

# Frankfort Castle SHD Application

## STATEMENT OF CONSISTENCY



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## **1.0 INTRODUCTION**

This Statement of Consistency demonstrates that the proposed residential development at lands identified as Frankfort Castle, Old Frankfort, Dublin 14<sup>1</sup> is consistent with the relevant policies pertaining to the site at national, regional, and local levels.

### **1.1 Legislative Context**

In accordance with Section 5 of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*, Pembroke Partnership Limited requests An Bord Pleanála to enter into Pre-application Consultation in respect of proposed Strategic Housing Development (SHD) as outlined above. The subject report constitutes the Statement of Consistency in accordance with the requirements of Section (5)(b) of the Act.

### **1.2 Outline of This Report**

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

### **1.3 Policy Documents Considered**

The following policy documents have informed this Statement of Consistency:

1. *National Planning Framework (Ireland 2040 – Our Plan)*;
2. *Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031*;
3. *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)*;
4. *Urban Design Manual: A Best Practice Guide (2009)*;
5. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018)*;
6. *Quality Housing for Sustainable Communities (2007)*;
7. *Childcare Facilities – Guidelines for Planning Authorities (2001)*;
8. *Part V of the Planning and Development Act 2000: Guidelines (2017)*;
9. *Design Manual for Urban Roads and Streets (DMURS) (2013)*;
10. *The Planning System and Flood Risk Management (2009)*;
11. *Urban Development and Building Heights, Guidelines for Planning Authorities Consultation Draft August (2018)*;
12. *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*;
13. *Dún Laoghaire-Rathdown County Development Plan 2016-2022*

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<sup>1</sup> The application site comprises: c.0.9 hectares comprising No. 97A Highfield Park, Dundrum, Dublin 14, D14 P710; No. 1 Frankfort Castle, Old Frankfort, Dublin 14, D14 HY03; No. 2 Frankfort Castle, Old Frankfort, Dublin 14, D14 DE72; and Frankfort Lodge, Old Frankfort, Dublin 14, D14 C9P2.

## 2.0 DESCRIPTION OF PROPOSAL

### 2.1 Site Location – Infill Development

The subject site is located in the suburban area of Dundrum, approximately 5 km south of Dublin city centre. (See Figure 2.1.) The general area in the vicinity of the site is suburban in nature, and is primarily in residential use.

The lands are located within the administrative development boundary of Dún Laoghaire-Rathdown County Council. The subject site is principally bounded by: Highfield Park to the north; Frankfort Court to the south; Old Frankfort to the east; and the LUAS (Green) line to the west. The site is accessed from three existing access points: two from Old Frankfort and one from Frankfort Court.



**Figure 2.1:** Subject site (outlined in red). (Source: Proposed Site Layout Plan – OMP Architects).

### 2.2 Description of Development

The proposed development will consist of the:

- i. Demolition of structures on site (558 sq m gross floor area) including 97A Highfield Park, Frankfort Lodge and annexe structures associated with Frankfort Castle and the;
- ii. Construction of a primarily residential scheme comprising:
  - 115 No. apartments (45 No. one-bedroom apartments and 70 No. two-bedroom apartments)
  - Some 111 of the proposed apartments are arranged in 3 No. three/four/five-storey blocks (identified as Blocks A, B, C & D on the architects' drawings)
  - The remaining 4 no. apartments are located within the refurbished Frankfort Castle;

- The total gross floor area of the development over basement level equates to 10,138 sq m
- Some 2 no. basement levels are proposed under Block A measuring c. 2,193 sqm. These basement levels will accommodate car parking and ancillary services infrastructure associated with the development.
- A crèche, measuring 80sqm, is also proposed at the ground floor level of Block A together with an associated external play space (52.5sqm)
- Residential amenity areas, measuring 104sqm are proposed within the southern portion of the refurbished Frankfort Castle at ground floor level.

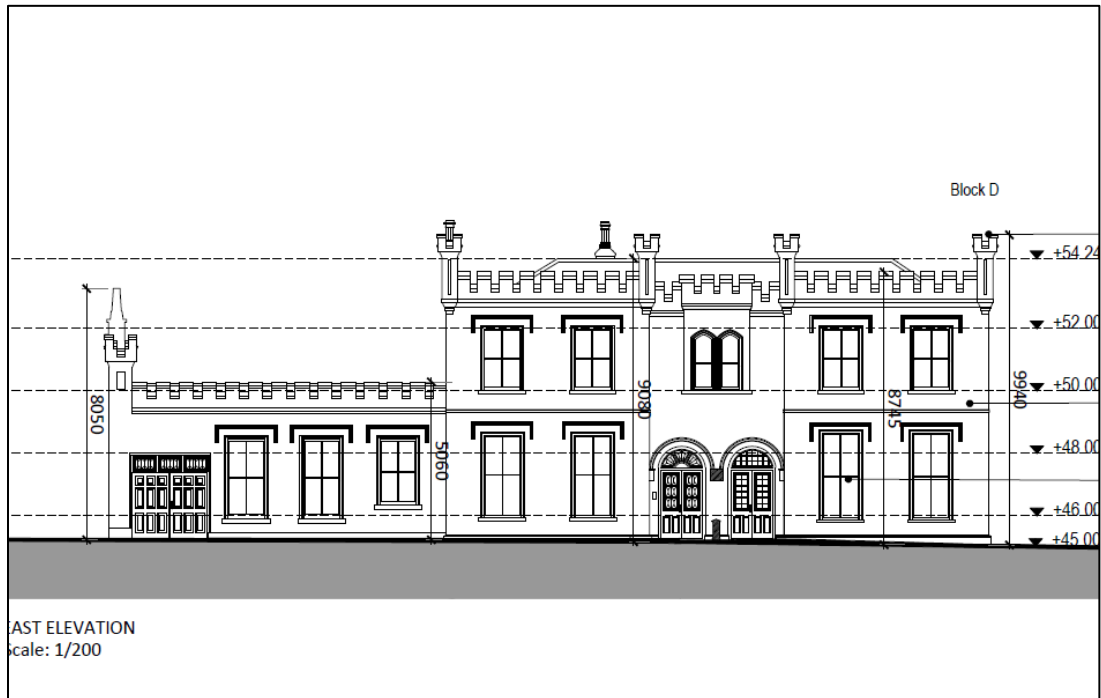


**Figure 2.2:** Photomontage View of Subject Site from Old Frankfort facing west (Source: Redline, 2021).

The development will also consist of the provision of:

- Car parking will be located primarily at basement level (67 no. car spaces) with 10 no. car spaces located at surface level. 12 no. car spaces will facilitate electronic charging with the remainder of spaces provided with infrastructure to facilitate a charging connection in the future.
- Some 176 no. cycle parking spaces are proposed. 130 no. spaces will be located in secure and sheltered dedicated bike storage facilities located throughout the development at ground floor level. Some 46 no. surface cycle spaces will also be provided which will be easily accessible for visitors and residents alike.
- ancillary floor areas over all floor levels (ancillary space includes areas such as circulation cores (lifts and stairs), and plant areas throughout the buildings, etc.);
- private, communal and public open space areas;
- waste storage facilities;
- vehicular and pedestrian access / egress and associated circulation routes including ramps to basement level of Block A;

- upgrade works to Old Frankfort including the provision of pedestrian crossings and a widened footpath
- hard and soft landscaping including lighting and the provision of Sustainable Urban Drainage systems (SUDs); and
- all other associated site excavation, infrastructural and site development works above and below ground, boundary treatments and associated site servicing (foul and surface water drainage and water supply).



**Figure 2.3:** Eastern Elevation of the Refurbished Frankfort Castle (Source: OMP Architects, Extract from Drawing No. 19012-OMP-BD-ZZ-DR-A-2000).



### **3.0 POLICY DOCUMENTS CONSIDERED**

#### Strategic Policy Documents

- Project Ireland 2040 - National Planning Framework (2018)
- Regional Spatial and Economic Strategies – Eastern and Midlands Regional Assembly (2019)
- Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)
- Urban Design Manual: A Best Practice Guide (2009)
- Sustainable Urban Housing: Design Standards for New Apartments (2018/2020)
- Childcare Facilities – Guidelines for Planning Authorities (2001)
- Part V of the Planning and Development Act 2000: Guidelines (2017)
- Design Manual for Urban Roads and Streets (DMURS) (2013)
- The Planning System and Flood Risk Management (2009)
- Urban Development and Building Heights Guidelines (2018)
- Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)

#### Local Policy Documents

- Dún Laoghaire Rathdown Development Plan 2016-2022
- Draft Dún Laoghaire Rathdown Development Plan 2022-2028

## 4.0 STRATEGIC POLICY DOCUMENTS

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

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

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

**National Policy Objective 3a** aims to “*deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements*”. **Objective 3b** further states that “*at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints*”.

**National Policy Objective 13** indicates a shift away from blanket planning standards in favour of standards based upon adherence to specific performance criteria.

*“In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.”*

With particular respect to housing and community development, **National Policy Objective 33** of the National Planning Framework has the following stated objective:

*“Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”*

Additional Objectives contained within the National Planning Framework that are of relevance to the subject scheme are outlined below:

**National Policy Objective 4:** *Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.*

**National Policy Objective 27:** *Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.*

**National Policy Objective 35:** *Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.*

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

***Subject Proposal is Fully Consistent with Provisions of NPF:***

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

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

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

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

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

[Our emphasis.]

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

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

[Our emphasis.]

### **Subject Proposal is Consistent with the RSES – Eastern and Midlands Region:**

The subject development is fully in accordance with the objectives of the RSES realising the potential of brownfield/infill lands in the consolidation of Dublin.

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

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

These Guidelines provide national guidance in relation to the appropriate locations for the siting of higher density residential development, having regard to the locational characteristics of the lands in question. We contend that the subject site is best described under the Guidelines as ‘Infill Residential Development’, which is defined in the Guidelines as:

*“Potential sites may range from small gap infill, unused or derelict land and backlands areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill. The local area plan should set out the planning authority’s views with regard to the range of densities acceptable within the area. The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc. Local authority intervention may be needed to facilitate this type of infill development, in particular with regard to the provision of access to backlands.”*

[Our emphasis.]

The proposed development will have a net density of 128 No. units per hectare. We contend that this density is appropriate for the site having regard to the following:

1. The National Planning Framework (Ireland 2040 – Our Plan), RPGs, and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018), which promote higher residential densities and consolidation in the Dublin area.
2. The provision of high-quality open space.
3. The established suburban nature of the wider surrounding area.
4. The site’s proximity to a range of facilities and amenities including Dundrum Town Centre, employment centres, schools and University College Dublin.
5. The infrastructural capacities in the area, including inter alia the roads and drainage networks.

The supporting documentation enclosed demonstrates that the proposed scheme will not negatively impact on the neighbouring land uses nor contravene the site’s land use zoning (Objective A), which aims *“To protect and/or improve residential amenity”*.

For example, the proposed building heights conform to more-recently established building heights for residential developments in the area, allowing for the increase in residential densities. Generous separation distances between the new and proposed residential units ensure there is no undue overshadowing or overlooking impacts arising from the proposed development.

In addition to the high-quality design approach that has been adopted for the residential units, the proposed landscaping plan for the proposal, which includes larger trees, will ensure from the outset that the proposed development settles into the surrounding context.

**Subject Proposal is Consistent with the Sustainable Residential Development in Urban Areas Guidelines (2009):**

The proposed scheme strikes an appropriate balance between the protection of the amenities and privacy of adjoining dwellings; the protection of the established character of the area; and the need to provide residential infill development at an adequate density, particularly in serviced urban areas. The scheme provides a layout and housing typology that responds appropriately to the site and surrounding area.

The proposed development is thus fully in accordance with the overarching aims of the above Guidelines.

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

The Design Guide presents 12 No. criteria that should be used to facilitate assessment of planning applications and should therefore be used as a guide to steer best design practice for residential proposals. The figure below illustrates how the 12 No. criteria have been sequenced in a logical order and the order of the criteria reflects the prioritisation and processes that should be adopted i.e. not moving onto matters of detail until the important structural decisions have been taken. The 12 No. criteria are subdivided into three groups:

Neighbourhood / Site / Home, respectively, reflecting the sequence of spatial scales and order of priorities that is followed in a good design process.



Figure 3.1: Urban Design 12 Criteria. (Source: Urban Design Manual, 2009; p. 9 – Extracted by TPA, 2019.)

In short, the proposal's response to the various criteria set out by the Guidelines may be

summarised as follows:

### **Context**

The proposed development has been designed to positively respond to the surrounding established residential developments. The proposed apartment blocks are designed to appropriate heights and include set-back upper levels to ensure that the residential amenity of adjacent properties is not unduly impacted.

Where possible, the subject development retains existing trees on the lands, particularly along the boundaries of the site. The enclosed Arboricultural Report demonstrates that the proposed development results in a relatively minor loss of trees and it should be noted that many of the trees which are proposed to be removed are in poor condition.

Extensive compensatory tree planting is also proposed, including larger trees as outlined within the Landscape design by Dermot Foley Landscape Architects. These measures will ensure that the proposed development sensitively integrates with and contributes positively to the existing context of the area.

### **Connections**

The development is located within close proximity to a number of educational institutions, employment centres and high quality transport infrastructure. As such, the future resident population will be within walking / cycling distance to a range of facilities. The proposed development also includes the upgrade of Old Frankfort to ensure safe vehicle and pedestrian access. A series of pedestrian pathways through the scheme will also further improve permeability.

### **Inclusivity**

The proposed development provides for a mix of one-bedroom and two-bedroom apartments, which will cater to a range of tenures, to meet the needs and requirements of all sectors of the community. Provision of Part V housing has been agreed in principle with the Local Authority, subject to planning permission.

The design of the scheme ensures that the residential elements are fully accessible for people with disabilities. All elements of the scheme fully comply with Part M of the Building Regulations. Disabled car parking provision is provided in the development and high-quality, useable public open space is also provided for at strategic locations throughout the development.

### **Variety**

As stated above, a mix of one and two bedroom apartments is proposed to cater for a variety of housing needs and create a strong and sustainable mixed community. As much of the existing housing stock in the surrounding area consists of larger family houses, it is considered that the proposed development will greatly contribute to the variety of the overall housing stock in the area.

### **Efficiency**

The proposal will connect to and make most efficient use of existing services and infrastructure. As stated above, the scheme will have a residential density of 128 No. units per hectare. We contend that this an efficient use of these currently underutilised suburban lands

and is fully supported by NPF and RSES objectives which seek to consolidate development in existing built up areas.

### **Distinctiveness**

The proposed apartment buildings within the scheme represent a contemporary design approach. The refurbishment of Frankfort Castle and the provision of generously sized landscaped spaces also ensures that the development reflects the historic character of the site and area and thus is highly distinctive with a clear sense of place.

### **Layout**

The proposed layout provides for generous landscaped open spaces, ensures the retention of trees where at all possible and prioritises pedestrian and cyclist access. Vehicular access arrangements have been designed to minimise impacts on future residents and to ensure that the scheme's landscaped spaces are safe and accessible for all.

### **Public Realm**

Public open space is appropriately located in the scheme and is fully accessible for all residents and visitors, all open space areas are overlooked to provide passive surveillance thereby contributing to the sense of vibrancy and security in the scheme.

### **Adaptability**

House types are designed to be adaptable and capable of catering for cross-generational use. The design of the apartment buildings is disposed to future adaptation.

### **Privacy & Amenity**

All dwellings will benefit from access to large and attractively landscaped areas of communal and public open space. Private open space in the form of balconies will be provided to apartment block units. Furthermore, as a result of generous setbacks between the proposed units and existing residential dwellings, no adverse overlooking or overshadowing will arise as a result of the development.

### **Parking**

The proposal provides 77 no. car parking spaces (10 no. spaces at surface level and 67 no. spaces at basement levels). The proposed car parking provision equates to a ratio of c.0.68 no. spaces per apartment unit. Some 12 no. electric car charging points are provided with the remainder of car spaces 'future proofed' to facilitate charging points to be installed at a future date as electric vehicle ownership increases.

It is also proposed to establish a car-sharing club for residents of the development and 2 no. dedicated shared vehicle spaces will be reserved for this purpose and the vehicles maintained by an external contractor.

With regard to cycle parking, 176 no. spaces are proposed in total. 110 no. of these spaces are located within the ground floor level of Blocks A, B and C and will thus be sheltered and secure. The remaining 40 no. spaces will be located externally throughout the development and will thus be readily accessible for residents and visitors.



### Detailed Design

The design of the proposal has been a collaborative effort from its inception, with the various opportunities and constraints addressed by the multidisciplinary design team (incorporating architectural, landscaping, engineering, and planning expertise) in an iterative manner.

The proposal has also been informed by the expert inputs of the various personnel to ensure that appropriate mitigation / avoidance measures are 'designed into' the scheme from the outset.

## 4.5 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018/2020)

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

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018 identify three broad types of locations suitable for apartment development, and advises that Planning Authorities should have regard to these proximity and accessibility considerations.

The subject lands is approximately 1 km from Dundrum Town Shopping Centre, which is a major employer in the area. The site is c. 800m from Dundrum and Windy Arbour Luas stops. In our opinion, the site is most appropriately defined as an '*intermediate urban location*', which is defined as follows:

### Intermediate Urban Locations

*"Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:*

- *Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;*
- *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15-minute peak hour frequency) urban bus services. The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors."*

[Our emphasis.]

The Guidelines also outline design standards that relate to the following items:

- Apartment mix;
- Apartment sizes;
- Dual aspect ratios;
- Floor to ceiling heights; and
- Apartment to stair/lift ratios.
- Internal space standards, including storage spaces;
- Amenity spaces including balconies and patios; and
- Room dimensions.

**Subject Proposal is Consistent with the 2018/2020 Apartment Guidelines:**

Due to the site's location in proximity to Dundrum town centre and numerous employment locations, the proposed density of 128 No. units per hectare is considered wholly appropriate at this location.

Compliance with the above noted design provisions has been achieved in this development, full details in this regard are provided within the enclosed Housing Quality Assessment completed by OMP Architects.

#### **4.6 Childcare Facilities Guidelines (2001)**

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

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018) note that 1-bed or studio type units should not generally be considered to contribute to a requirement for childcare provision, and subject to location this may also apply in part or whole, to units with two or more bedrooms.

In this case, a residential development of 115 No. units is proposed, 70 No. of those units are 2-bed units or larger.

**Subject Proposal is Consistent with the 2001 Childcare Facilities Guidelines:**

A Childcare Capacity Audit, prepared by TPA, and enclosed with this submission demonstrates that there are 20 no. operational creches within close proximity to the site and notes that there appears to be capacity within these facilities. It is further noted that the proposed development comprises 45 no. one bedroom and 70 no. two bedroom apartments and thus falls below the threshold for providing a childcare facility.

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.

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

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

*“The acquisition of units on the site of the development is the recommended option in order to advance the aim of achieving a social mix in new developments. This option should be pursued by the local authority from its earliest engagement with the developer, with a view to acquiring houses which meet its social housing requirements for that area/site.”* (Source: Part V of the Planning and Development Act 2000: Guidelines, 2017, p. 10.)

##### **Subject Proposal is Consistent with Part V Requirements**

In accordance with the above requirements, 11 no. Part V units are proposed representing 10% of the overall units in the scheme. The location of these units is shown on the attached architectural drawings, prepared by OMP. Correspondence and details relating to these units is also appended to the SHD Application Form.

#### **4.8 Design Manual for Urban Roads and Streets (DMURS) (2013)**

A key objective of DMURS is to achieve safe, attractive and vibrant streets by balancing the needs of all users, and prioritising alternatives to car journeys. The manual advocates a designed approach, which takes account of both the physical and social dimensions of place and movement. The subject proposal is fully consistent with this recommended approach, and achieves a sense of place and residential amenity whilst also facilitating efficient and secure internal movement.

##### **Subject Proposal is Consistent with DMURS Requirements**

CS Consulting Engineers prepared the enclosed DMURS Compliance Statement, which confirms that the proposed development is consistent with the principles and guidance of DMURS.

#### **4.9 The Planning System and Flood Risk Management (2009)**

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

**Subject Proposal is Consistent with Flood Risk Management Guidelines**

CS Consulting Engineers prepared the enclosed Flood Risk Assessment, in accordance with the Guidelines. In summary, the Assessment highlights that the proposed development is located in Flood Zone C and that a detailed Stage 2 and 3 Flood Risk Assessment with Justification Test are not required. Pluvial flood risk is addressed in the scheme using existing surface water sewers surrounding the site.

**4.10 Urban Development and Building Heights Guidelines for Planning Authorities 2018**

The Building Height Guidelines indicate that an increase in prevailing building heights has a critical role to play in addressing the delivery of more compact urban growth which is a key objective of the NPF.

The Guidelines acknowledge that a key objective of the NPF is therefore to promote an increase in building heights and overall density. Increased building height and development density are not only facilitated, but actively sought out and brought forward by the planning processes.

**4.10.1 At the scale of the relevant city/ town**

- *The site is well served by public transport with high capacity, frequent services and good links to other modes of public transport.*
- *Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views.<sup>3</sup> Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.*
- *On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.*

The subject site is located close proximity (<1km) to high frequency public transport infrastructure such as Luas, and QBC Bus services.

OMP Architects have developed a considered design which sensitively integrates into the surrounding area whilst also expressing a distinct contemporary design. Photomontages, prepared by Red Line Studios and enclosed with this submission demonstrate that the proposed development sits comfortably within its context. The proposed development provides a large quantum of attractively landscaped open space and also provides pedestrian linkages throughout the site.

#### 4.10.2 At the scale of district/ neighbourhood/ street

- *The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape. The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered*
- *The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009)*
- *The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.*
- *The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.*

**Response:** The proposed development utilises a variety of materials and steps down to sensitive boundaries, thereby breaking up the scale and impact of the development. Significant open spaces are provided within the site and trees and natural boundaries are retained where possible which further serves to integrate the proposal into the surrounding area.

Pedestrian linkages are also provided throughout the site and pedestrian access points are also proposed at Old Frankfort and Frankfort Court with the potential to provide an additional pedestrian entrance at Highfield Park in the future.

The proposed development provides for a mix of one and two bedroom units and thus positively contributes to the variety of residential units on offer in the surrounding area which at present is largely comprised of relatively large family housing.

#### 4.10.3 At the scale of the site/building

- *The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.*
- *Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’.*
- *Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include*

*securing comprehensive urban regeneration and or an effective urban design and streetscape solution.*

**Response:** The generous provision of open space across the subject site and the retention of the Frankfort Castle structure results in the creation of an attractive setting for future residents. A Sunlight and Daylight Analysis was also undertaken by Metec Consultants. This demonstrates that all units adhere to minimum BRE standards and that none of the residences adjoining the subject site are adversely impacted.

**Subject Proposal is Consistent with the 2018 Height Guidelines**

The proposed development comprises the refurbishment of the two storey Frankfort Castle structure. In addition, 3 no. apartment blocks are proposed which extend to a maximum five storeys in height with setbacks at fourth storey and third storey levels.

The proposed height of the buildings within the development facilitates appropriate residential densities to be reached on this well connected and well serviced site whilst also ensuring that an appropriate provision of open space is delivered. The enclosed assessments including the 'Daylight, Sunlight and Overshadowing Report, prepared by Metec demonstrates that the proposed development will achieve good levels of daylight and will not unduly impact on the residential amenity of existing residents in the area.

The height of the proposed development is discussed in further detail in Section 4.4.5 and Section 5.3 of this report.

**4.11 Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)**

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

Openfield Ecological Consultants were retained by the Applicant to provide Appropriate Assessment screening in respect of the proposed development. That Report, entitled Screening Report for Appropriate Assessment of a proposed development on Frankfort Castle, Old Frankfort, Dundrum, Dublin 14 along with an Ecological Impact Statement is enclosed with the Application documentation.

**Subject Proposal is Consistent with 2009 AA Guidance**

An AA Screening Assessment, prepared by Openfield, was undertaken in respect of the proposed development and is enclosed with this application submission. This assessment concludes that *"significant effects are not likely to arise, either alone or in combination with other plans or projects to any SAC or SPA"*.

## 5.0 DÚN LAOGHAIRE-RATHDOWN COUNTY DEVELOPMENT PLAN 2016-2022

The *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, which was adopted by the Local Authority on the 16<sup>th</sup> March 2016, is the current statutory plan for the area and guides all future development relating to the subject lands.

### 5.1 Core Strategy

Section 1.2 of the *Development Plan* sets out its Core Strategy. As stated in the *Development Plan*:

*“The purpose of a Core Strategy is to articulate a medium-to-longer term quantitatively based strategy for the spatial development of the area of the Planning Authority, and, in so doing, to demonstrate that a Development Plan and its policies and objectives are entirely consistent with National and Regional development objectives as set out in the National Spatial Strategy 2002-2022 (NSS) and the Regional Planning Guidelines 2010-2022 (RPGs)*

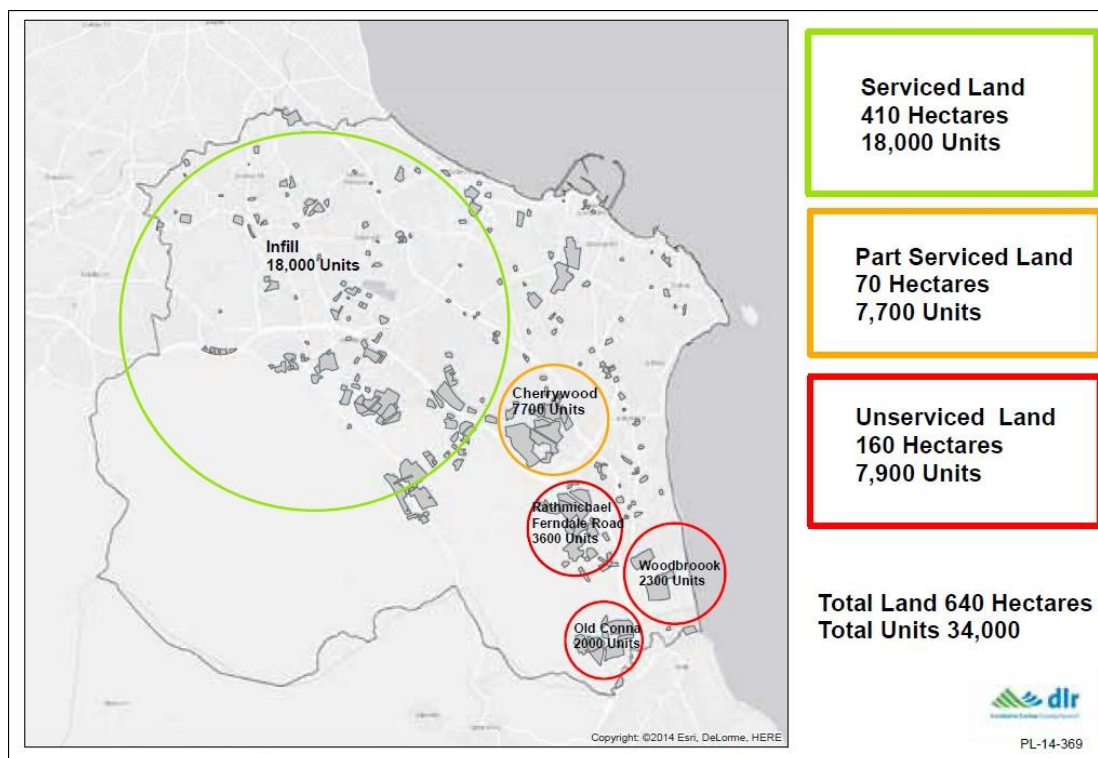
[...]

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

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

The Core Strategy supports the delivery of 18,000 No. residential units, on 410 hectares of serviced land, which includes the subject site, with further units provided elsewhere. (See Figure 4.1.)

-



**Figure 4.1:** Serviced, Part Serviced and Unserviced Land in Dún Laoghaire-Rathdown County Council. (Source: *Dún Laoghaire Rathdown County Development Plan, 2016-2022.*)

***Subject Proposal is Fully Consistent with the Core Strategy***

The provision of 115 No. residential units along with associated childcare facility accords in full with the stated objective of meeting the County’s projected housing needs.

**5.2 Subject Lands Zoned for Residential Development**

The subject lands are zoned ‘Objective A’, the aim of which is ‘*To protect and/or improve residential amenity*’. (See Figure 4.2.)

‘Residential’ is listed as a ‘Permitted Use’ under this zoning objective, while ‘Childcare Service’ is listed as an ‘Open for Consideration Use’.

***Proposed Development will Protect and Improve Residential Amenity in the Area***

The proposed residential and childcare facility proposal is fully in accordance with the site’s zoning objective.

The Applicant has retained a multi-disciplinary Design Team, who have designed the development to take account of the residential amenities of existing residents in the area as well as those of future residents of the proposed development. The various assessments enclosed demonstrate that the proposal will complement the surrounding land uses and contribute to the development of the established residential community, in addition to consolidating this suburban area.

At present, the lands are underutilised. This is not a sustainable use for the lands acknowledging the current housing crisis, and is contrary to national policy objectives to provide additional housing in existing built-up urban areas.





**Figure 4.2:** Site location and zoning objective. (Source: *Dún Laoghaire Rathdown County Development Plan, 2016-2022*. Annotated by TPA, 2021)

The proposed development also incorporates a large area of public open space, courtyard spaces and pocket gardens which will further enhance local amenity provision. The proposed development provides adequate separation distances to the boundaries and will not result in overlooking or overbearing impacts on the adjoining residential properties or within the development.

In summary, the proposed development fully conforms to the site’s land use zoning.

### 5.3 Housing Policy Standards

The sections below demonstrate how the proposed development accords with relevant housing policy relating to the site.

#### 5.3.1 Residential Density

In terms of the density provisions within the *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, Policy RES 3 in relation to Residential Density states:

*“Policy RES3: Residential Density\**

*It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development. In promoting more compact,*

*good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines:*

- *‘Sustainable Residential Development in Urban Areas’ (DoEHLG 2009).*
- *‘Urban Design Manual - A Best Practice Guide’ (DoEHLG 2009).*
- *‘Quality Housing for Sustainable Communities’ (DoEHLG 2007).*
- *‘Irish Design Manual for Urban Roads and Streets’ (DTTaS and DoECLG, 2013).*
- *‘National Climate Change Adaptation Framework - Building Resilience to Climate Change’ (DoECLG, 2013).”*

Section 2.1.3.4 of the *Development Plan* supports the densification of existing built up areas:

*“Policy RES4: Existing Housing Stock and Densification\**

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

The proposed scheme has a density of 128 units per ha which is compliant with local and national policy, to consolidate urban growth and provide in excess of 50 units/ha, having regard to the site’s location.

The proposed development complies with Policy RES4 as it provides additional residential units at residentially zoned lands, in an established urban area. The proposed development has been designed to respect the amenities of adjoining residential communities.

### **5.3.2 Overall Housing Mix**

Section 2.1.3.7 of the *Development Plan* relates to housing mix:

*“Policy RES7: Overall Housing Mix*

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

The proposed development provides 45 no. one bedroom apartments and 75 no. two bedroom apartments of varying sizes. It is considered that the proposed mix of dwellings will positively contribute to the mix of residential units in the wider area which largely comprises larger family homes at present.

Notwithstanding that, it is acknowledged that whilst the subject scheme contributes to a greater variety of units in the wider area, it does not in and of itself consist of a wide variety of units. Given this, the Applicant acknowledges that there is a reasonable basis for

concluding that the proposed development could potentially materially contravene Policy Res7, referenced above. In this regard, please refer to the enclosed **Material Contravention Statement** included with this application submission.

### 5.3.3 Social Housing (Part V)

The Development Plan notes the following respect of Social Housing (Part V):

*“Policy RES8: Provision of Social Housing*

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

The proposed development is subject to the requirements of the Part V of the Planning and Development Act 2000 (as amended).

The Applicant has agreed in principle with the Local Authority to provide 11 No. units on site for the purposes of Part V. Details in relation to the provision of Part V units on site are shown on the enclosed architectural drawings and are also appended to the SHD Application Form.

### 5.3.4 Residential Development

Section 8.2.3.5 of the Development Plan is titled Residential Development – General Requirements. This Section of the Development Plan states inter alia:

*“(iv) Phased Development*

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

The proposed development provides 115 No. units. The subject site is located within a well-established and serviced urban area, which benefits from a wide range of community infrastructure and amenities.

The enclosed documents include assessments of the piped infrastructure and roads and confirm that capacity is available to support the proposed development.

There are a number of recreational and sporting facilities in the area including indoor and outdoor facilities at UCD.

There are local shops at Dundrum Road immediately to the east, and larger shops and a wider

range of facilities in Dundrum 0.8 km, to the south.

The subject site is also close to an existing primary school and secondary school. As noted above, the subject site is also located in close proximity to UCD.

The proposed development also provides a new public open space, suitable for both passive and active recreation, as well as a playground for children.

## **5.4 Compliance with the Development Management Standards**

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

### **5.4.1 Public / Communal Open Space**

Section 8.2.2 of the *Development Plan* relates to 'Public/Communal Open Space Quantity'. This section states *inter alia*:

*“(i) Residential / Housing Developments*

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

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

*It is Council Policy to retain the open space context of Institutional Lands which incorporate significant established recreational or amenity uses, as far as is practicable. In the event of permission for development being granted on these lands, open space provision in excess of the normal standards will be required to maintain the open character of such parts of the land as are considered necessary by the Council. For this purpose a minimum open space provision of 25% of the total site area - or a population-based provision in accordance with the above occupancy criteria – will be required, whichever is the greater. There may also be a requirement to provide open space in excess of the 25% if an established school use is to be retained on site in order to facilitate the future needs of the school (refer also to Section 8.2.3.4(xi)).”*

Approximately 1,980sqm or c.22% of the subject site area is provided as Public/ Communal Open Space in the proposed development, this is compliant with the *Development Plan*. The public open space measuring 950sqm is located at the front of Frankfort Castle and adjoins Old Frankfort Road to the east. The communal open spaces, measuring 1,030sqm in total, are delineated by soft landscaping measures and are located at the north east and north west of the site, respectively.

#### 5.4.2 Urban Design Principles

The *Development Plan* states the following in respect of Urban Design Principles:

*“Policy UD1: Urban Design Principles*

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

The proposed development complies with the ‘Urban Design Manual – A Best Practice Guide’ (2009), and the ‘Design Manual for Urban Roads and Streets’ (2013). CS Consulting Engineers have prepared the enclosed DMURS Compliance Statement, which confirms compliance with same.

#### 5.4.3 Design Statements

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

*“Policy UD2: Design Statements*

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

In accordance with the above policy, O’Mahony Pike Architects has prepared a detailed *Design Statement* in respect of the proposal, which *inter alia* demonstrates that the scheme’s layout and design conforms to best practice.

#### 5.4.4 Public Realm Design

The *Development Plan* states the following in respect of Public Realm:

*“Policy UD3: Public Realm Design*

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

The proposed development will result in the redevelopment of a private, underutilised site. It will provide *inter alia* an enhanced public realm, including a new sizable open space area.

In accordance with this policy, Dermot Foley Landscape Architects has prepared a *Landscape Design Rationale* document, which illustrates the range of design measures proposed to ensure that the development complements the surrounding area and contributes positively to an enhanced public realm.

#### 5.4.5 Building Height Strategy

Policy UD6 of the DLRCC County Development Plan 2016-2022 states that the recommendations and guidance set out within the Building Height Strategy for the County (Appendix 9 of the Development Plan) will be adhered to.

Whilst it is noted that the county is generally low-rise (2-3 storeys) the Strategy acknowledges that there are areas where greater height has been achieved.

The Strategy distinguishes between: (1) smaller infill sites within the established fabric of the built-up urban or suburban area; and (2) larger greenfield or brownfield sites, including Stepside, Carrickmines, Dundrum, Cherrywood and Sandyford.

Section 3.4 ‘Suburban Infill’ of the ‘Building Height Strategy’ states:

*“There has been a discernible pattern of gradually increasing residential densities in ‘infill’ sites within the built up area of the County over the last decade or so. Many of these infill developments have been at a higher density and with a taller building height profile than the prevailing local low rise context. This pattern of development has been driven in response both to the Government document “Residential Density Guidelines” (1999) and through policies contained in the 2004 County Development Plan which encouraged higher densities, particularly on large development sites, in excess of 0.5ha in area*

The Strategy further states that for new developments in suburban areas not currently designated by an LAP or similar non-statutory plan, then the maximum height range is 3 - 4 storey at prominent corner sites, on large redevelopment sites or adjacent to key public transport nodes, providing they have no detrimental effect on existing character and residential amenity.

It is also noted that a range 'upward modifiers' apply in certain instances including where a site is proximate to good transport links and where a site is large enough (>0.5ha) to accommodate increased heights.

The subject site is located in an area which is not currently subject to an LAP (although it is understood that a Dundrum LAP is forthcoming). As such, it would appear that the relevant height policy pertaining to the site currently outlines a maximum height range of 3-4 storeys. When 'upward modifiers' such as site size and proximity to public transport links are taken into account, it is considered that the maximum potential height accepted by Development Plan policy is 6 storeys.

#### **Subject Proposal is Consistent with the Development Plan Height Policies**

The proposed development consists of buildings ranging in height from 2-5 storeys. The subject site measures c.0.9ha in size and is thus considered to be a large site which as the Strategy states can set *"its own context for development and may have potential for greater building height away from boundaries with existing residential development"*.

The placement of the proposed buildings on site has been informed by the wider context and generous separation distances to existing residences have been achieved. Furthermore, setbacks have also been provided to reduce any potential impacts on residents such as overlooking or overshadowing.

Photomontages, prepared by Redline Studios and enclosed with this application, demonstrate that the proposed development comfortably sits within its context. A daylight, sunlight and overshadowing report, prepared by Metec, also confirms that the proposed development will not have a significant impact on existing residences and that good levels of daylight will be achieved for both existing and future residents.

Given the site's size, its proximity to good transport links (including Luas and QBC) and the fact that the enclosed documents and assessments demonstrate that the proposed development will not have significant impacts on the amenities of existing residents, it is considered that 'upward modifiers' to height apply in this instance. As such, proposed 2-5 storey building heights on site are wholly appropriate and in line with local policy.

In addition and as outlined in Section 4.0 above, the proposed heights are fully in accordance with strategic objectives of the 2018 NPF and Building Heights Guidelines which seek to consolidate urban growth and acknowledge the role that greater heights play in facilitating increased densities.

Furthermore, Section 5.3 of this report also outlines proposed building height policies contained within the Draft Development Plan 2022-2028 which are wholly supportive of greater building heights in locations such as the subject site.

#### 5.4.6 Residential Development Standards

Section 8.2.3 of the *Development Plan* outlines the development management standards for residential development.

The 2018 Apartment Guidelines provide a number of Specific Planning Policy Requirements (SPPRs), including certain minimum and maximum standards the minimum standards for apartment units. Where any conflict arises between an SPPR and the Development Plan, the Guidelines supersede the Development Plan. The enclosed Housing Quality Assessment, prepared by OMP Architects, demonstrates compliance with the relevant standards both for houses and apartments.

#### 5.4.7 Dwelling Size and Mix

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

In accordance with the Development Plan, a variety of dwelling unit types and sizes are proposed as part of the scheme, which will be suitable for a variety of household types.

#### 5.4.8 Residential Density

The *Development Plan* states that site densities should be determined with reference to the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009)*. The *Development Plan* states *inter alia*:

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

As previously stated, the proposed development will have a residential density of 128 No. units per hectare. We contend that this is appropriate for the lands having regard to National Planning Framework (Ireland 2040 – Our Plan), which promotes higher residential densities at serviced urban locations and considering the site's context.

#### 5.4.9 Car Parking Standards

Table 8.2.3 of the *Development Plan* stipulates car parking standards of: *“1 space per 1-bed and per 2-bed unit (depending on design and location).”*

However, Section 8.2.4.5 of the Development Plan also notes that *“Reduced car parking standards for any development (residential and non-residential) may be acceptable dependant on:*

- *The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/ business areas.*
- *The proximity of the proposed development to public transport.*



- *The precise nature and characteristics of the proposed development.*
- *Appropriate mix of land uses within and surrounding the proposed development.*
- *The availability of on-street parking controls in the immediate area.*
- *The implementation of a Travel Plan for the proposed development where a significant modal shift towards sustainable travel modes can be achieved.*
- *Other agreed special circumstances where it can be justified on sustainability grounds.”*

*With regard to the parking provision for childcare facilities, the Development Plan outlines maximum parking standards in Table 8.2.4. These standards permit a maximum of “1 space per 1 staff member (including set down)”.*

As such, it is clear that Development Plan policy in respect of car parking seeks to promote modal shift to more sustainable forms of transport, in instances where this can be facilitated.

#### **Subject Proposal is Consistent with Development Plan Car Parking Policies**

The proposal provides 77 no. car parking spaces 10 No. spaces at surface and 67 no. spaces at basement levels. The proposed car parking provision equates to a ratio of 0.67no. spaces per apartment. As such, the proposed car parking quantum does not meet the standards outlined in Table 8.2.3 of the Development Plan.

However, it is considered that the subject site and proposed development meet the factors highlighted in Section 8.2.4.5 of the Development Plan which permit reduced parking standards. These factors and a response to each are outlined below –

- *The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/ business areas.*

**Response:** The subject site is located within close proximity to Dundrum Town (located c.500m to the north of lands zoned ‘Objective MTC’ - Major Town Centre). As such, the subject site is proximate to a range of services and facilities located within the urban area of Dundrum.

- *The proximity of the proposed development to public transport.*

**Response:** In addition to being within walking and cycling distance of Dundrum town centre and the major employment/education centre of UCD, the subject site is located c.800m from the Dundrum and Windy Arbour Luas stops and c.500m from the Dundrum QBC. As such, there is ample provision of high frequency public transport options available to future residents of the scheme.

- *The precise nature and characteristics of the proposed development.*

**Response:** The proposed development consists of 45 no. one bedroom apartments and 70 no. two bedroom apartments. As such, just 70 no. of the proposed units can reasonably accommodate families (typically a population group that are more dependent on car usage as a means of transport). As such, the majority of future residents are likely to be single persons or couples who are less dependent on car usage and more likely to avail of walking, cycling and public transport.

The proposed development also provides 2 no. car spaces reserved for car sharing schemes which can be utilised by future residents and provide an alternative to car ownership. Such car sharing schemes are supported by Development Plan policy and ensure that residents in well-connected areas where most trips are non-car based also have the opportunity to avail of a car when required for larger shopping trips. As noted in the enclosed TTA, prepared by CS Consulting, a single shared car can make as many trips as up to 14 no. private cars.

In addition, a significant quantum of bicycle parking (176 no. spaces) in easily accessible, sheltered and secure locations is provided across the scheme.

- *Appropriate mix of land uses within and surrounding the proposed development.*

**Response:** A childcare facility is proposed within the subject scheme. In addition, a range of land uses including recreational, commercial, educational and medical uses are all located within c.500m of the proposed development. This varied mix of uses ensures that future residents are within easy walking distance to a mix of services and facilities and will thus not be dependent upon car usage or even upon public transport to reach these.

- *The availability of on-street parking controls in the immediate area.*

**Response:** No on-street parking is provided on surrounding streets. As outlined above, it is considered that the proposed parking quantum is appropriate for the development's unit mix and proximity to services and public transport. As such, the proposed development will not negatively impact on surrounding streets.

- *The implementation of a Travel Plan for the proposed development where a significant modal shift towards sustainable travel modes can be achieved.*

**Response:** As outlined in the enclosed Traffic and Transport Assessment, prepared by CS Consulting, a Residential Travel Plan has been prepared in respect of the proposed development which encourages sustainable travel modes among future residents of the proposed development.

In summary, it is considered that the location of the subject site within less than 1km of Luas and high frequency bus services and within close proximity to numerous neighbourhood facilities and services in Dundrum Town Centre is appropriate for reduced car parking provision. Such reduced car parking levels are in accordance with Development Plan aims to encourage the use of sustainable transport options.

Furthermore, it should be noted that some 12 no. electric car charging points are provided in accordance with the Development Plan's 10% requirement, with the remainder of car spaces 'future proofed' to facilitate charging points to be installed at a future date as electric vehicle ownership increases. In addition, it is also proposed to establish a car-sharing club for residents of the development. 2 No. dedicated shared vehicles shall be provided and maintained by an external contractor.

As such, the proposed quantum of car parking provision is considered appropriate and in line with wider local and strategic aims to encourage the use of more sustainable transport options in built up areas with high quality public transport infrastructure.

Notwithstanding the above, it is acknowledged that the proposed car parking quantum does not meet the relevant standards outlined in the Development Plan and as such the issue of car parking provision has been included within the enclosed **Material Contravention Statement**, prepared by TPA.

Please refer to the enclosed Traffic and Transport Assessment, prepared by CS Consulting and the Material Contravention Statement, prepared by TPA for greater detail in relation to car parking provision on the site.

#### 5.4.10 Bicycle Parking

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

##### **Subject Proposal is Consistent with Development Plan Bicycle Parking Policies**

The proposed development exceeds the Local Authority's standards (as per the *Standards for Cycle Parking and associated Cycling Facilities for New Developments, January 2018*). A total of 176no. bicycle parking spaces are to be provided within the development: 130 No. bicycle parking spaces for residents of the development shall be provided in dedicated cycle stores at ground floor level within Blocks A, B, and C; a further 46 No. short-stay bicycle parking spaces, primarily for visitor use, shall be provided externally at surface level.

It is noted that the 2018 Apartment Guidelines also refer to cycle parking, however, the references are not within an SPPR and remain at the discretion of the Planning Authority. Cycle parking provision was discussed at pre-application consultation with the Planning Authority and it was agreed that the quantum of cycle provision would comply with the Planning Authority's standards.

#### 5.4.11 Private Open Space

The 2018 Apartment Guidelines outline minimum floor areas for private amenity space. For one bedroom apartment units, a minimum area of 5sqm is required whilst for two bedroom apartments, a minimum floor area of 7sqm is required.

Section 3.3.9 of the Guidelines note that that flexibility may be provided with regard to minimum private amenity space requirements for refurbishment schemes on a case-by-case basis, subject to overall design quality.

##### **Subject Proposal is Consistent with Development Plan Private Open Space Policies**

The enclosed Housing Quality Assessment, prepared by OMP Architects, demonstrates that units proposed within Blocks A, B and C are all compliant with the relevant standards. These units will all be provided with balcony areas which meet or exceed minimum required areas and are a minimum off 1.5m in width.

With regard to the 4 no. units proposed within Block D (Frankfort Castle), it is acknowledged that these units will not be provided with private open space. These units are located in the retained Frankfort Castle building.

As noted within the enclosed *Conservation Report and Heritage Impact Assessment*, prepared by Mesh Architects, it was not considered appropriate to provide balconies or new openings in order to minimise interventions in this historic structure. The units in question are located within the refurbished Frankfort Castle building and as such may avail of flexibility to the relevant standards as referenced above. The 4 no. units significantly exceed the minimum floor area standards, are all dual aspect and benefit from ceilings up

to 3.8m in height.

All units will have access to considerable amenities in the form of public open space, communal open space and internal residential amenity areas.

#### 5.4.12 Refuse Storage

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

##### **Subject Proposal is Consistent with Development Plan Refuse Storage Policies**

Waste storage areas to cater for segregated waste streams are provided within each apartment block. For further detail, please refer to the Operational Waste Management Plan, prepared by AWN Consulting and enclosed with this submission.

## 6.0 DRAFT DÚN LAOGHAIRE-RATHDOWN COUNTY DEVELOPMENT PLAN 2022 – 2028

The *Draft Dún Laoghaire-Rathdown County Development Plan 2022 – 2028* was published in January 2021 and is currently subject to public consultation. A review of this plan was also undertaken

### 6.1 Land Use Zoning

There have been no changes to the site's land use zoning. The subject site remains zoned 'Objective A', the aim of which is "To provide residential development and/or protect and improve residential amenity."

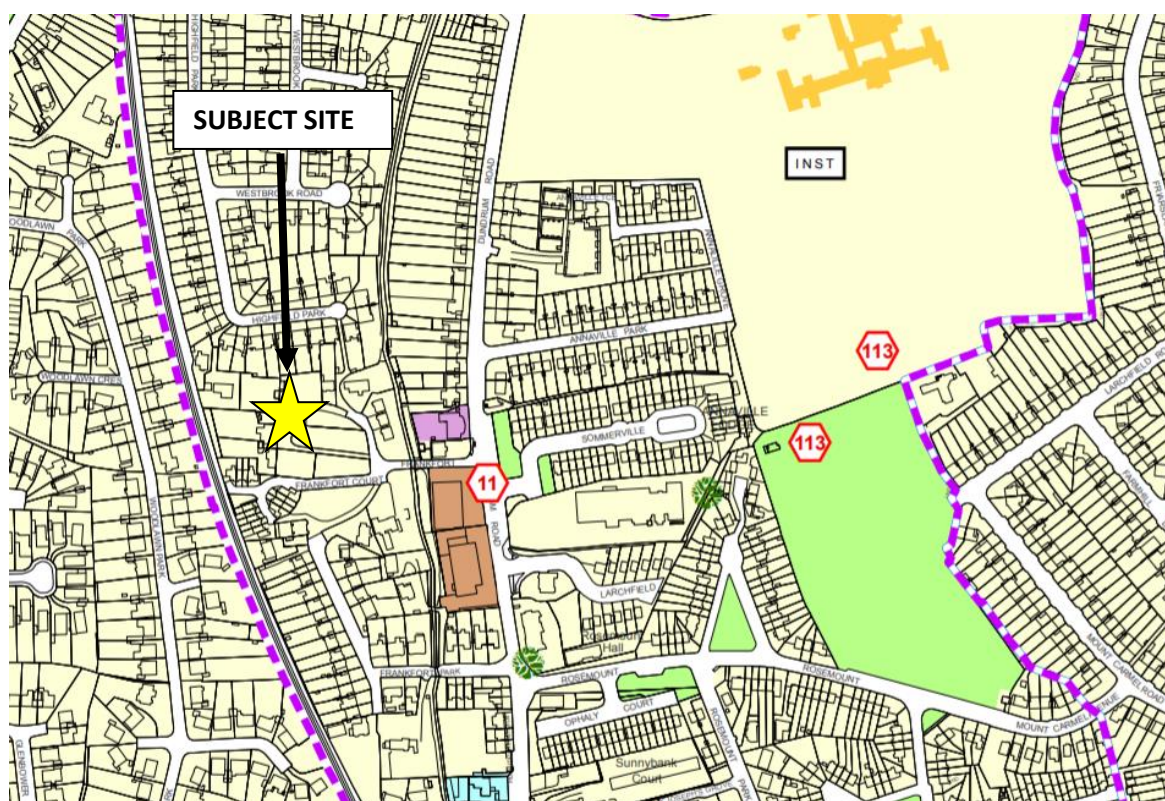


Figure 5.1: Extract from Map 1 – Draft Dún Laoghaire Rathdown Development Plan 2022-2028.

### 6.2 Specific Local Objective 11

A Specific Local Objective is highlighted on the relevant land use zoning map pertaining to the site and wider area. SLO11 states that it is an objective "To support the recommendations of the Dundrum Community, Cultural and Civic Action Plan." It is understood that public consultation in respect of the non-statutory CCAP referenced was closed in October 2019 and the final document is awaiting publication.

### 6.3 Building Height

With regard to height, Section 4.2.5 of Appendix 5 of the Draft Development Plan notes that a Local Area Plan is being prepared for the Dundrum area (within which the subject site is located). It is further noted that this LAP "will be prepared having regard to the Ministerial Guidelines and shall apply the SPPRs" This section of the Draft plan further notes that "Dundrum is a Major

Town Centre, served by good public transport links (i.e. Bus and Luas), and, therefore, should be considered for increased height in line with the requirements of the Guidelines”.

Relevant policies pertaining to height of relevance to the subject site are outlined below

**Policy Objective BHS 1 - Increased Height.**

*It is a policy objective to **support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún Laoghaire and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area. (NPO 35, SPPR 1& 3). Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the areas mentioned above. In those instances, any such proposals must be assessed in accordance with the performance based criteria set out in table 5.1 which is contained in section 5. The onus will be on the applicant to demonstrate compliance with the criteria. Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. **Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.** [TPA Emphasis]***

As evidenced within the above policy and as supported by additional policies (Objective BH2 and BH 3), the Draft Development Plan Is supportive of greater heights in appropriate location in line with wider strategic policy.

Maximum heights of 5 storeys are proposed within the subject scheme. This is wholly in accordance with the above policy guidance given the following

- proximity of the site to the Luas Green Line (c.800m) and Dundrum QBC route (c.500m);
- the separation distances achieved between existing and proposed residences;
- assessments included within the application such as traffic and daylight assessments confirm that there will not be significant impacts on existing residents arising from the proposed development;
- existing building heights in the immediate surrounding area extend to three storeys, as such the proposed development is not more than 2 storeys taller than the prevailing height for the area.

## **7.0 CONCLUSION**

In summary, the proposed development will provide for 115 No. residential units on an underutilised, residentially zoned site which is well-connected to high frequency public transport infrastructure and within close proximity to a range of services and facilities.

The proposed development will increase the variety of housing types and sizes on offer in an area subject to high levels of housing demand. As a result of the high-quality design, including generous separation distances, the scheme will not result in adverse overlooking or overbearing impacts on the existing residential premises in the surrounding area. Furthermore, the high-quality landscape proposal will ensure that the scheme integrates positively into the area and contributes to the wider area.

We contend that the proposed development is in accordance with the national and local policy documents outlined above. With regard to car parking provision, it is acknowledged that the quantum proposed is below the standards outlined in the Dun Laoghaire Rathdown Development Plan. Given the site's locational attributes and wider planning policy with regard to sustainable transport, it is considered that the proposed provision is appropriate.

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





