247 consultation meeting that the prospective Applicant had put forward a reasonable case for the proposed change of use from office to residential at Block B2. In respect of the proposal to replace the permitted ground floor café with residential amenity, the planning authority suggested that the co-working use might drop to ground floor to better animate the public realm and explore how this space could be made available for public use also through the day and evening.

Under the current Development Plan, there is no explicit reference in the Z5 objective that development must include office use, any other particular commercial use, or any particular ratio of residential to commercial use, as part of mixed use development at these lands. Similarly, the SDRA 7 guiding principles for the 'Hickeys' Key Opportunity Site do not specify that office use or any particular ratio of residential and other uses must be delivered at this site. The only Key Opportunity Site in SDRA

7 where promotion of office use is explicitly identified as part of mixed-use development is at Site No.3 Heuston (i.e., the CIE lands) to the south of the Liffey.

Rather the SDRA principles for the 'Hickeys' site focus on providing active frontage to Parkgate Street, providing a riverside walk and allowing for building height in the range of 8-10 storeys with locally higher buildings to the rear and a landmark tall building in the eastern apex. These are all design principles that have been achieved in the consented scheme and are not undermined by the proposed amendment. The permitted office in Block B2 does not have a ground floor presence to Parkgate Street, rather sits over the entrance archway connecting Parkgate Street to the public space and river walk on site. So, other than the change of use of one of the ground floor café/restaurant units to co-working and community/cultural space, the scheme with the proposed amendments remains one with predominantly residential use at levels above 1st floor, and with a mix of café/restaurant, retail, co-working, community/cultural and public and residential amenity spaces at ground floor fronting Parkgate Street and the new public realm areas on site. The proposed change of use at ground floor does not change the design of the building frontage to Parkgate Street. Wintergardens and balconies to the proposed new units will augment passive surveillance of the public realm.

This is set within the context of the site being located at the western edge of the city centre, with access to existing convenience shop, pub, coffee shop, offices and the law courts on the northern side of Parkgate Street opposite the site, and office development at the adjoining site to the west (formerly part of the original industrial site). The site is immediately accessible to city centre amenities and employment opportunities by foot or bicycle, or to other employment centres accessible by public transport (bus, luas, train) that serves this site. The Heuston Station transport hub is located within 200m of the site. Recent permission for significant mixed use at the nearby Guinness Brewery lands, James Street, includes residential, offices, hotels and other uses, will also add to the mix of uses in the general area.

We would continue to respectfully submit that the proposed amendments to the consented scheme are reasonable and sustainable. As identified in the Savills Report, the office vacancy rate is comparatively higher in SDRA7 than in the central business district area of the city. Ongoing uncertainty in the office market raises concerns for the viability of the scheme as permitted. The proposed amendments to the scheme seek to secure a viable, implementable permission that will attract end users and avoid risk of further long-term site vacancy.

4.1.3 Parkgate Street Animation / Activation

(c) The SDRA 7 Guiding Principles for Hickey's Key Opportunity Site in respect of the site-specific guiding principles for the 'Hickeys' lands, require (inter alia) active frontage to Parkgate Street with active non-residential land-use.

The Planning Authority considers that the proposed co-working and cultural space within the ground floor of Block B would not provide sufficient activity at ground floor level during the evening time period or over the weekend as they are unlikely to be in use during these periods. Therefore, in comparison to the previously permitted café/restaurant use, it is considered that this element of the proposal would not provide sufficient interaction, animation or active frontage onto the surrounding public realm, particularly along Parkgate Street as required by the SDRA guiding principles.

The Applicant is therefore requested to review this element of the proposal by including a ground floor use that would provide a sufficient level of active non-residential uses. The Planning Authority would prefer the café/restaurant use to be maintained.

We refer the Planning Authority to **Pages 52-57 of the enclosed Architectural Design Statement**, prepared by Reddy Architecture + Urbanism for further detail of how the proposed co-working and community/cultural space is envisaged to accommodate active use through the day and evening, during the week and at weekends.

The consented Block B2 Office does not have a ground floor presence, but rather sits over the archway entrance to the new civic space and riverside walk. On either side there is a café/restaurant unit at ground floor of Block B1 and at ground floor of Block A. The generous restaurant/café unit at the ground level of Block A, with active frontage to Parkgate Street, will remain as part of the consented scheme.

The consented scheme, as amended will then continue to provide a high-quality residential scheme at upper levels, with the ground level primarily occupied by active uses, including retail, café/restaurant, public and private amenities, cultural and community uses and open space, which animate Parkgate Street and the surrounding public realm.

As suggested by the planning authority at s.247 consultation, it is proposed to relocate the Block B co-working space from mezzanine to ground level, in place of only one of the permitted café/restaurant units. The mezzanine level will continue to accommodate internal residential amenity area for the prospective residents, and thus this will remain a facility for the local residential community on site. The proposed co-working space at ground floor will facilitate community development and activate the public realm. It can be made available for public use, as described in the Architects Design Statement (pp.52-57). The co-working space (c.229 sq m) is flexibly designed to be used as a meeting, socialising, exercise, exhibition space or pop up activity. The proposed dedicated community/cultural space fronting Parkgate Street also has flexibility to accommodate pop up uses as illustrated in the Architects Design Statement, without the need to make significant changes to the consented street front elevation.

It is expected that the consented scheme as amended will activate Parkgate Street, between Phoenix Park and Sean Heuston Bridge, in a similar manner to that achieved at Mill Road in Dublin 8, where student and self-catering accommodation, hotel, co-working spaces and café with exhibition/event space has brought greater footfall and active use to a formerly deserted city street that connects an inner-city housing area to the city centre. The residential component in particular has brought greater footfall to the street and sustains the ground floor uses which would otherwise struggle to attract sufficient passing trade.

4.1.4 Permitted and Proposed Ground Floor Plans

(e) The proposal would result in a density that is significantly higher than the permissible range set out under Table 1 (Pg 216, Appendix 3) which sets out a net density range of 150-200 units per hectare. Furthermore, the proposed density significantly exceeds the general presumption in the current Development Plan against schemes in excess of 300 units per hectare adopted in the context of research on residential density in London. In this context, there is serious concern that the proposed increase in residential density is not consistent with the development plan requirements and any subsequent application should be accompanied by a statement which demonstrates how the proposal complies with the City Development Plan's strategic approach to density as set out in Appendix 3 of the City Development Plan, and the criteria outlined in Table 3- 'Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale'. This may include the reconsideration of the appropriate red line site boundary and the permitted and proposed unit mix in order to ensure that the proposal has greater regard to the development plan density requirements.

We refer the Planning Authority to **Section 8.1.11.2 of the enclosed Planning Application Report & Statement of Consistency**, prepared by Stephen Little and Associates which provides details of the proposed increase in density on site and a response to Table 3 of Appendix 3 of the Dublin City Development Plan.

For the convenience of the planning authority, we have extracted the text from the planning report below.

Table 1 of Appendix 3 sets out density ranges generally supported in the city: -

Table 1: Density Ranges

Location	Net Density Range (units per ha)
City Centre and Canal Belt	100-250
SDRA	100-250
SDZ/LAP	As per SDZ Planning Scheme/LAP
Key Urban Village	60-150
Former Z6	100-150
Outer Suburbs	60-120

Figure 3: Extract from Table 1 of Appendix 3 of the Dublin City Development Plan 2022-2028

The Development Plan identifies a general presumption against schemes in excess of 300 units per hectare that can challenge successful placemaking and liveability. Schemes in excess of this density may only be considered in exceptional circumstances where a compelling architectural and urban design rationale has been presented.

We refer the Planning Authority to earlier discussion in Section 6.6 of this report in respect of how the proposed development as an amendment to the consented scheme achieves sustainable density in response to strategic planning policy and guidelines.

We would reiterate that the consented scheme already exceeds 300 units per hectare. The consented scheme was considered by both An Bord Pleanála and Dublin City Council to constitute proper planning and sustainable development at this site, that is of high architectural and urban design quality (including a landmark building) and acceptable residential density (positively increasing housing stock in the city), residential and visual amenity, urban design, height and quantum of development. The proposed alterations do not change these essential attributes of the consented scheme.

With the proposed addition of 40no. residential dwellings, the overall number of units rises from 519 to 559no. dwellings on the same site of approx. 0.82Ha. The amended residential density increases correspondingly to from 633 uph to 681 uph. This increase in residential density is being achieved largely within the already permitted building envelope and footprint. As previously noted that the plot ratio and site coverage remain as per the consented development. The uplift in residential unit number also does not materially increase loading on water and drainage services or deplete community, cultural or open space facilities in the surrounding area. The proposed units do not give rise to any undue overlooking, overshadowing or dominance of existing or permitted neighbouring residential properties. No new impacts on visual or cultural amenity arise as a result of the proposed amendments.

We would respectfully submit that the original conclusions of the planning authority should not therefore change, in that the scheme as amended would remain of strategic and national importance, supporting strategic planning policy (including National Planning Framework NPO 35) to deliver compact development through increased density at a brownfield regeneration site, at a regional public transportation gateway to Dublin, in a scheme of high architectural quality and urban design.

Nonetheless, we note that Table 3 of Appendix 3 of the City Development Plan outlines criteria to be used in assessing urban schemes of enhanced density and scale. These criteria are outlined below and followed by the Applicant's response.

Objective 1- To promote development with a sense of place and character.

Enhanced density and scale should:

- *Respect and/or complement existing and established surrounding urban structure, character and local context, scale and built and natural heritage and have regard to any development constraints,*

- *Have a positive impact on the local community and environment and contribute to 'healthy placemaking',*
- *Create a distinctive design and add to and enhance the quality design of the area,*
- *Be appropriately located in highly accessible places of greater activity and land use intensity,*
- *Have sufficient variety in scale and form and have an appropriate transition in scale to the boundaries of a site/adjacent development in an established area,*
- *Not be monolithic and should have a well-considered design response that avoids long slab blocks,*
- *Ensure that set back floors are appropriately scaled and designed.*

The proposed amendments to Block B have been carefully considered at pre-planning stage to ensure that the building remains appropriate in its relationship to the street and river edges to the site, and continues to enhance the existing townscape as a component of the wider consented scheme.

Design alterations to Block B2, include the integration of 8no. residential floors in place of 6no. office floors, within the same permitted footprint and general built envelope of Block B2. The necessary tie-in of the proposed new internal residential floor plans with adjoining Blocks A and B1, result in a minor increase in roof parapet height (by c.1.0m). The top floor has been set back c. 1.8m on both north and south elevations. There are minor amendments proposed along the north and south elevations to accommodate winter gardens for the proposed apartment units within Block B2. The permitted roof plant at Block C is also proposed to be omitted to minimise any visual clutter at roof level.

The proposed modification to the façade design of Block B2 follows the established historic street pattern of Parkgate Street, as per the consented scheme. The proposed wintergardens located on the north and south elevations provide additional active surveillance to Parkgate Street and the consented River Walk. Overall, the amended scheme remains similar in character and appearance as to that permitted on site.

The proposed amendments also include the provision of additional cultural/community space at ground floor level of Block B which will be made available to the wider public. It is envisaged that the space will be utilised for meeting, socialising, exercise, exhibition space, swap shops and community events with little change to the street front elevation. Thus, ensuring that the proposed development continues to animate and activate Parkgate Street and the interior public and communal spaces, and to positively benefit the prospective and existing local community.

We refer the Planning Authority to the accompanying Architectural Design Statement and elevational drawings prepared by Reddy Architecture & Urbanism for further architectural details.

Objective 2- To provide appropriate legibility.

Enhanced density and scale should:

- *Make a positive contribution to legibility in an area in a cohesive manner,*
- *Reflect and reinforce the role and function of streets and places and enhance permeability.*

The physical layout of the consented scheme with the proposed amendments will continue to contribute to an attractive, welcoming environment, with new linkages, public and private spaces that are well overlooked by the residential apartments and animated at ground floor level by other uses.

The consented scheme already provides high levels of site permeability through the provision of the public plaza and riverside walkway, with visual connections to other notable parts of the city, and with the potential for future onward links along the river edge.

The consented Block A landmark building enhances the legibility and navigation of the city, forging a dynamic relationship with other historic and new buildings in the area, and extending the public perception of the city centre as far as the western Heuston gateway.

Objective 3- To provide appropriate continuity and enclosure of streets and spaces.Enhanced density and scale should:

- Enhance the urban design context for public spaces and key thoroughfares,
- Provide appropriate level of enclosure to streets and spaces,
- Not produce canyons of excessive scale and overbearing of streets and spaces,
- Generally be within a human scale and provide an appropriate street width to building height ratio of 1:1.5 – 1:3,
- Provide adequate passive surveillance and sufficient doors, entrances and active uses to generate street-level activity, animation and visual interest.

As previously discussed the increased density of residential units does not significantly change the scale, massing, character or appearance of Block B or the consented scheme, or how it integrates open spaces and amenity links with the surrounding environment. The Street to Building Ratio remains as permitted.

The consented scheme, together with the proposed amendments, provides an appropriate level of enclosure to the streets and spaces. The consented scheme with proposed amendments maintains the same relationship with the permitted river walk. The proposed new Block B ground floor uses and the wintergardens and balconies located on the north and south elevations of Block B2 ensure active surveillance of the public realm and consented River Walk. Similarly, the consented scheme with the proposed amendments, provides appropriate active surveillance to Parkgate Street.

There remains a generous restaurant/café unit at the ground level of Block A, with active frontage to Parkgate Street and the public space, within the consented scheme. This will be complemented by the proposed new community space (c.52 sq m) and the co-working space (c.229 sq m) at ground floor in Block B1, all contributing towards the activation of the public realm and Parkgate Street. As noted above, the proposed wintergardens located on the north and south elevations of Block B2 provide additional active surveillance to Parkgate Street and the consented River Walk.

Objective 4- To provide well connected, high quality and active public and communal spacesEnhanced density and scale should:

- Integrate into and enhance the public realm and prioritises pedestrians, cyclists and public transport,
- Be appropriately scaled and distanced to provide appropriate enclosure/exposure to public and communal spaces, particularly to residential courtyards,
- Ensure adequate sunlight and daylight penetration to public spaces and communal areas is received throughout the year to ensure that they are useable and can support outdoor recreation, amenity and other activities – see Appendix 16,
- Ensure the use of the perimeter block is not compromised and that it utilised as an important typology that can include courtyards for residential development,
- Ensure that potential negative microclimatic effects (particularly wind impacts) are avoided and or mitigated,
- Provide for people friendly streets and spaces and prioritise street accessibility for persons with a disability.

There are no changes proposed to the permitted public open space on site, which meets the Development Plan criteria in terms of quantum and quality. The most significant features of the permitted public amenity open space include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. This amounts to **c.1,409sqm** within the site area of 0.82 ha (c.22% of the site area). The site is immediately adjacent to the Phoenix Park, with a wealth of recreational opportunities for all ages within the local community.

The public space and external communal courtyard at ground level within the consented scheme are not proposed to be altered. Located between the consented and proposed blocks, the amenity spaces are protected and overlooked by winter gardens and balconies and active ground floor uses. The proposed wintergardens located on the north and south elevations of Block B2 provide additional active surveillance to the communal spaces and to Parkgate Street and the consented River Walk.

We refer the Planning Authority to the enclosed Sunlight & Daylight Assessment, prepared by IN2. No significant adverse sunlight or daylight impacts arising from the proposed amendment to the consented scheme, for proposed, permitted or existing neighbouring development, is predicted.

The consented scheme with the proposed amendments continues to prioritise pedestrian and cycle accessibility. No additional car parking spaces are proposed as part of this amendment. The consented car parking spaces are located at basement level, allowing for public and communal spaces within the scheme to be car free. 102no. additional bicycle parking spaces are proposed, including 20no. visitor parking spaces.

The consented scheme, together with the proposed amendments, is Part M compliant. The consented scheme with the proposed amendments makes appropriate provision for prospective residential, working and visiting population, of all abilities, to access its residential, commercial and community/cultural accommodation and open space amenities.

Objective 5- To provide high quality, attractive and useable private spaces.

Enhanced density and scale should:

- *Not compromise the provision of high quality private outdoor space,*
- *Ensure that private space is usable, safe, accessible and inviting,*
- *Ensure windows of residential units receive reasonable levels of natural light, particularly to the windows of residential units within courtyards – see Appendix 16,*
- *Assess the microclimatic effects to mitigate and avoid negative impacts,*
- *Retain reasonable levels of overlooking and privacy in residential and mixed use development.*

Private balconies or winter gardens are provided to each of the proposed apartments within Block B2 as external amenity areas that achieve (or in some cases exceed) the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023). All winter gardens can be accessed directly from the main living areas.

The proposed recessed wintergardens and balconies are provided for each proposed apartment units on the northern and southern elevation of Block B2, within the already permitted building footprint. Balconies do not therefore overhang the public road or the permitted public space.

As the consented wintergardens within Block A are located on the western elevation, there will be no overlooking between the private residential amenity spaces of proposed Block B2 permitted in Block A. The proposed balconies on the southern elevation of revised Block B2 are also at sufficient separation and orientation so as not to give rise to any new overlooking impact for permitted east facing balconies on consented Block B1. As noted above, the proposed wintergardens and balconies located on the north and south elevations of Block B2 provide additional active surveillance to Parkgate Street and the consented River Walk and public and communal open spaces.

We refer the Planning Authority to the enclosed Microclimatic Wind Analysis and Pedestrian Comfort Report, prepared by IN2 for discussion of how the proposed amendments to the consented scheme, including new balconies, meet the relevant use comfort standards.

We refer the Planning Authority to the enclosed Sunlight & Daylight Assessment, prepared by IN2.

Objective 6- To promote mix of use and diversity of activities.

Enhanced density and scale should:

- *Promote the delivery of mixed use development including housing, commercial and employment development as well as social and community infrastructure,*
- *Contribute positively to the formation of a ‘sustainable urban neighbourhood’,*
- *Include a mix of building and dwelling typologies in the neighbourhood,*
- *Provide for residential development, with a range of housing typologies suited to different stages of the life cycle.*

As previously discussed under the Z5 land use zoning objective and SDRA 7 principles for this site, the consented scheme as amended would remain a mixed-use scheme, with residential, retail, café/restaurant, recreational and community/cultural amenities that will breathe new life into a highly accessible and well serviced, brownfield site. All uses of which are permissible under the Z5 zoning objective.

The proposed amendments to the consented scheme are consistent with strategic planning policy and guidelines, in the promotion of more compact mixed use urban regeneration that delivers:

- increased residential density,
- of high-quality urban design and architecture,
- at an underutilised, brownfield site on the edge of the city centre,
- served by high frequency public transport connecting it with Dublin City Centre and other strategic settlements and employment zones within the Dublin Metropolitan Area.

The subject site is strategically located within the built-up footprint of Dublin’s Metropolitan Area, within the western edge of the city centre. The consented scheme with the proposed amendments will deliver a high quality residential-led mixed-use development at Parkgate Street, on land zoned for a mix of uses (including residential) appropriate to maintaining the life and vitality of the city centre. The site benefits from excellent access to numerous forms of public transport, cycle and pedestrian facilities in the area. It is therefore considered that the consented development, together with the proposed amendments contribute positively to the formation of a sustainable urban neighbourhood.

The consented development with the proposed amendments will provide sustainable compact urban development, delivering an appropriate apartment mix, supported by ancillary facilities, at this prominent, underutilised brownfield site at the western gateway to the city

The permitted (519no.) and proposed (40no.) apartments together deliver a range in unit typology from deep plan to wide frontage, including studio, 1 bedroom, 2 bedroom and 3-bedroom units.

We refer the Planning Authority to the enclosed Housing Quality Assessment, prepared by Reddy Architecture + Urbanism.

We refer the Planning Authority to the enclosed Building Lifecycle Report, prepared by Aramark.

Objective 7- To ensure high quality and environmentally sustainable buildings.

Enhanced density and scale should:

- *Be carefully modulated and orientated so as to maximise access to natural daylight, ventilation, privacy, noise and views to minimise overshadowing and loss of light – see Appendix 16,*
- *Not compromise the ability of existing or proposed buildings and nearby buildings to achieve passive solar gain,*
- *Ensure a degree of physical building adaptability as well as internal flexibility in design and layout,*
- *Ensure that the scale of plant at roof level is minimised and have suitable finish or screening so that it is discreet and unobtrusive,*

- *Maximise the number of homes enjoying dual aspect, to optimise passive solar gain, achieve cross ventilation and for reasons of good street frontage,*
- *Be constructed of the highest quality materials and robust construction methodologies,*
- *Incorporate appropriate sustainable technologies, be energy efficient and climate resilient,*
- *Apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16),*
- *Incorporate an Integrated Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS solutions are in place – see Appendix 13,*
- *Include a flood risk assessment – see SFRA Volume 7.*
- *Include an assessment of embodied energy impacts – see Section 15.7.1.*

The proposed amendments consist a change of use from office to residential in Block B2. There is no change to the permitted building footprint. The apartments have been designed to maximise dual aspect, sunlight and daylight accessibility, privacy and ventilation.

Similarly, the architectural design and internal layouts have been designed to ensure appropriate separation distances are maintained between the proposed and consented apartment units, maximising privacy to living spaces.

60% of the proposed units are dual aspect, significantly higher than the Dublin City Development Plan requirements and the requirements of the Apartment Guidelines (2023).

Sunlight and daylight analysis, and shadow study, by IN2, enclosed with the application, informed the design development to ensure appropriate environmental performance of the proposed and permitted units, and to ensure no new adverse shadowing of neighbouring residential properties arises.

It is worth highlighting that the 40no. additional apartment units proposed achieve 98% daylight compliance, 2no. non-complying rooms were identified. We refer to Appendix A of the enclosed Sunlight and Daylight Analysis, prepared by IN2 for details of compensatory measures.

The proposed new apartments, similar to the permitted units in the consented scheme, are designed to be adaptable, with future proofing in place to allow for potential internal modifications, subdivisions and amalgamations, should this be required in the future to meet the needs of a greater number of smaller or larger households over time.

The façades revised Block B, similar to the consented scheme, are articulated to create a lively/moving façade. The choice of contextual materials is as per the consented scheme, including natural stone cladding, glazed screens, brick and render to provide a modern interpretation with traditional materials. At the lower levels, quality, durable finishes shall be used in deference to the street realm to ensure a quality treatment. The architectural language is contemporary throughout the consented and revised scheme, but picks up on the grain of the area.

The proposed amendments include the omission of plant at roof level of Block C, no additional roof plant is proposed as part of this application. We therefore would consider this a planning gain.

The revised building is designed to accommodate future requirements of NZEB. Technical analysis of the various thermal and solar models create a façade that will provide thermal comfort yet achieve the required daylighting for its intended use. The target BER of the building is to be A rated. The materials are chosen to be durable, long lasting, and well detailed to cope with the Irish climate.

There is no change to the permitted drainage and watermain strategy under this Block B2 Planning Amendment as agreed with Dublin City Council Drainage Division and Uisce Éireann. Dublin City Council Drainage Division have confirmed no objection to the surface water strategy and flood risk assessment for the permitted development, as outlined in the Drainage Report to An Bord Pleanála.

We refer the Planning Authority to the enclosed Technical Report, prepared by ARUP which confirms that there is no change to the conclusions state in the Site Specific Flood Risk Assessment incorporating the proposed amendment for Block B2 change of use from office to residential.

Having regard to Section 15.7.1 of the Dublin City Development Plan, as referenced in Objective 7 of Appendix 3, Table 3, the proposed amendments do not alter the consented reuse or demolition of existing buildings/structures on site. All demolition and reuse works are as permitted under ABP-306569-20.

Objective 8- To secure sustainable density, intensity at locations of high accessibility.

Enhanced density and scale should:

- *Be at locations of higher accessibility well served by public transport with high capacity frequent service with good links to other modes of public transport,*
- *Look to optimise their development footprint; accommodating access, servicing and parking in the most efficient ways possible integrated into the design.*

The application site is well served by public transport. Heuston Station is approximately 200m from the site which provides national and regional rail services, as well as LUAS services. On Parkgate Street a number of Dublin Bus routes are located which give further access across the city. There is a Dublin Bikes Station directly adjacent the site near Heuston Bridge, as well as many dedicated cycle lanes in the nearby roads that provide safe cycling for cyclists.

The consented development together with the proposed amendments is designed to optimise the consented development footprint. The consented car parking is located at basement level, with access from Parkgate Street resulting in a car free public and communal spaces. Bicycle parking for residents is also located at basement level with direct access from the each Block's lobby. Visitor bicycle parking is located within the external common areas with access directly from Parkgate Street and the consented River Walk. There are no changes to the consented access points proposed. The consented development prioritises pedestrian and cyclist movements.

Objective 9- To protect historic environments from insensitive development

Enhanced density and scale should:

- *Not have an adverse impact on the character and setting of existing historic environments including Architectural Conservation Areas, Protected Structures and their curtilage and National Monuments – see section 6 below.*
- *Be accompanied by a detailed assessment to establish the sensitivities of the existing environment and its capacity to absorb the extent of development proposed,*
- *Assess potential impacts on keys views and vistas related to the historic environment.*

We refer the Planning Authority to the enclosed technical addendum note to the original Architectural Heritage Impact Assessment, prepared by ARC. The original AHIA (enclosed with the application) identifies the sensitivities of the existing environment and its capacity to absorb the nature and extent of the consented scheme. The addendum note then confirms that the proposed amendments will have no new direct physical impact on surrounding heritage structures that is not already an approved part of the consented development.

We refer the Planning Authority also to the enclosed Addendum Landscape and Visual Impact Assessment, prepared by ARC.

In 2021 ARC Consultants prepared Chapter 13 Landscape and Visual Impact Assessment (LVIA) of the Environmental Impact Assessment Report (EIAR) for Block A. This LVIA assessed the likely visual impact of the 'Block A' residential tower in combination with the rest of the permitted scheme (including Block B) and of the surrounding urban landscape. This chapter formed part of the material submitted to the

Board for its consideration in relation to ABP Ref. 310567-21. A total of 22 viewpoints in the surrounding area, Views A to V inclusive, were considered.

When considering the potential visual impact of the current proposed amendments to the consented scheme, it is noted that Block B is not visible in 10 of these view locations, because of intervening development, including other parts of the consented scheme.

The proposed amendments to Block B have therefore been considered in the context of the 12 view locations where Block B is likely to be visible to various degrees. New comparative photomontage views have been prepared by Model Works for each of these 12 view locations. These views show the consented scheme (including Block A) without and with the proposed amendments to Block B.

Based on these photomontage view and the planning drawings, it is ARC's assessment that **the proposed amendments will not result in any change to the previously assessed extent of potential landscape and visual effects.**

Objective 10- To ensure appropriate management and maintenance.

Enhanced density and scale should:

- *Include an appropriate management plan to address matters of security, management of public/communal areas, waste management, servicing etc.*

We refer the Planning Authority to the enclosed Management Plan, prepared by Aramark.

4.1.5 Childcare Demand and Facilities

(f) Section 2.4 of the Childcare Facilities: Guidelines for Planning Authorities, requires the provision of at least one childcare facility for new residential development unless there are significant reasons to the contrary of where adequate facilities are available. The proposal for 40. Family sized apartment units must be considered cumulatively in the context of the parent permission.

The submitted planning statement asserts that no childcare facilities are required for the proposed and consented scheme on the basis that Section 4.7 of the Apartment Guidelines, which advises that subject to location, units with two or more bedrooms may not generally be considered to contribute to a requirement for any childcare provision in part or in whole. However, no justification has been provided to substantiate this assertion. The applicant is therefore requested to demonstrate why the location of the site would justify the non-provision of childcare facilities.

(g) Further to Item (f) above, Appendix 2 of the Childcare Guidelines details considerations that must be given to any deviation from the provision of 20 full-time day-care spaces per 75 dwellings. This includes that the results of any childcare needs analysis carried out as part of a county childcare strategy or as part of a local area plan, in consultation with the county childcare committees. It is noted that the previously submitted assessment of existing childcare provision is based on data released by Tusla which relates to the number of registered childcare facilities in the area and their theoretical capacity. No information has been provided by way of available spaces.

Therefore, it is recommended that the Developer consults with Dublin City Childcare Committee in order to accurately determine the availability of childcare services in the local area and if necessary, include a childcare facility as part of the proposal.

The Childcare Needs Assessment that accompanied the application for the consented scheme has been updated to take account of the revised estimated demand for childcare spaces arising from the proposed amendments to the consented scheme, and our consultation with the Dublin Childcare Committee on the capacity of registered childcare facilities in the catchment area.

We have calculated that the proposed new units give rise to a demand for **10no.** Spaces, based on a conservative calculation that includes 2-bed apartments. Consultation with the Dublin Childcare Committee indicates that the existing registered childcare facilities within the catchment area have sufficient capacity to absorb this demand. It is conservatively estimated that there are 35no. Tusla registered existing childcare facilities spaces within c. 1.5km of the subject site. Of these: 14no. registered facilities within 1km of the application site with a total capacity of **581no. spaces**; 21no. registered facilities within between 1km of the application site with a total capacity of **769no. spaces.**

Additional childcare facilities are also available within the wider Dublin 7 / 8 area, noting that many parents opt to avail of childcare on route or close to their place of work. In combination, the theoretical demand of the consented scheme with amendments amounts to 42no. Childcare spaces, based on same conservative calculation methodology. We note that the Childcare Needs Assessment submitted with the applications for the consented schemes (ABP-306569-20 and ABP-310567) found that there was sufficient childcare facilities in the area for the demand for childcare within those developments (i.e., 32no. spaces).

We refer the Planning Authority to the enclosed Childcare Needs Assessment, prepared by Stephen Little and Associates.

4.2 Item 2- Residential Amenity

The proposed application shall be accompanied by the following information:

4.2.1 Daylight and Sunlight Analysis

- (a) *A detailed daylight and sunlight assessment of the proposed development as per discussions in the LRD meeting, in accordance with the relevant Guidelines- site out in Appendix 16 of the Dublin City Development Plan 2022-2028 which will demonstrate an acceptable level of daylight and sunlight for the proposed occupants, and existing neighbouring properties.*

We refer the Planning Authority to the enclosed Sunlight & Daylight Analysis prepared by IN2. Section 4.0 states: -

*Assessment was carried out on selected units on the mezzanine and first floors to provide an understanding of the impact of any potential impact. The results determined that whilst there would be some reduction in VSC availability, the works carried out on the previously permitted scheme to ensure **good daylight availability to the units has resulted in the ADF being consistent with previous results, with every space still achieving ADF's above the BRE minimum guidance.** Due to these results for the lower floors and an understanding that daylight will improve on the upper floors, it is concluded that the **proposed amended block B2 has only negligible impact on permitted scheme.***

Thereafter, in relation to sunlight and daylight access to Block B2 and the associated residential units proposed, the report findings include: -

*Internal daylight analysis, as detailed in section 6.0, has been undertaken for all kitchen/ living/ dining (KLD) and bedroom spaces throughout the proposed amended block B2. Units have been assessed based on BRE Guide for the Spatial Daylight Autonomy (SDA) metric. **98% of the rooms, were found to be compliant for BRE recommended guideline** and detailed results are presented in Appendix A. As per Apartment Guidelines, where rooms were determined to not comply with the BRE guidelines (total 2 no. rooms), these have been identified and compensatory measures provided in Appendix A.*

*Section 7.0 included the results for the Exposure to Sunlight Analysis. This metric assesses the sunlight availability to each unit. The **proposed amended block B2 achieves a compliance rate of 80% of units exceeding the minimum recommendations.** Detailed results are included in Appendix B.*

We refer to Section 6.2 and Appendix A of the enclosed Sunlight Daylight Analysis Prepared by IN2 Engineering Design Partnership for details of compensatory design measures.

In relation to any impact on the existing neighbouring buildings, the report states: -

*The analysis indicated that all **existing residences on Montpelier Hill assessed for daylight impact were found to achieve full compliance with BRE recommendations**, as VSC values were predicted to be either remain above 27% and or any reduction was less than 20%. **These dwellings would therefore not be adversely affected by the proposed development (with amended block B2) in terms of receipt of natural light.***

*Similarly, analysis undertaken for sunlight availability determined BRE compliance with regards to **all existing dwellings assessed on Montpelier Hill, confirming their currently received sunlight would not be adversely affected by the proposed development** (with amended block B2).*

4.2.2 Housing Quality Assessment

(b) A detailed Housing Quality Assessment is required, including a detailed schedule of accommodation which shall indicate compliance with all relevant standards (including the direction of aspect) in accordance with the Sustainable Urban Housing: Design Standards for New Apartments.

We refer the Planning Authority to the enclosed Housing Quality Assessment, prepared by Reddy Architecture + Urbanism which confirms that all standards of the Apartment Guidelines 2023 are met.

4.2.3 Labelling of Units

(c) In the interest of clarity, all units should be clearly labelled on the drawings.

We refer the Planning Authority to the enclosed floor plans, prepared by Reddy Architecture + Urbanism which clearly label all of the proposed units.

4.2.4 Dual Aspect Units

(d) In the interest of clarity, all dual aspect units should be clearly indicated on floor plans.

We refer the Planning Authority to the enclosed floor plans, prepared by Reddy Architecture + Urbanism which clearly identify all dual aspect units.

4.2.5 Other Documents to Accompany the LRD Application

The following Documents should also accompany an application, in relation to Planning with further documents required by Transport, Drainage and Parks

- Planning Statement*
- Architectural Design Statement*
- Lifecycle Report*
- Community Safety Strategy*
- Childcare Needs Assessment*
- Statement of Consistency with Planning Policy*
- Climate Action and Energy Statement*
- Operational Waste Management Plan*
- EIAR Screening Report/Statement*
- AA Screening Report*
- Proposals under Part V*
- Public Lighting Assessment*
- Taking in Charge Plan (if required)*
- Community Infrastructure Audit*
- Ecological Assessment*
- Arborist Report*

- Microclimatic Assessment to show that the proposed development will not cause significant effects in terms of wind speed to nearby road or buildings.

We confirm that all of the documents requested above accompany this LRD application.

We refer the Planning Authority to Section 9 of the enclosed Planning Application Report and Statement of Consistency which provides a list of enclosures.

4.3 Item 3- Parks and Landscape Services Department

The following requirements of the Parks and Landscape Services Department should be addressed: -

4.3.1 Communal Open Space

(a) Clarification that the communal open space (COS) requirements are complied with in terms of cumulative residential units proposed at the site

(b) The applicant is requested to include a schedule of COS calculation, showing requirements and proposed provision.

The residential units permitted in the consented scheme are declared 'built to rent' apartments, which benefitted at the time of permission to flexibility in respect of private amenity open space.

In the consented scheme, in addition to the public open space (c.17% of site area - see 7.8.4.1 of the Planning report):

- c.2,727sqm total external communal amenity space, including communal space at roof level of Block B is provided for the prospective resident community. This includes soft and hard landscaped areas, including a children's play area, all designed for safe and enjoyable use by residents.
- To compensate for units that did not benefit from individual private amenity space, an additional c.1,856 sq m total internal communal amenity space was provided at ground floor, mezzanine, 7th, 9th, 25th floors for the benefit of all prospective residents. This includes: - concierge spaces, TV rooms, a family room, lounges, bookable rooms, quiet rooms, and co-working spaces.

The proposed new residential units (40no.) do not benefit from flexibility in the provision of private amenity (external) open space, In the **consented scheme with proposed amendments**, in addition to the public open space (unchanged):

- The proposed 40no. residential units in Block B2 are all provided with individual private amenity open space in the form of winter gardens and/or balconies, that meet the minimum design requirements.
- The proposed 40no. residential units in Block B2 generate a requirement for 270 sq m communal amenity space. These units will have direct access to the consented external communal open space (c.600 sq m) at roof level of Block B, which absorbs this requirement.
- Minor alterations are proposed to the external communal amenity space at roof level of Block B. These comprise level changes to accommodate the alignment of floor plates between Block A and Block B2 and associated inclusion of steps and ramps.
- In common with all other consented units, the prospective residents of Block B2 will also have access to the external communal amenity space (including children's play space) permitted at ground level within the overall consented scheme.
- In common with all other consented units, the prospective residents of Block B2 will access to:
 - The consented internal amenity space. This includes having immediate access to the consented internal residential amenity space (c.256sqm) at mezzanine level at Block B (proposed to be redesignated from 'co-working' to residents' gym and lounge spaces) and the other consented spaces identified above.

- The proposed new co-working space (c.229sqm) at ground floor to be delivered via a change of use of a permitted ground floor restaurant/café unit.

We refer the Planning Authority to the enclosed **Architectural Design Statement (from Page 60)**, prepared by Reddy Architecture + Urbanism, and to **Drawing No. 201, prepared by Mitchell + Associates Landscape Architecture**, for further details.

4.3.2 Alteration of Public Open Space to accommodate additional Bicycle Parking Spaces

- (c) *Public Open Space (POS): Revisions required at ground level of B Block to reconfigure cycle parking/planters in order to keep an open accessible & interconnected internal/external space.*

For illustration of the proposed adjustments to the public open space area to accommodate proposed new cycle parking at surface level, we refer the Planning Authority to the enclosed **Architectural Design Statement (Page 63)**, prepared by Reddy Architecture + Urbanism, and to **Drawing No. 201, prepared by Mitchell + Associates Landscape Architecture**, for further details.

4.3.3 Play Space

- (d) *Place space: provision of 100 2-bed units requires additional 200-400sqm external recreational space as per apartment guidelines. This could be provided by way of on section of the residential courtyard lawn, provide recreation uses for older children, e.g. half basketball court, external gym, external play units*

We refer the Planning Authority to **Section 8.1.11.7 of the enclosed Planning Application Report** and Statement of Consistency.

For the convenience of the planning authority, we have extracted the text from the planning report below.

Section 15.8.8 of the City Development Plan requires: -

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 also be provided in addition.

The consented development provides a ground level communal courtyard located between Blocks B and C includes a Children's Play Space of 100sqm.

The Development requirement is not a pro rata standard. The consented scheme exceeded the threshold for provision and the proposed development, as amended, is captured within the permitted play space provision.

Notwithstanding the above, it is proposed to incorporate a large chess board (12sqm) surrounded by seating and tree planting at the south - west of the residential courtyard located between Block B and Block C. The chess board is made of paving units and offers fun activity while encouraging recreation and social interaction between the residents, predominantly older children.

It is highlighted that the river walk, public and communal amenity spaces are included within the consented scheme, as amended, suitable for use by this cohort. Thereafter, the site lies immediately adjacent to a number of existing adjacent sports, social and recreation facilities such as: -

- Phoenix Park
- The Croppies Acre Park
- Avona Boxing Club
- TU Grangegorman Playing Fields
- Arbour Hill Boxing Club
- The Royal Gardens at the Royal Hospital Kildmainham
- Irish Museum of Modern Art
- Collins Barracks
- Montpelier Play Space
- St. Brendan's GAA Club
- Bridgefoot Street Park
- St. Catherine's Sports Centre
- Marshall Art Incorporated Dublin 7
- Phoenix Park Playground
- Grangegorman Playground
- Lighthouse Cinema
- National Museum of Ireland- Decorative Arts & History
- Dublin Zoo
- Jervis Shopping Centre
- National War Memorial Gardens
- Cineworld

The consented scheme will continue to present an excellent opportunity to open up access to the River Liffey to the public, which had previously not been possible. The consented treatment of the Z9 area implements the zoning objective to provide recreational amenity and open space, while addressing the heritage value of the structures in this location. The proposed new residential units, as a composite element of the overall consented scheme, will benefit from the integration of the site's redevelopment with the restoration of the protected and other historic structures on site, as consented under ABP-306569-20, enhancing the cultural fabric of the area.

4.3.4 Urban Biodiversity Enhancement

(e) Green roof: the applicant is requested to review proposals to enhance urban biodiversity via bird/bat boxes, enhance sedum species selection etc.

We refer the Planning Authority to the enclosed **Landscape Drawings, prepared by Mitchell + Associates**.

The consented landscape scheme had been developed around the principles of green infrastructure and has therefore incorporated the natural heritage elements specifically aimed at enhancing biodiversity and its connectivity across the site.

Further biodiversity enhancement is proposed through the incorporating of swift and bat boxes on site, including swift nesting to higher areas.

Three lightweight wooden swift boxes are proposed at the north – west corner of the River Building, at least five meters above the ground so they get some shade during the day, away from the direct sunlight and heat of the sun with clear adjacent air space so the Swifts can access it in high – speed direct flight to avoid the risk of predation. On the same principle, additional three wooden lightweight swift boxes are proposed on the 9th floor roof terrace, along the north facing side of the Block B1.

To further enhance biodiversity two lightweight wooden bat boxes are placed on the south - west side of the River Building, at least 4m above the ground and away from the artificial light to protect them from predators. Bat boxes in this area will be sheltered from the strong winds and exposed to the sun for part of the day but will also be situated near drinking habitat such as a river in this case. Both swift and bat boxes are placed away from the public areas.

(f) The Landscape Plans should be updated within the submission.

We refer the Planning Authority to the enclosed updated Landscape Drawings, prepared by Mitchell + Associates.

4.4 Item 4- Transportation Planning Division

The following requirements of the Transportation Planning Division should be addressed: -

4.4.1 Access

- (a) *The applicant should provide the following in relation to access-*
- (I) *Detail of the intended access route(s) for the proposed residential units to the permitted car parking.*
 - (II) *Vehicle auto-tracking to demonstrate that the proposed additional/revised cycle parking within the plaza would maintain adequate emergency access to the development through the plaza.*
 - (III) *The proposed access arrangement to the basement cycle parking in Block B2 from Parkgate Street should be revised in order to achieve more suitable access to the proposed cycle parking store for future residents. The applicant should demonstrate that the revised access arrangement facilitates two-way movements with bikes and access for cargo bikes.*
 - (IV) *An Operational Waste Management Plan demonstrating that the proposed residential units will have adequate access to residential refuse storage facilities.*
- (a)(I) We refer the Planning Authority to Page 67 of the enclosed Architectural Design Statement and, prepared by Reddy Architecture + Urbanism.
- (a) (II) We refer the Planning Authority to Page 68 of the enclosed Architectural Design Statement and, prepared by Reddy Architecture + Urbanism
- (a) (III) We refer the Planning Authority to Page 69 of the enclosed Architectural Design Statement, prepared by Reddy Architecture + Urbanism.
- (a) (IV) We refer the Planning Authority to the enclosed Operational Waste Management Plan, prepared by AWN Consulting.

4.4.2 Cycle Parking

- (b) *The applicant should provide the following in relation to cycle parking-*
- (I) *Details of the proposed type of cycle system (e.g. whether double stack system) and details of the space allocated to access and manoeuvre within the bike store at basement level of Block B2.*
 - (II) *Clarification of quantities of both long term and short term cycle parking proposed, including the net increase for both types and clarity regarding any permitted spaces that are proposed to be reconfigures/replaced.*
- (b)(I) We refer the Planning Authority to enclosed Drawing No. PGATE-RAU-ZZ-00-DR-A-GAP-31108, prepared by Reddy Architecture + Urbanism which provide details of the proposed bicycle parking.
- (b)(II) We refer the Planning Authority to Section 4.12 of the enclosed Architectural Design Statement, Reddy Architecture + Urbanism which details the quantum of bicycle parking proposed.

4.4.3 Public Domain

- (c) *The following shall be submitted at planning application stage in relation to public domain-*
- (I) *Drawings providing dimensions and details which sufficiently illustrate that the proposed works do not extend into the public domain. The drawings submitted should include: -*
 - (II) *Identification of the boundary of the portion of the application site lands which are in private ownership*
 - (III) *Reference to permitted works to the public road and footpath which are subject to Condition 11 (b) of Reg. Ref. SHD0001/20/ ABP Ref. 306569-20.*
- (c)(I) We refer the Planning Authority to Drawing No. PGATE-RAU-ZZ-ZZ-DR-A-MPL-30001, prepared by Reddy Architecture + Urbanism.
- (c)(II) We refer the Planning Authority to the enclosed Site Location Map, prepared by Reddy Architecture + Urbanism.
- (c)(III) We refer the Planning Authority to Page 73 of the enclosed Architectural Design Statement for details.

Stephen Little & Associates are committed to progressing and achieving sustainable development goals.

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