

RESPONSE TO AN BORD PLEANÁLA OPINION

In respect of

**PROPOSED RESIDENTIAL DEVELOPMENT AT FRANKFORT CASTLE,
DUNDRUM, DUBLIN 14**

Pre-Application Reference No. - *ABP-306159-19*

Prepared on behalf of

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Table of Contents

1.0	INTRODUCTION	2
2.0	RESPONSE TO ISSUES RAISED BY ABP	2
2.1	Car Parking Provision	3
2.2	Transport Considerations	4
2.3	Impact on Residential Amenity.....	6
2.4	Childcare Facilities	8
2.5	Trees	8
2.6	Open Space	10
2.7	Proposed Materials and Finishes.....	11
2.8	Surface Water	11
2.9	Flood Risk.....	12
2.10	Wastes	12
2.11	Housing Quality Assessment.....	12
2.12	Taking in Charge.....	13
2.13	Appropriate Assessment Screening	13
3.0	CONCLUSION	13

1.0 INTRODUCTION

This Response addresses issues raised by An Bord Pleanála (ABP) and *Dun Laoghaire Rathdown County Council (DLRCC)* during the pre-application consultation stage of the subject SHD application (ABP Ref. ABP-306159-19). Specifically, it outlines how the Applicant has addressed the issues highlighted in the ABP Opinion issued on 14th February, 2020. In addition, issues raised in DLRCC's pre-application S.6 (4)(b) report are addressed.

2.0 RESPONSE TO ISSUES RAISED BY ABP

In its Opinion, ABP stated that the documentation submitted as part of pre-application consultation "require further consideration and amendment to constitute a *reasonable basis for an application for strategic housing development*". As such, the Board Opinion requested that the following specific information should be submitted with any application for permission:

1. *Planning rationale/justification as it relates to the level of car parking provision proposed, specifically noting the site's location close to public transport and that it is national policy to minimise reliance on the private car.*
2. *Notwithstanding the need to justify the levels of car parking proposed on the site, as noted above, additional details in relation to Transport, having regard to the report of the Transportation Planning Department (dated 14th January 2020), and having regards to discussions at the tripartite meeting, in particular*
 - (i) *the provision of a pedestrian footpath to the south of the site, along Frankfort, to the eastern extent of the site. If this is not being provided, detailed justification will be required;*
 - (ii) *details of pedestrian priority crossings, as detailed in the report*
 - (iii) *details of electric vehicle infrastructure*
 - (iv) *additional cycle parking provision*
 - (v) *details of the proposed pedestrian access to the north-west, if this is being provided;*
 - (vi) *Mobility Management Plan; and*
 - (vii) *Quality Audit.*
3. *A report (or reports) that addresses issues of residential amenity (both existing residents of nearby development and future occupants), specifically with regards to daylight/sunlight analysis, overshadowing and potential overlooking. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and nearby residential development.*
4. *Rationale/ justification as to the provision of Childcare Facilities, or otherwise. Justification is required for the non-provision of childcare facilities, having regard to the criteria as set out in Childcare Facilities -Guidelines for Planning Authorities (2001).*
5. *Rationale/ justification for the removal of 78% of the existing trees on the site, having regard in particular to the report of the Parks and Landscape Section of the Planning Authority (dated 17th January), and having regards to discussions at the tripartite meeting. The impacts of the proposed development on the trees proposed to be retained and the proposed replacement planting, should be further explored, and detailed drawings provided in relation to same.*

6. *A plan of the proposed open space clearly delineating public, semi-private and private spaces should also be provided, as well as a detailed breakdown of the total area of same. These plans should clearly highlight how the proposals provide for an appropriate variety and suitable location(s) of children's play spaces.*
7. *A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.*
8. *Addition detail in relation to surface water proposals, having regard to the report of the Drainage Division of the Planning Authority (dated 16th January 2020), and having regards to discussions at the tripartite meeting, namely the need to provide more detail in relation to the surface water infrastructure to be provided on site, the feasibility or otherwise of the proposed planting over the attenuation tanks as well as details of green roofs. In addition, a Stormwater Audit will be required at application stage.*
9. *Additional detail in relation to Flood Risk, having regard to the report of the Drainage Division of the Planning Authority (dated 16th January 2020), namely the need to provide a surcharge analysis of the surface water drainage system and details of safe overland flow routes.*
10. *Additional details in relation to waste management, having regard to the report of the Waste Management Division of the Planning Authority (dated 15th January 2020) namely a Construction and Demolition Waste Management Plan, an Environmental Management Construction Plan and a Waste Management Operational Plan.*
11. *A detailed Housing Quality Assessment.*
12. *A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.*
13. *Appropriate Assessment Screening Report.*

2.1 Car Parking Provision

2.1.1 ABP Requirement 1

Planning rationale/justification as it relates to the level of car parking provision proposed, specifically noting the site's location close to public transport and that it is national policy to minimise reliance on the private car.

2.1.2 Applicant's Response

A total number of 77 no. car spaces are proposed. Some 67 no. at basement level and some 10 no. at surface level. This quantum of car parking provision equates to 0.67 spaces per unit. The location of the subject site is within close proximity (c.15 minute walking distance) to the urban centre of Dundrum where a wide range of employment opportunities, services and facilities are located. In addition, well developed public transport infrastructure links such as the LUAS Green Line (Windy Arbour and Dundrum Stations) are located within a c.11 minute

walk of the proposed development. As such, it is considered that the proposed quantum of car parking is wholly appropriate and accords with strategic planning policy which aims to encourage sustainable travel modes, particularly in well-connected urban sites. In this regard, it should be noted that the *'Sustainable Urban Housing: Design Standards for New Apartments (Guidelines for Planning Authorities)'*, published by the Department of Housing, Planning and Local Government in March 2018 states the following with respect to car parking:

"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".

Recent residential developments permitted in the surrounding area have also established that a reduced quantum of car parking provision is acceptable and indeed should be encouraged to minimise traffic impacts and encourage sustainable travel modes. Examples of such developments include the Walled Garden Strategic Housing Development permitted initially in 2019 (ABP Ref. PL06D.304590) and amended in 2020 (ABP Ref. PL06D.307545). The original permission in that case allowed for a car parking provision of 0.31 spaces per unit. As part of the subsequent amendment application this figure was further revised downward to 0.18 spaces per unit.

For further justification of the proposed car parking quantum, please refer to the enclosed *'Traffic and Transport Assessment'*, prepared by CS Consulting and the Material Contravention Statement, prepared by Tom Phillips + Associates.

2.2 Transport Considerations

2.2.1 ABP Requirement 2

Notwithstanding the need to justify the levels of car parking proposed on the site, as noted above, additional details in relation to Transport, having regard to the report of the Transportation Planning Department (dated 14th January 2020), and having regards to discussions at the tripartite meeting, in particular

- i. the provision of a pedestrian footpath to the south of the site, along Frankfort, to the eastern extent of the site. If this is not being provided, detailed justification will be required;*
- ii. details of pedestrian priority crossings, as detailed in the report*
- iii. details of electric vehicle infrastructure*
- iv. additional cycle parking provision*
- v. details of the proposed pedestrian access to the north-west, if this is being provided;*
- vi. Mobility Management Plan; and*
- vii. Quality Audit.*

2.2.2 Applicant Response

- i. Given that the lands to the south of the subject site are in third party ownership, it is not possible to provide a pedestrian footpath in this location. Notwithstanding that, east-west access is fully facilitated within the proposed development's internal layout. This internal layout provides for pedestrian links measuring 1.8m in width*

which are integrated into an attractively landscaped setting. The pedestrian access on Frankfort Court will be fully accessible and open to residents in the surrounding area including those residing currently in Frankfort Court to the south west of the subject site.

In this way, the proposed development will ensure that pedestrian connections for existing residents in the area will be enhanced. At the eastern site access along Old Frankfort, a raised pedestrian crossing will also be provided to further enhance the safety and accessibility of connections to Dundrum Road.

Please refer to the '*Traffic and Transportation Assessment*' and '*Proposed Road Layout*' drawing, prepared by CS Consulting, for further detail.

- ii. As detailed in the enclosed '*Traffic and Transportation Assessment*', prepared by CS Consulting, pedestrian priority crossings are proposed along Old Frankfort and are shown on the '*Proposed Road Layout*' drawing, prepared by CS Consulting.
- iii. Details of the electric vehicle infrastructure are provided in the enclosed documentation prepared by CS Consulting. Some 12 no. car parking spaces within the proposed development will be served by EV charging points and ducting/cabling will be installed at remaining car parking spaces to ensure that EV charging points can be installed at a future date.

Please refer to the enclosed '*Traffic and Transportation Assessment*' and relevant drawings, prepared by CS Consulting.

- iv. Additional bicycle parking has been provided. Some 176 no. bicycle spaces are now proposed in total. Some 136 no. spaces will be provided in dedicated cycle stores at ground floor level within Blocks A, B and C. These stores will provide secure and sheltered spaces for the bicycles of future residents. A further 40 no. publicly accessible short-stay spaces are proposed for resident and visitor use at surface level.
- v. Given that the applicant does not have control of the lands extending to the Highfield Park road, it was not currently possible to provide a pedestrian access at the north western portion of the site. However, provision has been made for an access point in this location to be delivered at a future date should agreement with the third party owner of the relevant lands be forthcoming.
- vi. Section 8 of the enclosed Traffic and Transport Assessment includes a Residential Travel Plan (RTP). This Plan includes details of mobility management measures to be implemented upon the occupation of the scheme. It is further confirmed that a Travel Plan Coordinator will be appointed prior to occupation of the scheme.
- vii. As confirmed within the enclosed '*Traffic and Transport Assessment*', prepared by CS Consulting, an independent Quality Audit in respect of the proposed development has been undertaken by Roadplan Consulting. Design changes have been made in response to the recommendations of the Quality Audit and the measures adopted have been accepted by the audit team. Please refer to CS Consulting Drawing No. H081-CSC-XX-GL-DR-C-0020 for details of these design changes.

2.3 Impact on Residential Amenity

2.3.1 ABP Requirement 3

A report (or reports) that addresses issues of residential amenity (both existing residents of nearby development and future occupants), specifically with regards to daylight/sunlight analysis, overshadowing and potential overlooking. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and nearby residential development.

2.3.2 Applicant Response

Consideration of Daylight Impacts

A detailed 'Daylight, Sunlight and Shadow Assessment' was undertaken by Metec Consulting in respect of the proposed development. The results of this assessment are detailed in the enclosed 'Daylight, Sunlight and Shadow Assessment' Report, prepared by Metec Consulting. Pages 7 to 9 of that document also contain a summary of the results in table format, for ease of reference.

In summary, the assessment demonstrates that the proposed development would not result in any loss of light received by neighbouring properties beyond minor adverse impacts which are detailed within the Metec report.

In terms of the daylight levels achieved within the proposed development, approximately 305 of the 309 rooms assessed achieved the relevant BRE advisory daylight guidelines; this equates to a figure of c.99% of all rooms. The four rooms which do not meet the BRE daylight guidelines are all living rooms with associated kitchen areas and are only marginally below the relevant 2% advisory target for such spaces. The rooms in question do however achieve ADF levels in excess of the 1.5% target applicable to living room areas.

In this regard, it should be noted that the BRE guidance states that small kitchen spaces such as those in question may be omitted from the scope of the daylight calculation as they are not deemed to be habitable in their own right. As such, given that the rooms in question do achieve adequate ADF levels for living areas, the daylight provision in these rooms is considered to be acceptable. As noted above, it should further be noted that these rooms represent a very small percentage (c.1%) of the rooms in the overall development.

Given the broader planning objectives which seek to deliver sustainable densities on this urban infill site, it is considered that the daylight results achieved are wholly acceptable and reflect the detailed design work which has been undertaken to maximise densities whilst respecting the existing context.

Potential Overlooking

With regard to overlooking, Section 5.0 of the enclosed 'Architectural Design Statement', prepared by OMP, addresses this topic comprehensively. OMP note that a number of design measures have been incorporated into the scheme to remove the potential for overlooking. These measures include building setbacks on upper levels, directional windows, blank facades, and inset balconies. In addition, generous separation distances are achieved and

trees are either proposed or retained along boundaries to further reduce potential overlooking concerns.

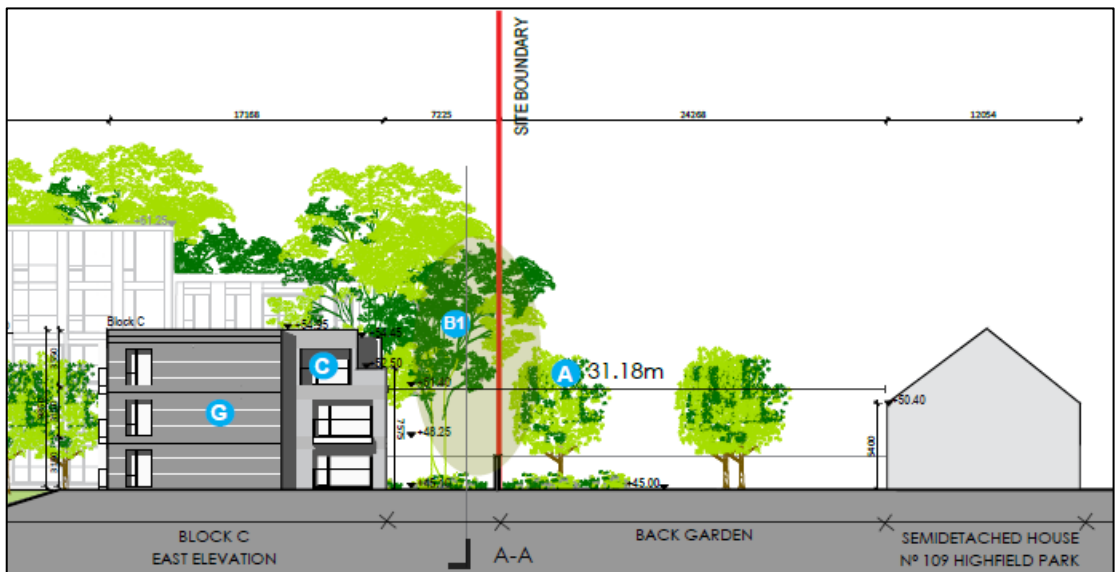


Figure 1.0: Example of Measures Proposed to Reduce Potential Overlooking Along Site Boundaries (Source: Extract from Section 5.8 – OMP Architectural Design Statement).

In summary, the proposed development responds appropriately to the existing site context and ensure that the residential amenity of both existing and future residents is fully respected and protected.

2.4 Childcare Facilities

2.4.1 ABP Requirement 4

Rationale/ justification as to the provision of Childcare Facilities, or otherwise. Justification is required for the non-provision of childcare facilities, having regard to the criteria as set out in Childcare Facilities -Guidelines for Planning Authorities (2001).

2.4.2 Applicant Response

A 'Childcare Capacity Audit', prepared by TPA and enclosed with this submission, has been undertaken in respect of the proposed development and existing childcare infrastructure in the surrounding area. This audit report notes that national and local planning guidance in relation to childcare provision requires at least one childcare facility per every 75 no. dwellings unless there are significant reasons to the contrary, with respect to the "existing geographical distribution of childcare facilities and the emerging demographic profile of areas".

With regard to the existing childcare infrastructure in the surrounding area, the audit identifies 20 no. operational facilities which have c.13% capacity equating to approximately 113 no. childcare available places. It is noted that the proposed development contains only 70 units which can reasonably accommodate families. The proposal therefore falls below the threshold for childcare provision established in the national childcare guidance.

Notwithstanding the above, given the current uncertainties arising from the COVID-19 public health emergency and the potential resultant impacts on existing childcare facilities, a new purpose-built childcare facility (c. 80 sq. m) is proposed to be provided with the subject development. This proposed facility will have capacity for 20 No. childcare spaces and ensures that development population will be adequately provided for in terms of childcare without placing additional pressure on the existing childcare network.

2.5 Trees

2.5.1 ABP Requirement 5

Rationale/ justification for the removal of 78% of the existing trees on the site, having regard in particular to the report of the Parks and Landscape Section of the Planning Authority (dated 17th January), and having regards to discussions at the tripartite meeting. The impacts of the proposed development on the trees proposed to be retained and the proposed replacement planting, should be further explored, and detailed drawings provided in relation to same.

2.5.2 Applicant Response

An *Arboricultural Assessment (Tree Survey)*, prepared by J M McConville + Associates in respect of the proposed development, is enclosed with this submission. Approximately 73% of the existing trees on site are proposed to be removed – a reduction in the number previously proposed. The majority of these trees are young, early mature or over mature. In addition, a number of the existing trees on site are diseased. Section 5.1 of the 'Statement of

Response' document, prepared by OMP Architects shows the extent of trees which are to be removed from the site (see Figure 2.0).



Figure 2.0: Trees to be Retained and Removed (Source: Section 5.1 – OMP ‘Statement of Response’ – Pg.16).

The proposed landscaping design associated with the scheme includes for the planting of 74 new trees. In addition, prominent mature trees associated with the Victorian era landscaping of the site are retained. Please refer to the enclosed ‘*Landscape Plan*’ drawing, prepared by DFLA, which highlights the proposed landscaping design including where trees are proposed and retained (see Figure 3.0).



Figure 3.0: Proposed Landscape Plan (Source: DFLA Landscape Architects).

It is considered that the impact of the proposed development on existing trees is appropriate given that the subject lands are located in a strategic location and zoned for residential development. The proposal delivers an appropriately scaled development, ensures that trees are retained where possible and also proposes an attractive landscaping plan which will provide for a significant quantum of additional trees thereby retaining the natural character of the existing site.

2.6 Open Space

2.6.1 ABP Requirement 6

A plan of the proposed open space clearly delineating public, semi-private and private spaces should also be provided, as well as a detailed breakdown of the total area of same. These plans should clearly highlight how the proposals provide for an appropriate variety and suitable location(s) of children's play spaces.

2.6.2 Applicant Response

The enclosed 'Landscape Design Rationale' and associated landscape drawings, prepared by DFLA outline the open space proposals for the scheme. A large area of open space measuring c.1,000 sqm is proposed in a highly accessible location to the front of Frankfort Castle. This space will also accommodate a children's play space consisting of informal play features such as stepping blocks, balancing rope, rotating beam and jumping disc, as noted on the 'Landscape Plan' drawing, prepared by DFLA.

Communal space, comprising 1,025sqm in total, will be provided at the northern portions of the site. The boundaries between these areas will be clearly delineated through the use of soft landscaping measures such as hedging as detailed by DFLA within their 'Landscape Design Rationale' report.

2.7 Proposed Materials and Finishes

2.7.1 ABP Requirement 7

A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.

2.7.2 Applicant Response

The materials and finishes proposed within the subject development are outlined in detail in the enclosed 'Landscape Design Rationale' report, prepared by DFLA Landscape architects and within Section 3.0 of the enclosed 'Architectural Design Statement', prepared by OMP Architects. In summary, materials have been carefully chosen to ensure that the existing site context is respected. All materials are of a high quality, easily maintained and with good durability.

2.8 Surface Water

2.8.1 ABP Requirement 8

Addition detail in relation to surface water proposals, having regard to the report of the Drainage Division of the Planning Authority (dated 16th January 2020), and having regards to discussions at the tripartite meeting, namely the need to provide more detail in relation to the surface water infrastructure to be provided on site, the feasibility or otherwise of the proposed planting over the attenuation tanks as well as details of green roofs. In addition, a Stormwater Audit will be required at application stage.

2.8.2 Applicant Response

The above item is comprehensively addressed within Section 6.0 of the enclosed 'Engineering Services Report' (incl. Appendices), prepared by CS Consulting. Additional detail in this regard is contained within the relevant engineering drawings, prepared by CS Consulting.

It is considered that the response prepared by CS Consulting fully addresses the Board's requirement in this instance.

2.9 Flood Risk

2.9.1 ABP Requirement 9

Additional detail in relation to Flood Risk, having regard to the report of the Drainage Division of the Planning Authority (dated 16th January 2020), namely the need to provide a surcharge analysis of the surface water drainage system and details of safe overland flow routes.

2.9.2 Applicant Response

A 'Site Specific Flood Risk Assessment' has been undertaken by CS Consulting and is enclosed within this application submission. This SFRA has been informed by the comments of the Planning Authority's Drainage Division.

It is considered that the enclosed SFRA and the detail contained within fully addresses the above ABP item.

2.10 Wastes

2.10.1 ABP Requirement 10

Additional details in relation to waste management, having regard to the report of the Waste Management Division of the Planning Authority (dated 15th January 2020) namely a Construction and Demolition Waste Management Plan, an Environmental Management Construction Plan and a Waste Management Operational Plan.

2.10.2 Applicant Response

An 'Operational Waste Management Plan', prepared by AWN Consulting and a 'Construction & Demolition Waste Management Plan', prepared by CS Consulting have been prepared in respect of the proposed development. These documents confirm that wastes arising on the subject site will be appropriately disposed of and minimised where possible.

2.11 Housing Quality Assessment

2.11.1 ABP Requirement 11

A detailed Housing Quality Assessment.

2.11.2 Applicant Response

A detailed 'Housing Quality Assessment' has been undertaken by OMP Architects and is enclosed within Section 3.0 of the enclosed 'Technical Report'. This assessment confirms that the proposed development adheres to the relevant standards contained within the 2018 Apartment Guidelines.

2.12 Taking in Charge

2.12.1 ABP Requirement 12

A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

2.12.2 Applicant Response

As noted in Section 10 of the enclosed ‘*Statement of Response*’ prepared by OMP Architects, the proposed development and its associated external areas will be managed and maintained by a Management Company and therefore no part of the proposed Development is proposed to be Taken in Charge.

Those portions of the subject site where consent from Dun Laoghaire Rathdown County Council was secured will continue to be controlled by the Planning Authority following the delivery of the relevant proposed works.

2.13 Appropriate Assessment Screening

2.13.1 ABP Requirement 13

Appropriate Assessment Screening Report.

2.13.2 Applicant Response

An ‘*Appropriate Assessment Screening*’ Report has been prepared by Openfield Ecological Consultants and is enclosed within this application submission. This AA Screening Report confirms that “*No significant effects will arise from this project to Natura 2000 sites in Dublin Bay: the North Dublin Bay SAC, South Dublin Bay SAC, the North Bull Island SPA or the South Dublin Bay and River Tolka Estuary SPA*”.

Openfield further state that “*On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available*”.

3.0 CONCLUSION

We consider that all issues that have been raised during pre-application consultation and contained within the Board’s Opinion have been successfully addressed in the proposal now before the Board.

The subject proposal represents an opportunity to deliver a significant quantum of much needed residential accommodation in Dundrum maximising the potential of a serviced and accessible site in an existing built up area in accordance with strategic planning policy.