

## Planning Application Report

Largescale Residential  
Development  
comprising  
amendments to  
previous SHD consent  
(ABP Ref. ABP-310567-  
21, as amended by  
DCC Reg. Ref.  
LRD6042/23).

At No. 42A Parkgate  
Street, Dublin 8.

For Ruirside  
Developments Ltd

**MARCH 2025**

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## 1 INTRODUCTION

We, Stephen Little & Associates Chartered Town Planners and Development Consultants have been instructed by our client, Ruirside Developments Ltd (*“the LRD Applicant”*), Usher House, Main Street, Dundrum, Dublin D14 N7Y8, to prepare this Planning Application Report and Statement of Consistency to accompany a planning application for Large-scale Residential Development (LRD).

The LRD Planning Application seeks permission for material amendments to consented Strategic Housing Development ABP Reg. Ref. 310567-21, as amended by DCC Reg. Ref. LRD6042/23-S3, at No. 42A Parkgate Street, Dublin 8.

The proposed development broadly seeks to amend the consented SHD scheme, to expand the volume of Block A to accommodate a 2nd fire core (footprint increases by c.90 sq m, GFA increases by c.2,329 sq m).

Consequently, the opportunity also arises to reconfigure the floor plans of the 198no. ‘BTR’ apartments accommodated in Block A, Levels 01 to 27 inclusive, resulting in less 1-bed studio apartments in favour of more 1-bed and 2-bed apartments (i.e. 198no. ‘BTR’ apartments in total in Block A, comprising 26no. studio, 118no. 1-bed, 53no. 2-bed and 1no. 3-bed apartments).

Further, 8no. 2-bed apartments (1no. unit per floor) and a proposed change of 2no. permitted 2-bed apartments to 1no. studio and 1no. 1-bed apartment are accommodated within Block B2. Block B2 then accommodates 8no. new, 2no. altered and 38no. permitted ‘build-to-sell’ standard apartments (i.e. 48no. apartments in total, comprising 1no. studio, 1no. 1-bed and 46no. 2-bed apartments).

Overall, these amendments result in a combined increase from 238no. to 246no. apartments in Block A and Block B2.

Other associated, amendments to Blocks A and B2 include: minor adjustments to the floor areas of 2no. permitted café/restaurant units and 1no. permitted community unit at ground floor; adjustments to external façade treatment and insertion of private residential balconies; and localised adjustments to site and landscaping works, including an additional 42no. bicycle parking spaces and minor reduction (c. 282 sq m) to the public plaza area.

For a more comprehensive description of development please refer to Section 5 of this report, and to the plans and particulars that accompany this application.

This submission has been prepared on behalf of the Applicant by: -

- Stephen Little & Associates, Chartered Planners and Development Consultants.
- Reddy Architecture & Urbanism
- ARUP Group
- ModelWorks
- IN2 Engineering Design Partnership
- ARC Architectural Consultants
- Courtney Deery Archaeology
- Aramark
- AWN Consulting
- Altamar
- AWN Consulting

The appropriate planning fee has been calculated in accordance with the statutory Planning Regulations, and paid to Dublin City Council by way of Electronic Fund Transfer (proof of payment enclosed). This covers application fee for proposed new residential units, adjusted non-residential floor space, and to cover the submission of a Natura Impact Statement.

The Supplementary Form 19 associated with this stage of the LRD Application Process has been completed and is also enclosed herewith. A complete list of enclosures with this application can be found at Section 14 of this Report.

The enclosed planning application drawings have been screened by this office for consistency with the requirements of the Planning & Development Regulations 2001, as amended.

This Planning Application Report and Statement of Consistency sets out how, in our opinion, the proposed development complies with the proper planning and development of this site in the context the relevant strategic and local planning policy, as expressed primarily in the Dublin City Council Development Plan 2022-2028.

This Report, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants, should be read in conjunction with the plans and particulars submitted with this application. A list of the various accompanying material is outlined in the enclosures list at the end of this Report.

## 2 THE APPLICANT

The Applicant in this case is Ruirside Developments Ltd, the required details of which are as follows: -

**Name:** Ruirside Developments Ltd

**Address:** Usher House, Main Street, Dundrum, Dublin 14.

**Telephone:** 01 2164097

**Email:** [info@charteredland.ie](mailto:info@charteredland.ie)

Chartered Land Estate Management, of Usher House, Main Street, Dundrum, Dublin 14 is acting for the Applicant, hence their email is being used.

## 3 LAND OWNERSHIP

The application site is owned by The Davy Platform ICAV acting on behalf of its Sub-Fund Premier Sub-Fund, 49 Dawson Street, Dublin 2, who has issued a Letter of Consent, dated 15 October 2024, for the Applicant to make a planning application in respect of this site. This letter is enclosed with this LRD application.

A portion of the site is within the ownership/control of Dublin City Council, including a public footpath and open spaces located on the north and eastern site boundary. We would highlight that the red line application site boundary does not change from that of the previously consented SHD scheme. Notwithstanding, updated letters of consent from Dublin City Council's Transportation and Parks Departments accompany this current LRD application.

## 4 COMPLIANCE WITH LRD PLANNING LEGISLATION

### 4.1 Compliance with Planning Legislation

The development proposed seeks revisions to previous Strategic Housing Development consent issued by An Bord Pleanála (ABP-310567-21, later amended by DCC LRD6042/23-S3), at a site of approximately 0.82 hectares at No. 42A Parkgate Street, Dublin 8.

With the commencement of the **Planning and Development (Amendment) (Large-scale Residential Development) Act 2021** proposed amendments to the consented SHD scheme must be processed through the LRD application process.

The Planning and Development (Amendment) (Large-Scale Residential Development) Act', amending Section 2 of the Planning & Development (Housing) and Residential Tenancies Act 2016, defines 'large-scale residential development, *inter alia*, as.

*"Large-scale residential development' means a development that includes –*

*(a) The development of 100 or more houses,*

*(b) The development of student accommodation that included 200 or more bed spaces,*

*(c) Both the development of 100 or more houses and of student accommodation, or*

*(d) Both the development of student accommodation that included 200 or more bed spaces and of houses,*

***Where the LRD floor space of -***

- (i) In the case of paragraph (a), the buildings comprising the houses,*
- (ii) In the case of paragraph (b), the student accommodation,*
- (iii) In the case of paragraph (c) and (d), the buildings comprising the houses and the student accommodation,*

***Is not less than 70 per cent, or such other percentage as may be prescribed, of the LRD floor space of the buildings comprising the development;***

The consented SHD scheme ABP-310567-21, was granted on 04 October 2021 by An Bord Pleanála, under section 9(4) of the Planning and Development (Housing) and Residential Tenancies Act 2016 for a Strategic Housing Development.

As noted in the Introduction above, the proposed development broadly seeks to amend the consented scheme, to expand the volume and adjusting the façade of Block A to accommodate a 2nd fire core. It also includes the proposed reconfiguration of the apartment mix in Block A (reducing the number of studios, but maintaining a total of 198no. 'BTR' apartments); the insertion of 8no. new 2-bed apartments and reconfiguration of 2no. apartments in Block B2 (resulting in total 48no. 'build-to-sell' standard apartments). Overall, these amendments result in the combined number of apartments increasing from 238no. units to 246no. units in Block A and Block B2.

The consented scheme as amended would continue to comprise more than 100 residential units, amounting to not less than 70% of the overall LRD floor space. We are of the professional opinion that the consented scheme with the proposed amendments would meet the statutory definition of Large-scale Residential Development.

As the proposed development consists of amendments to permission previously granted under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning Authority will be **restricted to assessing only the proposed modifications** to the consented scheme, other than in respect of environmental effects, under Section 34(3C) of the Planning and Development Act 2000 (as amended), which states:

*"3C) In determining an application for permission that relates to a development in respect of a part of which **permission has previously been granted**—*

- (a) **under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016, or***
- (b) on foot of an application in accordance with section 32A, **the planning authority concerned shall, notwithstanding section 34(2)(a), be restricted in its determination of the application, other than in respect of any assessment of the effects of the proposed development on the environment, to considering the modifications proposed by the applicant to the previously permitted development** and for the purposes of determining such an application the reference in subsection (") to "the development concerned" shall be read as a reference to "the modifications to the previously permitted development"*

The extant SHD permission (ABP-310722-21) was granted under Section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## **4.2 LRD Consultation**

We can confirm that a Section 247 Pre-Planning Consultation meeting took place with the Planning Authority, on 19 September 2024. We refer the Planning Authority to Section 6 of this Report which provides further detail.

In a letter dated February 2025, Dublin City Council states its determination, based on the plans and particulars received by it, and having compared the proposed development to the previously permitted SHD at the same site, that:

- (a) "The proposed development is substantially the same as the permitted development, and*
- (b) The nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.*

*The Planning Authority has determined that no further consultation is required under Section 247 in relation to the proposed development."*

The Planning Authority's Section 247(7) determination notification, dated February 2025, is enclosed with this planning application.

Consequently, and for avoidance of doubt, there is no Planning Authority LRD Opinion or corresponding 'Applicant's Response' to such Opinion accompanying this LRD planning application.

#### 4.3 Planning Application Drawings

The enclosed planning application drawings have been screened by this office with for consistency with the Planning & Development Regulations 2001, as amended.

#### 4.4 Statutory Notice

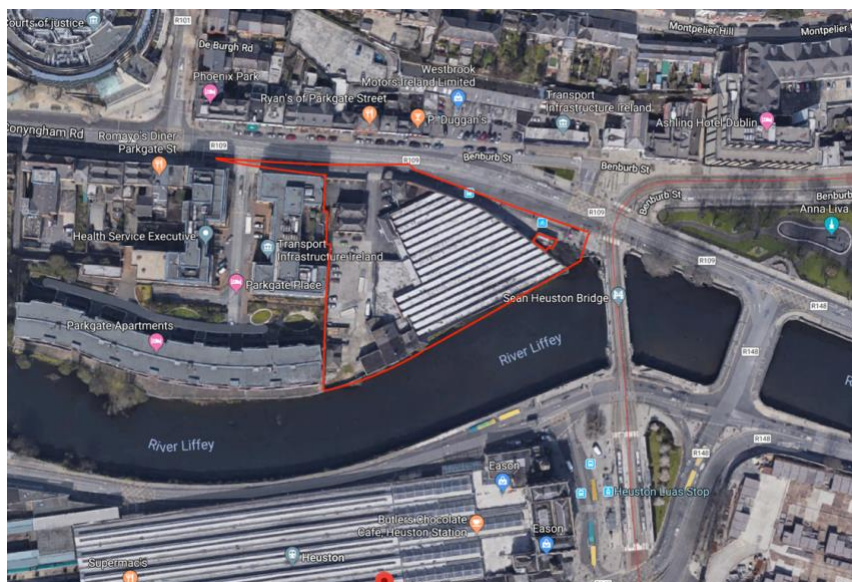
In accordance with Article 18(1)(d)(iv) of the Planning & Development Regulations 2001 (as amended) the newspaper notice includes confirmation that the planning application is LRD and includes a web address where the application can be viewed ([www.ParkgateStBlocksAB2Amendments.com](http://www.ParkgateStBlocksAB2Amendments.com)).

### 5 SITE DESCRIPTION & CONTEXT

The application site is a brownfield site, last occupied by Hickey's Fabrics warehouse and main office.

This triangular shaped site measures approximately 0.82 ha. It is bounded by Parkgate Street to the north, the River Liffey to the south, the junction of Sean Heuston Bridge and Parkgate Street and a small electricity substation to the east, and the Parkgate Place office and residential development to the west.

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



**Figure 1:** Application site outlined approximately in red (Source: Bing Maps, with overlays by SLA). Please refer to the enclosed Site Location Plan prepared by Reddy Architecture & Urbanism, for the definitive red line boundary of the subject site.

The application site is easily accessible on foot, being within walking distance of most of the key retail, employment and recreational amenities of the city centre. The site is close to various healthcare and third level education campuses, including St. Patricks University Hospital, St. James' Hospital and TU



Grangegorman. The area is also well served by legal and administrative services, with the new Criminal Court, the Four Courts and Dublin City Council Civic Offices all a short distance away. We refer to the Section 9.1.2 of this Report for further review of office use within the SDRA 7 catchment.

The site is proximate to cycle facilities along the quays and to a number of Dublin Bike Stations. The site is within walking distance of a number of significant public transportation services, including Heuston Station Intercity Railway Station, Heuston Red Line LUAS stop (linking to Cross City LUAS and Connolly Station) and numerous Dublin bus services which operate on Parkgate Street and the City Quays (route no's 25, 25a, 25b, 26, 66, 66a, 66b, 66e, 67, 69 and 145). Dedicated Phoenix Park bus route 99, operated by Dublin Bus, at 30 minute intervals between 8.30am and 6.30pm, seven days per week, commenced service in October 2024. This new route makes the Phoenix Park and its attractions more accessible to commuters on public transport.

The site also lies adjacent to an excellent range of cultural and recreational amenities, such as the expansive Phoenix Park and Dublin Zoo, the National Museum of Ireland at Collins Barracks, the Irish Museum of Modern Art at Kilmainham and the Guinness Storehouse to name a few.

## **5.1 Existing and Consented Development**

### **5.1.1 Former Use**

The Phoenix Iron Works was founded in 1808. The application site occupies the eastern half of the former ironworks site. Most of the original ironworks buildings were demolished and replaced by other buildings and structures in the mid 1880's. The site has seen a number of changes of use over time: to a woollen mills (late 1800's); shell factory / government depot (early 1900's); printers (early-mid 1900's); bookbinders / publishers (mid-late 1900's), and a textile warehouse (1970's – '00's). The western half of the original industrial site has most recently been redeveloped as a mixed use office and residential scheme.

The intended application site was last occupied by Hickey's Wholesale Fabrics warehouse and head office, for over 40 years dating back to the 1970s. The existing buildings on site total c.4,500 sqm, including the large single-storey warehouse, ancillary stores and former house/office. These buildings have fallen into disrepair and dilapidation to various degrees.

We refer to the sections below for details of permissions at this site.

### **5.1.2 ABP Reg. Ref. 310567-21 (Block A Tower SHD)**

On 4 October 2021, an Order was made by the Board confirming a grant of permission, with a life of 8 years, for the 'Block A' residential tower. It forms a composite part of the redevelopment of the larger Parkgate Street site (see latest LRD6074/24 for Blocks B1 and C and associated site works).

Permission was also granted to integrate the revised tower building with Block B2 (however, see later consent LRD6042/23 for Block B2).

The permitted development for Block A includes: -

- 198no. 'Build-to-Rent' residential apartments (73no. studios, 97no. 1-bed, 27no. 2-bed & 1no. 3-bed) from 1st to 27th floors inclusive, including 53no. units with 'winter garden' balconies on the Block A eastern elevation.
- Ancillary internal (c. 384sqm) and external (c. 255sqm) residents' private communal amenity areas and facilities, including ground floor reception/concierge area, lounge bars at mezzanine and 9th floors, roof gardens at 9th and 28th floors, and access to residents' private communal amenity areas within Blocks B and C.
- 1no. café/restaurant (c. 236sqm) at ground floor.
- Replacement floor area (c.595.6sqm total) accommodated between 1<sup>st</sup> and 8<sup>th</sup> floor levels at interface with Block B2.

- Ancillary residential bicycle storage (22no. spaces), refuse, circulation and plant, and non-residential back of house and circulation areas at ground and mezzanine floors.

#### **5.1.3 DCC LRD6042/23-S3A – Block B2 Change of Use (Office to Residential)**

On 4 March 2024, permission was granted, with a life of 8 years, for a change of use of Block B2 from office to residential, comprising 40no. residential apartments over 8 floors and associated works.

#### **5.1.4 DCC LRD6074/24-S3 (Blocks B1 & C) – Replacing ABP-306569-20.**

On 10 December 2024, an LRD application was made to Dublin City Council for permission (LRD6074/24-S3) for mixed use residential, community and commercial redevelopment (c. 26,027 sq m gross floor area), accommodated in 2no. blocks (Block B1 and Block C) ranging in height from 8 to 13 storeys with basement and undercroft, and including: 316no. apartments (178no. 1-bed units and 138no. 2-bed units), with associated private balconies on north, south, east and west building elevations and communal roof terraces at Levels 07, 08, 09 and 12; ancillary internal residents' amenity facilities (c.226 sq m); co-working/community/cultural space available for public hire (c.496 sq. m); ground level retail (c.147 sq. m). And all associated and ancillary demolition, conservation, landscaping and site development works.

A decision to grant permission, with a life of 8 years, was issued by Dublin City Council on 12 February 2024.

This replaces ABP-306569-20, dated 28 May 2020, for permission comprising 321no. Build-to-Rent ('BTR') residential apartments, ancillary residents' amenity facilities, commercial office (c. 3,698sqm), retail (c. 214sqm) and café/restaurant (c. 236sqm), accommodated in 5no. blocks ranging from 8 to 13 storeys (c. 31,146sqm) over ancillary basement area, and all associated and ancillary conservation, landscaping and site development works. This older permission is due to wither in July 2025.

## 6 LRD CONSULTATION WITH PLANNING AUTHORITY

### 6.1 Section 247 Consultation

An initial section 247 consultation was held on 19 September 2024 in relation to the proposed amendments to the consented scheme.

The consultation was attended by the following Council planning officers:

- Nicola Conlon, Senior Planner
- Liam Currie, Senior Executive Planner

The Planning Authority sought that further information be provided in respect of the following matters:

- Impact on the slenderness ratio of the Block A tower and landmark design quality as a result of the proposed amendments.
- Confirmation on whether and how the new Development Plan and Apartment Guidelines standards may apply to the new or altered apartment units. It was considered otherwise that the proposed change to tenure mix is relatively negligible.
- Need to consider the knock-on effects on ancillary elements/amenities such as sunlight/daylight, visual impact, etc.

The meeting was positive and pragmatic. The Applicant made a further written submission to the planning authority, dated 13 December 2024, providing further clarification on the nature and extent of the proposed amendments, in response to the s.247 meeting feedback.

We trust that the issues raised by the Planning Authority are further satisfactorily addressed by the plans and particulars that accompany the LRD planning application, including this Planning Report.

### 6.2 Section 247(7) Determination

In its written notification, dated February 2025, Dublin City Council confirms, based on the plans and particulars received by it, and having compared the proposed development to the previously permitted SHD at the same site, that:

- (a) *“The proposed development is substantially the same as the permitted development, and*
- (b) *The nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.*

*The Planning Authority has determined that no further consultation is required under Section 247 in relation to the proposed development.”*

The Planning Authority’s Section 247(7) determination notification, dated February 2025, is enclosed with this planning application.

## 7 PARTICULARS OF THE PROPOSED DEVELOPMENT

### 7.1 Description of Development

The proposed development comprises amendments to strategic housing development, pertaining to Block A and Block B2 permitted under ABP-310567-21 (as amended by planning permission LRD6042/23-S3A), with a life of 8 years, to include: -

- Increase in the footprint (from 479sqm to 569sqm) and gross floor area of Block A (from 14,364sqm to 16,693sqm), to accommodate a second internal fire core extending from ground level to Level 27 inclusive.
- Minor internal layout reconfiguration at ground and mezzanine levels, to accommodate the new fire core, also resulting in: -

- An increase in floor area of permitted café/restaurant unit at ground floor of Block A from c. 223sqm to c.282sqm
- A decrease in floor area of permitted community facility at ground floor of Block B2 from c. 52sqm to c. c.49sqm
- An increase in floor area of permitted café/restaurant unit at ground floor of Block B2 from c. 229sqm to c.295sqm.
- Consequent reconfiguration of 198no. permitted 'Build-to-Rent' apartments (73no. studios, 97no. 1-bed, 27no. 2-bed and 1no. 3-bed) located at Block A Levels 01 to 27 inclusive, resulting in an altered mix to 26no. studio, 118no. 1-bed, 53no. 2-bed and 1no. 3-bed apartments, with no change to the total number (i.e. 198no.) within Block A.
- Insertion of 8no. new 2-bed apartments (1no. in each of Levels 01 to 08 inclusive) and 1no. studio apartment and 1no. 1-bedroom apartment in lieu of 2no. 2-bed apartments at level 09 in Block B2. This results in total 48no. permitted and proposed apartments in Block B2 (1no. studio, 1no. 1-bed and 46no. 2-bed).
- Associated adjustments to facade treatments at the north and south elevations of Block B2, including altered or additional private balconies.
- Ancillary provision of 42no. additional bicycle parking spaces.
- Localised adjustments to permitted ancillary site and landscape works, including to public plaza area (minor reduction from 1,430 sq m to 1,148sq m)

Beyond localised adjustments, no other changes are proposed to the associated and ancillary demolition, conservation, landscaping and site development works, including works to the river wall subject of separate planning reference LRD6074/24-S3.

## 7.2 Residential Unit Mix

The **238no. permitted** apartment units under **ABP-310567-21** (Block A 'Build-to-Rent') and DCC Reg. Ref. **LRD6042/23** (Block B2- 'Build-to-Sell' standard) display a variety of typologies. The apartments range from deep plan to wide frontage comprising studio, 1 bedroom, 2 bedroom and 3-bedroom units. Table 1 identifies the mix of apartments within the consented scheme.

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	73no.	97no.	-	27no.	1no.	198no.
Block B2	-	-	10no.	30no.	-	40no.
<b>Total</b>	170no. 1-bed		67no. 2-bed		1no. 3-bed	<b>238no.</b>

**Table 1:** Permitted Residential Unit Mix - ABP-310567-21 (Block A) and LRD6042/23 (Block B2)

Within Block A, the total number of apartments remains the same at 198no. The proposed amendment to the unit mix sees an overall reduction in the number of 1-bed studio apartments and a corresponding increase in the number of more generous 1-bed and 2-bed (3 person) apartments. See Table 2a below.

It may also be noted that an additional 8no. new 2-bed units are proposed within Block B2. All 2-bed apartments in B2 become more generous 4-person units. 1no. 1-bed and 1no. studio apartments are provided in lieu of 2no. 2-bed apartments. See Table 2 below.

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	198no.
Block B2	1no.	1no.	-	46no.	-	48no.
<b>Total</b>	146no. 1-bed		99no. 2-bed		1no. 3-bed	<b>246no.</b>
	59%					100%

**Table 2a:** Residential Unit Mix Block A and Block B2 – Permitted and Proposed Dwelling Mix (all units). Flexibility allowed for unchanged Block A 'BTR' unit types permitted under the Apartment Guidelines 2020 in force at the time.

If we are to omit the 'BTR' unit types that are not changed (i.e. there may be some reconfiguration of the floor plan, but they remain 1-bed, 2-bed or 3-bed units as permitted) and that benefitted from unit mix flexibility under the Apartment Guidelines 2020 in force at the time they were permitted, the following break down of permitted and proposed 'built to sell' standard units in Block A and B2 is presented:

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	26no.
Block B2	1no.	1no.	-	46no.	-	48no.
<b>Total</b>		2no. 1-bed		72no. 2-bed	1no. 3-bed	<b>74no.</b>
		2.7%				100%

**Table 2b:** Residential Unit Mix Block A and Block B2 – Permitted and Proposed Dwelling Mix ('build to sell' units only subject of SPPR1 of Apartment Guidelines 2023)

In either of the above scenarios (Table 2 a or b), we consider that the altered unit mix enhances the ratio of more generously sizes 1- and 2-bed apartment units and is a positive design move, providing a good variation of more generously sized unit types.

Considering then the proposed development in the context of the wider scheme, Table 3 confirms the following breakdown. Table 3a shows the unit types, including permitted and proposed 'BTR' and 'Build-to-Sell' standard apartments. Table 3b considers the breakdown, when the permitted 'BTR' units are omitted.

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	198no.
Block B2	1no.	1no.	-	46no.	-	48no.
Block B1 & C	-	176no.	24no.	116no.	-	316no.
<b>Total</b>	27no.	295no.	50no.	189no.	1no.	562no.
<b>Total</b>		322no. 1-bed		239no. 2-bed	1no. 3-bed	<b>562no.</b>
		57.2%				100%

**Table 3a:** Residential Unit Mix Overall Scheme – Permitted and Proposed Dwelling Mix (all units). Flexibility allowed for unchanged Block A 'BTR' unit types permitted under the Apartment Guidelines 2020 in force at the time.

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	26no.
Block B2	1no.	1no.	-	46no.	-	48no.
Block B1 & C	-	176no.	24no.	116no.	-	316no.
<b>Total</b>	1no.	177no.	50no.	162no.	1no.	390no.
<b>Total</b>		178no. 1-bed		212no. 2-bed	1no. 3-bed	<b>390no.</b>
		45.6%				100%

**Table 3b:** Residential Unit Mix Overall Scheme – Permitted and Proposed Dwelling Mix ('build to sell' units only subject of SPPR1 of Apartment Guidelines 2023)

On the basis that 172no. unchanged BTR units in Block A (with proposed amendments) are not subject of a specific unit mix under SPPR1 of the Apartment Guidelines 2023. The overall quantum of 1-beds does not exceed 50% when these units are appropriately discounted.

We refer the Planning Authority to the Architectural Design Statement (Section 6.2 & Appendix 4) prepared by Reddy Architecture and Urbanism for further detail.

## 7.3 Amenity Space and Landscaping

### 7.3.1 Public Open Space

Section 15.8.6 of the City Plan requires that all residential development is required to provide for public open space. The minimum quantum for Z5 zoned lands is 10% of the site area. It should complement

the site layout and surrounding environment, and where possible be contiguous to existing open space or natural features. It should benefit from passive surveillance, adequate daylight and sunlight penetration, and be publicly accessible for all users for the purpose of active and passive recreation.

#### Permitted & Proposed

Public open space is delivered as part of the site works permitted under original SHD consent ABP-306569-20, or more recently DCC LRD6074/24-S3.

The proposed development does not seek to make any fundamental changes to the public plaza or river walk areas, that will be accessible to the general public during public park hours. However, the expansion of the Block A footprint results in a modest reduction of plaza by c.282 sq m.

The overall quantum of public open space measures c. 1,148sqm within the site area of 0.82 ha, equivalent to c.14% and remaining consistent with the Development Plan standards. The overall redevelopment of this site (see LRD6074/24) delivers this as new public open space and riverside amenity to the City's residential, working and visiting communities. It provides an new opportunity to experience the City's architectural and industrial heritage and River Liffey amenity at close proximity.

### **7.3.2 Community Amenity Space**

#### Permitted

In addition to the public open space (see above), c.714sqm total external communal amenity space for prospective residents is provided for within the consented scheme (i.e. at Blocks A and B2), including communal space at roof level of Block B2.

Within the wider scheme, the communal open space delivered under ABP-306569-20 (as amended) and more recently under LRD6074/24-S3, includes soft and hard landscaped areas at surface and roof levels, and a children's play area at surface level, all designed for safe and enjoyable use by the prospective residential community.

The permitted residential units in Block A are declared 'Built to Rent', benefitting from flexibility in respect of the provision of external and internal communal residential amenity spaces. In addition to the external space identified above, permitted internal communal amenity space, amounting to c. 780sqm in total, is located at ground floor, mezzanine, 7th, 9th, 25th floors of permitted Blocks A and B2. This includes: - concierge spaces, TV rooms, a family room, lounges, bookable rooms, quiet rooms, and co-working spaces.

#### Proposed

In modified Block A, the 26no. 'new' 2-bed (3-person) apartments generate a requirement for 156sqm communal amenity space. The proposed 8no. new residential units in Block B2 generate a requirement for 61sqm of communal amenity space. In total this amounts to 217 sq m.

This can be absorbed within the consented external communal open space, amounting to c.714 sq m, at roof level of Block B2 (9<sup>th</sup> floor). For the 'BTR' units that remain unchanged in Block A, no new external communal open space requirements arise and the needs of these units can be flexibly met within the consented communal external space at the Block B2 9<sup>th</sup> floor roof terrace. Wind mitigation measures have been incorporated to ensure that this space is comfortable for standing and sitting.

We refer the Planning Authority to the Architectural Design Statement (Section 5.4) prepared by Reddy Architecture and Urbanism for further detail.

We refer to the Landscape Plan prepared by Mitchell + Associates for roof terrace design details.

We refer also to the Wind Analysis Report, prepared by IN2, which demonstrates that the proposed external amenity spaces perform well.

### **7.3.3 Private Open Space**

#### Permitted

In Block B2 ('build-to-sell' standards), individual balconies or winter gardens are provided to each of the permitted apartments, as external private amenity areas that achieve (or in some cases exceed) the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023). These are accessed directly from the main living areas.

In Block A, private individual amenity space in the form of 'wintergarden' balconies are permitted for 53no. apartments from 1<sup>st</sup> to 27<sup>th</sup> floors on the eastern elevation of Block A. Not all of the permitted BTR apartments therefore have individual private open space (in the form of private balconies), but all proposed apartments have convenient access to the internal and external residential amenity areas within Block A and B2.

#### Proposed

In Block B2, each permitted and proposed apartment is provided with an individual balcony (southern elevation) or winter garden (northern elevation). The southern façade has been altered consequent to the insertion of balconies to the 8no. new apartments. We refer the Planning Authority to elevation Drawing No. PGATE-02-BA-ZZZ-DR-RAU-AR-2002, prepared by Reddy Architecture and Urbanism for further detail.

The private balconies and winter gardens achieve (or in some cases exceed) the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023). These are accessed directly from the main living areas.

In Block A, the 26no. reconfigured 2-bedroom 3-person apartments are provided with private balconies, accessed directly from the main living areas.

We refer to the enclosed Housing Quality Assessment, prepared by Reddy Architecture + Urbanism for details regarding the quantum provided.

We refer the Planning Authority to the enclosed Sunlight & Daylight Assessment Report, prepared by IN2 Consulting which demonstrates that units with wintergardens perform well in terms of sunlight and daylight accessibility. We refer also to the Wind Analysis Report, prepared by IN2, which also demonstrates that the proposed balconies perform well as amenity spaces.

## **7.4 Site Access**

There are no changes proposed to the site access as permitted.

## **7.5 Bicycle Parking and Access**

#### Permitted

198no. bicycle parking spaces are permitted for Block A residents while 80no. bicycle parking spaces are permitted for residents of Block B2.

#### Proposed

The proposed amendments deliver an additional 42no. long-term residential bicycle parking spaces at basement / undercroft of Block B1 permitted under LRD6074/24. There is no material change to the extent/footprint of the basement in that area. The internal layout has been slightly modified to accommodate the additional spaces.

We refer the Planning Authority to Section 5.45 of the enclosed Architectural Design Statement, prepared by Reddy Architecture and Urbanism for details.

We refer also to the 'Transport Statement' prepared by Arup in respect of transportation and bicycle parking.

## 7.6 Car Parking

No additional car parking spaces are proposed.

## 7.7 Non-Residential Uses

The proposed development seeks minor alterations to the ground floor configuration of Blocks A and B2 to cater for the additional stair core in Block A, this has resulted in minor amendments to the floor areas of non-residential units as follows: -

- Increase in GFA of permitted café/restaurant unit at ground floor of Block A from c. 223sqm to c.282sqm (i.e. + 59 sq m).
- Decrease in GFA of permitted community facility at ground floor of Block B2 from c. 52sqm to c. 49sqm (i.e. - 3 sq m).
- Increase in GFA of permitted café/restaurant unit at ground floor of Block B2 from c. 229sqm to c.295sqm (i.e. + 66 sq m).

## 7.8 Water & Drainage Services

There is no change to the drainage and watermain strategy as agreed with Dublin City Council Drainage Department and Uisce Éireann required under this Block A and Block B2 planning amendment.

A Confirmation of Feasibility for the development has been confirmed by Uisce Eireann (application number CDS23006543, enclosed). We confirm that the connection application stage is ongoing and the final arrangements for the removal of storm water from the combined sewer, in accordance with the permitted design, will be agreed with Dublin City Council and Uisce Eireann. There are minor increases to the water and wastewater, and this has been advised to Uisce Éireann and we can confirm that the proposed planning amendments will have no material change to the drainage design as under discussion with Uisce Éireann.

We refer the Planning Authority to the enclosed Drainage and Watermain Report, prepared by ARUP for further detail.

## 7.9 Flood Risk

We refer the Planning Authority to the enclosed Site-Specific Flood Risk Assessment (SSFRA), prepared by ARUP which concludes: -

*There is no record historical flooding at the site.*

*While the site borders the River Liffey, flood risk to the site is low and existing ground levels are above the maximum 1% AEP fluvial water level and the 0.5% AEP tidal level. The risk of groundwater flooding is also low.*

*There is a risk of pluvial flooding at the site. This risk will be managed through grading of paved surfaces to direct surface water to the drainage system, and provision of drainage channels across entrance points to collect surface water. Further mitigation actions will be taken to remove part of the surface runoff from the combined sewer on Parkgate Street and relieve the drainage system in the area, reducing the risk of pluvial flooding in the vicinity of the site.*

*The minimum site flood defence level of the proposed development including an allowance for climate change and freeboard is 4.07mOD.*

*Flood risk to the buildings on site will be managed by setting minimum FFLs to 5.20mOD.*

*Access and egress routes will not be compromised during a flood event with the exception of the route to the internal river walk next to the River Liffey. This is not a primary access and*



*egress route for the proposed development and the entrance/exit point to the building itself will be above the minimum site flood defence level.*

*The proposed development will also not impact on floodplain storage or conveyance.*

*As a small area of the existing site is within the 0.1% AEP tidal flood extent. The site is therefore classified as Flood Zone B and a Justification Test is required. Both the Plan Making and Development Management Justification elements of the Justification test have been assessed and both are deemed to be passed as part of this FRA.*

## **7.10 Daylight & Sunlight**

We refer the Planning Authority to the accompanying Daylight & Sunlight Analysis, prepared by IN2 Engineering Design Partnership.

In relation to daylight access to Block A and Block B2 and the associated residential units proposed, the report findings include: -

### **Block A- Daylight**

*100% of the analysed rooms were determined to be compliant with the methodology utilised. Detailed results are included in Appendix A*

### **Block B2- Daylight**

*85% of the analysed rooms were determined to be compliant with the methodology utilised. Detailed results are included in Appendix B.*

We refer to Section 5.5 and Appendix B of the enclosed Daylight and Sunlight Analysis prepared by IN2 Engineering Design Partnership for details of compensatory design measures.

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

### **Daylight**

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

### **Sunlight**

*The analysis determined that sunlight (APSH) to all assessed neighbouring blocks will not be adversely impacted and comply with the BRE Guidelines.*

## 8 STRATEGIC PLANNING CONTEXT – STATEMENT OF CONSISTENCY

### 8.1 National Planning Framework – Ireland 2040

The National Planning Framework (NPF) seeks to achieve the consolidation of Dublin City's development and growth within the M50 and canals to create more compact urban form. The NPF seeks 40% of all new homes to be located within the existing footprints of our urban settlements. In Dublin, development should be focused within the M50 and canal rings in order to consolidate the urban area. Development on infill and brownfield sites is seen as a key way to deliver this vision, particularly where such sites are served by high capacity public transport.

The subject site is exceptionally well placed to achieve this NPF vision. It delivers a high quality, mixed use regeneration development on a brownfield site at one of the city's key public transportation hubs.

This policy direction means encouraging more people, jobs and activity generally within our existing urban areas. It requires a change in previous development patterns which have predominately focused on 'greenfield' sites. In particular, it requires well-designed, high-quality development that can encourage more people, and generate more jobs and activity within existing cities, towns and villages.

Development must therefore meet appropriate design standards to achieve targeted levels of growth. It also requires active management of land and sites in urban areas.

The following are the key NPF Policy Objectives which support the principle of this development:

**National Policy Objective 2a** notes a target of half (50%) of future population and employment growth will be focussed in the existing five cities and their suburbs.

**National Policy Objective 3b** seeks to deliver 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 4** promotes 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 7** states apply a tailored approach to urban development that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus on: Dunlin;... Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth; In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.

**National Policy Objective 11** states a presumption in favour of development that encourages more people and generates more jobs and activity within existing cities, towns and villages, subject to appropriate planning standards being met and targeted growth achieved.

In NPF Chapter 4 'Making Stronger Urban Places', the following Key Objective is relevant:

**National Policy Objective 13** requires that *"in urban areas, planning and related standards, including in particular 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"*, subject to a range of environmental and residential amenity tolerances.

In NPF Chapter 6 'People Homes and Communities', the following Key Objectives are relevant:

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

**National Policy Objective 33**, that seeks to *"prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*

**National Policy Objective 35**, that seeks to *"increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights."*

**National Policy Objective 36**, that seeks to put in place Section 28 Ministerial Guidelines to improve the evidence base, effectiveness and consistency of the planning process for housing provision to meet varying housing needs at regional, metropolitan and local authority levels. For example, in reconciling future housing requirements effectively it is identified that in Dublin city, while one, two and three person households comprise 80% of all households, the housing stock is largely comprised of 3 and 4-bedroom houses.

We note that the Updated Draft Revised National Planning Framework was published in November 2024 to take account of the changes that have occurred since the National Planning Framework was published in 2018. We can confirm that the proposed development is consistent with same.

### 8.1.1 Housing for All

*Housing for All: A New Housing Plan for Ireland* is the Government's commitment to address the acknowledged housing crisis in this Country. In this regard, Housing for All states that:-

*"The overall aim of our new housing plan for Ireland is that:*

*Everyone in the State should have access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. "*

To achieve this, *Housing for All* provides four pathways to achieving four overarching objectives, being:-

- *Supporting Homeownership and Increasing Affordability;*
- *Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion;*
- *Increasing New Housing Supply; and*
- *Addressing Vacancy and Efficient Use of Existing Stock.*

*Housing for All* targets the provision of 33,000 new homes per year, over a five year period starting in 2021. Based upon the official statistics supplied by the CSO, the most recent 5 years on record are 2018-2022 (inclusive) where records show that there were 110,003 new dwelling completions; or approximately 22,000 new dwelling completions per year. That would amount to nearly 55,000 new dwelling completions less than that being sought under *Housing for All*; all be it over a slightly different period. The records for Q1-Q3 2023 from the CSO would suggest that the number of new completions for this year will exceed 30,000 for the first time since 2008, but is still short of Government targets.

While it is acknowledged that the Government is taking steps to enhance the delivery of new dwellings units, this will take some time to be realised. The proposed development, delivering 8no. additional dwellings to the housing rental market, ideally situated within the City Centre, will assist Government in bridging the gap between the target set and the shortfall which is happening on the ground.

The proposed development positively responds to each of the four overarching objectives of Housing for All and should be supported in principle.

### 8.2 Climate Action Plan 2023

CAP23 identifies that the dispersal of residential settlements, commercial zones and workplaces to peripheral areas instead of focusing on central areas and locations served by public transport, has led to an over-reliance on the private car. The Annex of Actions to CAP23 includes an action to prepare sustainable settlement guidelines and to review planning guidelines to ensure a graduated approach in relation to the provision of car parking.

The proposed development is fully aligned to the CAP23 Annex of Actions, in proposing additional new residential units within the western edge of Dublin City Centre, where the 15-minute neighbourhood can be a reality. Additional car parking provision is not a necessary part of the proposal due to its close proximity to services, amenities and employment opportunities within easy walking or cycling distance and by nearby public transport. This will also have wider climate benefits, in reducing reliance on travel by private car.

Refer also to Section 9.1.5 of this report for discussion regarding compliance with Dublin City Development Plan climate action policies and objectives.

### **8.3 National Sustainable Mobility Policy/ National Mobility Policy Action Plan 2022-2025**

#### **8.3.1 Key Principles and High Level Goals**

These policy documents aim to support more sustainable modal shift between now and 2030, through infrastructure and service improvements, as well as demand management and behavioural change measures. This is with a view to encouraging healthier mobility choices, relieving traffic congestion, improving urban environments and helping to tackle the climate crisis.

The Policy is guided by three key principles which are underpinned by 10 high-level goals: -

- **Safe and Green Mobility**
  1. Improve mobility safety.
  2. Decarbonise public transport.
  3. Expand availability of sustainable mobility in metropolitan areas.
  4. Expand availability of sustainable mobility in regional and rural areas.
  5. Encourage people to choose sustainable mobility over the private car.
- **People Focused Mobility**
  6. Take a whole of journey approach to mobility, promoting inclusive access for all.
  7. Design infrastructure according to Universal Design Principles and the Hierarchy of Road Users model.
  8. Promote sustainable mobility through research and citizen engagement.
- **Better Integrated Mobility**
  9. Better integrate land use and transport planning at all levels.
  10. Promote smart and integrated mobility through innovative technologies and development of appropriate regulation.

#### **8.3.2 Consistency of Proposed Development with National Sustainable Mobility Policy & Action Plan**

The proposed amendments in combination with the consented scheme is consistent with the key principles of encouraging use of more sustainable public transport, cycling and walking, given the highly accessible site location.

It meets a number of the relevant high level goals. It is consistent with the promotion of better integrated mobility, with respect to implementing land use and transportation (9), where the proposed residential use is set within a mixed use context and easily accessible by rail, bus, cycling and walking.

It is consistent with the promotion of safe and green mobility, being part of a pedestrian priority development, connected with local services and employment opportunities within easy walking and cycling distance and adjacent to a strategic public transport hub. The consented scheme with the proposed amendment will thus present choice of alternative, sustainable transport modes over the private car (5). High density, people focussed development in turn also supports investment in sustainable mobility infrastructure (3).

It is consistent with the promotion of people focussed mobility, where access for all and universal design principles are factored into the design of the proposed development (6 & 7).

## 8.4 Section 28 Ministerial Guidelines

The following Statements of Consistency sets out how the proposed development is consistent with the Section 28 Ministerial Guidelines.

### 8.4.1 Compact Settlement Guidelines 2024

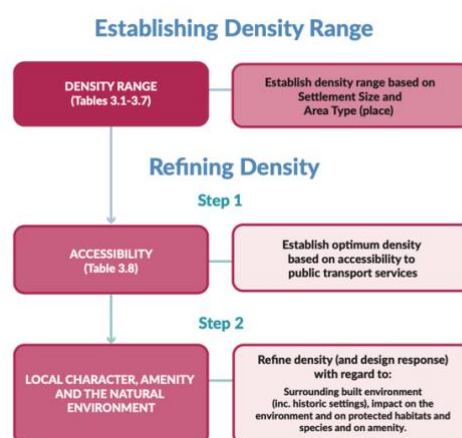
The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities set national planning policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements.

The Guidelines replace the [Sustainable Residential Developments in Urban Areas-Guidelines for Planning Authorities](#) 2009 (now revoked). They build on and update previous guidance to take account of current Government policy and economic, social and environmental considerations. The Guidelines expand on higher-level policies of the National Planning Framework, setting policy and guidance in relation to the growth priorities for settlements, residential density, urban design and placemaking and introduce development standards for housing.

#### 8.4.1.1 Policy and Objective 3.1 – Density Ranges

It is a policy and objective of these Guidelines that the recommended residential density ranges set out in Section 3.3 are applied within statutory development plans and in the consideration of individual planning applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.

Figure 3.3:  
Illustration of the process for establishing, optimising and refining appropriate density for a plan or development.



The proposed development seeks to provide an additional 8no. units within Block B2 resulting in a marginally increased total of 246no. units located within Blocks A and B2 on a net site area of c. 0.82ha. The resultant density in this instance is **300 dw/ha**.

Overall, taking account of recent LRD6074/24 permission for 316no. apartments in Blocks B1 and C, the combined development is 562no. dwellings at a density of c. 685no. dw/ha. This represents a minor overall uplift from previously permitted 681 dw/ha at this site, within a designated Strategic Development and Regeneration Area (SDRA7) where potential for high density mid-rise and landmark buildings has been identified in the Development Plan.

The Sustainable and Compact Settlements Guidelines for Planning Authorities (2024) ("the Compact Settlement Guidelines") sets out the methodology for the determination of appropriate densities having regard to settlement hierarchies.

Table 3.1 of the Compact Settlements Guidelines sets out the density ranges for Dublin. The application site may be categorised as a 'City Centre' location, where higher density may be achieved as per the following recommendation of the Guidelines: -

*"The city centres of Dublin and Cork, comprising the city core and immediately surrounding neighbourhoods, are the most central and accessible urban locations nationally with the greatest intensity of land uses, including higher order employment, recreation, cultural, education, commercial and retail uses. It is a policy and objective of these Guidelines that residential densities in the range 100 dph to 300 dph (net) shall **generally** be applied in the centres of Dublin and Cork".*

In terms of accessibility, the application site can be considered 'High Capacity Public Transport Node or Interchange' as defined in Table 3.8 of the Compact Settlements Guidelines: -

*"Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects 'Core Bus Corridor' stop.*

*Highest densities should be applied at the node or interchange and decrease with distance."*

The proposed development is highly accessible with a number of high-frequency public transport routes in its vicinity including DART, Train, Luas, Dublin Bus and BusConnects routes.

The wording, referring to the general application of this density range, allows for some flexibility at sites suitable for higher density, with highest densities applied at significant public transport interchanges. The site is within 500m of Heuston Station and served by Luas, Dublin Bus and within easy walking and cycling distance of Dublin City Centre amenities and services.

Section 3.3.6 (a) of the Compact Settlement Guidelines states: -

*There is a presumption in these Guidelines against very high densities that exceed 300 dph (net) on a piecemeal basis. Densities that exceed 300 dph (net) are **open for consideration** on a **plan-led** basis only and where the opportunity for densities and building heights that are greater than prevailing densities and building height is identified in a relevant statutory plan.*

[SLA bold font emphasis]

Previous and more recent permissions for density exceeding the 300 dph range at this site, was previously considered acceptable by both Dublin City Council and An Bord Pleanála, having regard to the SDRA7 principles and the highly accessible site location within 500m of a strategic transport hub at Heuston Station and accessibility by other sustainable modes of transport to city centre amenities and employment opportunities. The site is considered by the Development Plan to be an appropriate location for mid-height and tall landmark buildings, with higher density being the by-product. (See further discussion of SDRA 7 guiding principles in Section 9.1.3 below).

Given that the site conditions and the permitted building height, scale and massing have not materially changed (this having been corroborated in the planning authority's s.247(7) confirmation, February 2025), we would expect that the proposed amendments to Block A and B2, resulting in a marginal increase in density (+ 8no. units) would be acceptable.

The supplementary assessments that accompany the planning application demonstrate that no significant or new adverse planning or environmental impacts arise for the proposed development (e.g. visual impact, overlooking, overshadowing, heritage impacts, etc).

We refer the Planning Authority to the enclosed Transportation Statement, prepared by ARUP which provides further detail in respect of public transport availability and active travel patterns.

#### 8.4.1.2 SPPR 1 – Separation Distances

It is a Specific Planning Policy Requirement (SPPR 1) of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level.

In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity and that the proposed development will not have a significant negative impact on the amenity of occupiers of existing residential properties, on a case by case basis.

#### **Proposed Development**

Separation distances of over 16m between is maintained between opposing windows serving habitable rooms in existing, permitted and proposed buildings. The proposed development is consistent with SPPR 1.

Within the proposed scheme, the separation distance between Block B1 and A has reduced slightly from c. 19m to c. 18.5m arising from the increased footprint of Block A. The modified separation distance remains well over the 16m separation distance recommended by SPPR1.

We refer the Planning Authority to the enclosed **Architectural Design Statement**, prepared by Reddy Architecture & Urbanism and to the **Sunlight, Daylight & Over Shadowing Report**, prepared by IN2 Consulting.

#### **8.4.1.3 SPPR 2 – Minimum Private Open Space Standards for Houses**

SPPR 2 requires that proposals for new houses meet the following minimum private open space standards:

- 1 bed house 20 sq. m
- 2 bed house 30 sq. m
- 3 bed house 40 sq. m
- 4 bed + house 50 sq. m

#### **Proposed Development**

These standards relate only to houses and are therefore not applicable in this instance.

We refer the Planning Authority to Section 8.4.2 of this Report which demonstrates compliance with the relevant apartment size standards of the Apartment Guidelines (2023).

#### **8.4.1.4 SPPR 3 – Car Parking**

SPPR 3 of these Guidelines require that:

- i. In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.*

Applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision.

The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on-street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking

#### **Proposed Development**

No additional car parking is proposed.

24no. car parking spaces are permitted at surface level to cater for GoCar/Car Sharing under DCC LRD6074/24.

#### 8.4.1.5 SPPR 4 – Cycle Parking and Storage

SPPR 4 of these Guidelines requires that all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors.

The following requirements for cycle parking and storage are recommended:

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

#### **Proposed Development**

198no. bicycle parking spaces are permitted for Block A residents (1no. per unit) while 80no. bicycle parking spaces (1no. per bedroom) are permitted for residents of Block B2 under ABP-310567-21, as amended by LRD LRD6042/23-S3A.

Additional bicycle parking spaces are proposed at a rate of 1no. space per bedroom for the additional 8no. 2-bed units located within Block B2 (i.e. **16no.** spaces).

An additional **26no.** cycle parking spaces are proposed for residents within Block A, due to the change of 26no. studio apartments to 26no. 2-bedroom apartments.

These are located within the permitted basement area beneath Block B1. No new basement area is created.

42no. visitor bicycle parking spaces were recently permitted under LRD6074/24, intended to service the scheme as a whole.

We refer the Planning Authority to the enclosed Transportation Statement, prepared by ARUP Group and Design Statement, prepared by Reddy Architecture + Urbanism for further detail on bicycle parking and other transportation issues.

#### 8.4.1.6 Section 4.4 – Key Indicators of Quality Design and Placemaking

##### **(i) Sustainable and Efficient Movement**

- a) New developments should, as appropriate, include a street network (including links through open spaces) that creates a permeable and legible urban environment, optimises movement for sustainable modes (walking, cycling and public transport) and is easy to navigate.
- b) New developments should connect to the wider urban street and transport networks and improve connections between communities, to public transport, local services and local amenities such as shops, parks and schools, where possible.
- c) Active travel should be prioritised through design measures that seek to calm traffic and create street networks that feel safe and comfortable for pedestrians and cyclists.
- d) The quantum of car parking in new developments should be minimised in order to manage travel demand and to ensure that vehicular movement does not impede active modes of travel or have undue prominence within the public realm. Chapter 5 Development Standards includes a specific planning policy requirement (SPPRs) that addresses car parking rates in new residential developments.



### **Proposed Development**

The redevelopment of the site offers pedestrians new permeability and an alternative walking route along the riverfront providing active engagement with the River Liffey and new visual connections via availability of views across the river to the Heuston quarter.

The proposed development site is well served by public transport. Heuston Station is approximately 200m from the site which provides national and regional rail services, as well as LUAS services.

On Parkgate Street a number of Dublin Bus routes are located which give further access across the city.

There are Dublin Bike Stations adjacent to the site, as well as many dedicated cycle lanes in the nearby roads that provide safe cycling for cyclists encouraging active travel.

Additional bicycle parking spaces are proposed at a rate of 1no. space per bedroom proposed for the additional 8no. units located within Block B2 (16no. spaces).

An additional 26no. cycle parking spaces are proposed for residents within Block A, this is due to the change of 26no. studio apartments to 26no. 2-bedroom apartments.

No additional car parking is proposed.

### **(ii) Mix and Distribution of Uses**

- a) In city and town centres and at high capacity public transport nodes and interchanges (defined in Table 3.8), development should consist of high intensity mix-use development (residential, commercial, retail, cultural and community uses) that responds in scale and intensity to the level of accessibility. At major transport interchanges, uses should be planned in accordance with the principles of Transport Orientated Development.
- b) In city and town centres, planning authorities should plan for a diverse range of uses including retail, cultural and residential uses and for the adaption and re-use of the existing building stock (e.g. over the shop living). It is also important to plan for the activation of outdoor spaces and the public realm to promote more liveable city and town centres. Much of this can be achieved through the implementation of urban enhancement and traffic demand management measures that work together to free up space for active travel and create spaces that invite people to meet, mingle and dwell within centres.
- c) In areas that are less central, the mix of uses should cater for local services and amenities focused around a hierarchy of local centres that support residential communities and with opportunities for suitable non-residential development throughout.
- d) In all urban areas, planning authorities should actively promote and support opportunities for intensification. This could include initiatives that support the more intensive use of existing buildings (including adaption and extension) and under-used lands (including for example the repurposing of car parks at highly accessible urban locations that no longer require a high level of private car access).
- e) It will be important to align the integration of land uses and centres with public transport in order to maximise the benefits of public transport.
- f) The creation of sustainable communities also requires a diverse mix of housing and variety in residential densities across settlements. This will require a focus on the delivery of innovative housing types that can facilitate compact growth and provide greater housing choice that responds to the needs of single people, families, older people and people with disabilities, informed by a Housing Needs Demand Assessment (HNDA) where possible. Development plans may specify a mix for apartment and other housing developments, but this should be further to an evidence-based Housing Needs and Demand Assessment

### **Proposed Development**

The application site is within easy walking and cycling distance of the city centre and its myriad of amenities. It is also immediately adjacent to the gates of Phoenix Park and a host of other cultural and civic buildings and spaces, e.g. Collins Barracks, Criminal Court of Justice, Heuston Station, etc.

The development site is well served by public transport. Heuston Station is approximately 200m from the site which provides national and regional rail services, as well as LUAS services. On Parkgate Street a number of Dublin Bus routes are located which give further access across the city to a wide range of amenities in the city and city suburbs. The new route Phoenix Park bus service (no.99) makes its attractions more accessible to residential, working and visiting communities in this area.

The consented development is itself and in combination with development recently permitted under LRD6074/24 (Blocks B1 & C), a residentially led mixed-use scheme providing a range of café/restaurants, retail, multi-functional spaces for co-working, cultural, community and amenity uses at ground level. It also delivers new public open space and access to a riverside walk and the heritage features being retained on site.

The proposed development provides a better mix of residential apartments and additional 8no. apartments in a range of sizes and typologies, including universally accessed units, to ensure a diverse mix of dwellings.

We refer to further discussion of mixed use under the Z5 and Z9 land use zoning objectives for the site and SDRA7 guiding principles of the Dublin City Development Plan 2022-2028, in Section 9 of this report below.

We refer to the **Architectural Design Statement**, and **Housing Quality Assessment**, prepared by Reddy Architecture + Urbanism for further detail.

### **(iii) Green & Blue Infrastructure**

- (a) Plan for the protection, restoration and enhancement of natural features, biodiversity and landscapes, and ensure that urban development maintains an appropriate separation and setback from important natural assets. New development should seek to protect and enhance important natural features (habitats and species) within and around the site, should avoid the degradation of ecosystems and include measures to mitigate against any potential negative ecological impacts.
- (b) Plan for an integrated network of multifunctional and interlinked urban green spaces. This is addressed further in subsection (iii) Public Open Space below.
- (c) Promote urban greening and Nature-based Solutions (including Sustainable Drainage Systems and slow-the-flow initiatives) for the management of urban surface waters in all new developments and retrofitting in existing areas to ensure that the benefits of ecosystem services are realized. Planning authorities should adopt a nature-based approach to urban drainage that uses soft-engineering techniques and native vegetation (including the protection of the riparian zone) to minimise the impact on natural river processes.
- (d) The use of Nature-based Solutions at ground level may not be possible on certain brownfield sites due to historic land contamination. In such cases, alternative solutions such as green roofs and walls can be considered.

### **Proposed Development**

Public open space is delivered under recently permitted LRD7064/24. Minor associated adjustment to the public plaza is proposed as a consequence of the revised footprint of Block A, sought under this application.

The most significant features of the public amenity open space within the overall site include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. The area is slightly reduced by c.282 sq m as a consequence of the proposed amendments. At c. 1,148sqm within the site area of 0.82 ha it remains equivalent to c.14% of the site area).

The public open space will enhance the existing condition of the site, making the River Liffey accessible to the public. These amenities will continue to be accessible via the main pedestrian site entrance under Block B2 and through the small pocket park at the eastern apex of the site during normal public park hours, and otherwise by controlled access by the Management Company.

There is no change to the drainage scheme and associated green roof permitted under ABP-310567-21, as amended by LRD6042/23.

We refer the Planning Authority otherwise to the enclosed plans and particulars, prepared by ARUP and Mitchell & Associates for detail.

#### **(iv) Open Space**

Public open space provided as part of new development proposals. These spaces should be designed to retain and protect natural features and habitats of importance within the site and to maximise biodiversity gain. They should also form an integral part of the overall design. These spaces may be offered for taking in charge by the local authority following the completion of the development

#### **Proposed Development**

As described above, the site works, including public open space for the overall site is delivered under recently permitted LRD7064/24. Minor adjustment to the public plaza is proposed as a consequence of the revised footprint of Block A, sought under this application.

The most significant features of the public amenity open space within the overall site include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. The area is slightly reduced by c.282 sq m as a consequence of the proposed amendments. At c. 1,148sqm within the site area of 0.82 ha it remains equivalent to c.14% of the site area).

The public open space will enhance the existing condition of the site, making the River Liffey accessible to the public. These amenities will continue to be accessible via the main pedestrian site entrance under Block B2 and through the small pocket park at the eastern apex of the site during normal public park hours, and otherwise by controlled access by the Management Company.

The site is immediately accessible to Phoenix Park via Parkgate Street. The Phoenix Park, at c.700ha, is one of the largest enclosed recreational spaces within any of Europe's capital cities. It is open 24 hrs/day, 7 days/week. It hosts a range of attractions, including Dublin Zoo, Farmleigh, the Aras, and a range of passive and active recreational amenities.

The site also benefits from riverside amenities and proximity to the boat clubs and fishing opportunities along the Liffey corridor, at Island Bridge.

We discuss the public open space requirements of the Development Plan in reference to the Z9 land use zoning and design standards further in Section 9.1 of this report below.

We refer the Planning Authority to the enclosed **Natura Impact Statement**, prepared by Altamar and to the **landscape plans and particulars**, prepared by Mitchell & Associates for detail.

#### **(v) Responsive Built Form**

- (a) New development should support the formation of a legible and coherent urban structure with landmark buildings and features at key nodes and focal points.
- (b) New development should respond in a positive way to the established pattern and form of development and to the wider scale of development in the surrounding area. The height, scale and massing of development in particular should respond positively to and enhance the established pattern of development (including streets and spaces).
- (c) The urban structure of new development should strengthen the overall urban structure and create opportunities for new linkages where possible.

- (d) Buildings should generally present well-defined edges to streets and public spaces to ensure that the public realm is well-overlooked with active frontages.
- (e) New development should embrace good modern architecture and urban design that is innovative and varied, and respects and enhances local distinctiveness and heritage.
- (f) Materials and finishes should be of high quality, respond to the local palette of materials and finishes and be highly durable.

### **Proposed Development**

The proposed amendments to Blocks A and B2 do not result in a materially different scheme to what is already consented, with respect to building form, height and massing, under ABP-310567-21 and LRD6042/23. This is confirmed in the planning authority's s.247(7) confirmation, February 2025.

The enclosed **Landscape and Visual Impact Assessment** Report, prepared by ARC confirms *that the proposed amendments will not change the extent of visibility or visual effects these buildings.*

The enclosed **Conservation Statement**, prepared by ARC confirmed that: -

*The proposed amendments to the permitted Blocks A and B2 do not involve any works to structures of architectural heritage value, whether they are protected structures or not. Nor are the proposed amendments to the permitted Blocks A and B2 likely to result in any material or perceived effects on the setting of structures of architectural heritage value over and above effects occasioned by the existence permitted Blocks A and B2.*

We refer the Planning Authority to the enclosed **Conservation Statement** and **Landscape and Visual Impact Assessment** Report, both prepared by ARC, and to the **Architectural Design Statement**, prepared by Reddy Architecture + Urbanism for further design, townscape and conservation detail.

### **Policy and Objective 5.1 – Public Open Space**

It is a policy and objective of the Compact Settlement Guidelines that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments (and in mixed-use developments that include a residential element).

The general requirement for development plans shall be that a public open space standard of not less 10% and not more than 15% of net site area shall be imposed, save in exceptional circumstances. Different minimum requirements (within the 10-15% range) may be set for different areas. The minimum requirement should be justified taking into account existing public open space provision in the area and broader nature conservation and environmental considerations.

In the case of strategic and sustainable development sites, the minimum public open space requirement will be determined on a plan-led basis, having regard to the overall approach to public park provision within the area.

In the case of sites that contain significant heritage, landscape or recreational features and sites that have specific nature conservation requirements, a higher proportion of public open space may need to be retained. The 10-15% range shall not therefore apply to new development in such areas.

In some circumstances a planning authority might decide to set aside (in part or whole) the public open space requirement arising under the development plan. This can occur in cases where the planning authority considers it unfeasible, due to site constraints or other factors, to locate all of the open space on site. In other cases, the planning authority might consider that the needs of the population would be better served by the provision of a new park in the area or the upgrade or enhancement of an existing public open space or amenity. It is recommended that a provision to this effect is included within the development plan to allow for flexibility. In such circumstances, the planning authority may seek a financial contribution within the terms of Section 48 of the Planning and Development Act 2000 (as amended) in lieu of provision within an application site

### **Proposed Development**

As described above, the public open space for the overall site is delivered under recently permitted LRD7064/24. Minor adjustment to the public plaza is proposed as a consequence of the revised footprint of Block A, sought under this application.

The most significant features of the public amenity open space within the overall site include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. The area is slightly reduced by c.282 sq m as a consequence of the proposed amendments. At c. 1,148sqm within the site area of 0.82 ha it remains equivalent to c.14% of the site area).

The public open space will enhance the existing condition of the site, making the River Liffey accessible to the public. These amenities will continue to be accessible via the main pedestrian site entrance under Block B2 and through the small pocket park at the eastern apex of the site during normal public park hours, and otherwise by controlled access by the Management Company.

The site is immediately accessible to the expansive Phoenix Park via Parkgate Street. It also benefits from riverside amenities and proximity to the boat clubs and fishing opportunities along the Liffey corridor, at Island Bridge.

We discuss the public open space requirements of the Development Plan in reference to the Z9 land use zoning and design standards further in Section 9.1 of this report below.

#### 8.4.2 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023)

The Guidelines contain a number of 'Specific Planning Policy Requirements' (SPPR), which seek to implement the national and regional strategic planning policies and objectives identified in previous sections of this report. These SPPRs take precedence over any contradictory policies or objectives of the Dublin City Development Plan 2022 – 2028, that have not taken these Guidelines into account.

Block A (198no. units) permitted under ABP-310567-21, is a Build-to-Rent scheme and was assessed in accordance with SPPR 7 & 8 of the Apartment Guidelines 2020.

It is now proposed to amend 26no. of the Build-to-Rent studio apartments to create 26no. 2-bed 3-person units within the same total of 198no. apartments. This is accommodated by the expanded floor plan of Block A. The proposed changed unit types units are assessed under the current Apartment Guidelines 2023. The additional 8no. units proposed within Block B2 are also assessed under the current Guidelines (see sections below).

It should be noted that the balance of the BTR apartments in Block A (i.e. 172no.), which are not materially changed by this application, were permitted under the 2020 Guidelines in force at the time and continue to benefit from the flexibility provided under SPPR 7 & 8 of those Guidelines.

#### Apartment Mix (SPPR 1)

*Specific Planning Policy Requirement 1* of the Apartment Guidelines, states:

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

[SLA emphasis in bold]

The proposed amendments provide 1no. studio and 1no. 1-bed unit in lieu of 2no. permitted 2-bed units in Block B2. An additional 8no. 2-bed units are also proposed within Block B2.

26no. 2-bed 3-person typologies are proposed in lieu of 26no. studio apartments in Block A.

As demonstrated in Section 7.2 above, and on the basis that 172no. unchanged BTR units in Block A (with proposed amendments) are not subject of a specific unit mix under SPPR1 of the Apartment Guidelines 2023. The overall quantum of 1-beds **does not exceed 50%** when these units are appropriately discounted.

#### Permitted Block A and Block B2:

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	73no.	97no.	-	27no.	1no.	198no.
Block B2	-	-	10no.	30no.	-	40no.
<b>Total</b>	170no. 1-bed		67no. 2-bed		1no. 3-bed	<b>238no.</b>

**Table 1:** Permitted Residential Unit Mix - ABP-310567-21 (Block A) and LRD6042/23 (Block B2)

#### Permitted and Proposed Block A and Block B2 (all units)

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	198no.
Block B2	1no.	1no.	-	46no.	-	48no.
<b>Total</b>	146no. 1-bed		99no. 2-bed		1no. 3-bed	<b>246no.</b>
	59%					100%

**Table 2a:** Residential Unit Mix Block A and Block B2 – Permitted and Proposed Dwelling Mix (all units). Flexibility allowed for unchanged Block A 'BTR' unit types permitted under the Apartment Guidelines 2020 in force at the time.

#### Permitted and Proposed Block A and Block B2 ('BTR' units omitted)

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	26no.
Block B2	1no.	1no.	-	46no.	-	48no.
<b>Total</b>	2no. 1-bed		72no. 2-bed		1no. 3-bed	<b>74no.</b>
	2.7%					100%

**Table 2b:** Residential Unit Mix Block A and Block B2 – Permitted and Proposed Dwelling Mix ('build to sell' units only subject of SPPR1 of Apartment Guidelines 2023)

#### Permitted and Proposed Entire Scheme (All units)

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	198no.
Block B2	1no.	1no.	-	46no.	-	48no.
Block B1 & C	-	176no.	24no.	116no.	-	316no.
<b>Total</b>	27no.	295no.	50no.	189no.	1no.	562no.
	322no. 1-bed		239no. 2-bed		1no. 3-bed	<b>562no.</b>
	57.2%					100%

**Table 3a:** Residential Unit Mix Overall Scheme – Permitted and Proposed Dwelling Mix (all units). Flexibility allowed for unchanged Block A 'BTR' unit types permitted under the Apartment Guidelines 2020 in force at the time.

#### Permitted and Proposed Entire Scheme ('BTR' units omitted)

Block	1-Bed Studio	1-Bed	2-Bed (3Pers)	2-Bed (4-Pers)	3-Bed	Total
Block A	26no.	118no.	26no.	27no.	1no.	26no.
Block B2	1no.	1no.	-	46no.	-	48no.
Block B1 & C	-	176no.	24no.	116no.	-	316no.

Total	1no.	177no.	50no.	162no.	1no.	390no.
<b>Total</b>	<b>178no. 1-bed</b>		<b>212no. 2-bed</b>		<b>1no. 3-bed</b>	<b>390no.</b>
	45.6%					100%

**Table 3b:** Residential Unit Mix Overall Scheme – Permitted and Proposed Dwelling Mix ('build to sell' units only subject of SPPR1 of Apartment Guidelines 2023)

On the basis that 172no. unchanged BTR units in Block A (with proposed amendments) are not subject of a specific unit mix under SPPR1 of the Apartment Guidelines 2023. The overall quantum of 1-beds **does not exceed 50%** when these units are appropriately discounted.

We refer the Planning Authority to the Architectural Design Statement (Section 6.2 & Appendix 4) prepared by Reddy Architecture and Urbanism for further detail.

### Flexibility of Unit Mix (SPPR2)

*Specific Planning Policy Requirement 2* of the Apartment Guidelines, states:

*"For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha: -*

- Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;*
- Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;*
- For schemes of 50 or more units, SPPR 1 shall apply to the entire development."*

On the basis that the proposed development, in combination with the consented scheme, exceeds 50 dwellings on a site greater than 0.25Ha, the proposal is required to adhere to the provisions of *Specific Planning Policy Requirement 1*. We refer to the preceding section of this report for confirmation of compliance with SPPR1.

We would note that 172no. 'BTR' apartment units in Block A are unchanged permitted unit types, and not retrospectively subject of SPPR1 of the Apartment Guidelines 2023.

### Apartment Floor Area (SPPR 3)

*Specific Planning Policy Requirement 3* requires that the following minimum floor areas are achieved for apartments: -

#### **Minimum Apartment Floor Areas:-**

<i>Studio Apartment (1 person)</i>	<i>37sqm</i>
<i>1-bedroom apartment (2 persons)</i>	<i>45sqm</i>
<i>2-bedroom apartment (3 persons)</i>	<i>63sqm</i>
<i>2-bedroom apartment (4 persons)</i>	<i>73sqm</i>
<i>3-bedroom apartment (5 persons)</i>	<i>90sqm</i>

All of the proposed apartments exceed the minimum floor area requirements set out the Guidelines.

A Housing Quality Assessment (HQA), prepared by Reddy Architecture & Urbanism, enclosed with this application confirms this. The Table above highlights the difference in size of the units when compared to the minimum standards

### Safeguarding Higher Standards

It is a policy requirement of the Guidelines that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%).

The proposed apartments in combination with the consented scheme achieves compliance with this standard. A Housing Quality Assessment (HQA), prepared by Reddy Architecture & Urbanism, enclosed with this application confirms this.

### Dual Aspect (SPPR 4)

*Specific Planning Policy Requirement 4 states that*

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

*(i) A minimum of **33% of dual aspect units** will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*

*(ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*

*(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.”*

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

In this central and accessible urban location, while a minimum of 33% dual aspect is required, the consented scheme together with the proposed amendments achieves 72% dual aspect units.

A Housing Quality Assessment (HQA), prepared by Reddy Architecture & Urbanism, enclosed with this application confirms this. We refer also to the Section 5.18 of the enclosed Architects Design Statement that illustrates how the dual aspect is achieved for each of the proposed units.

### Floor to Ceiling Heights (SPPR 5)

*Specific Planning Policy Requirement 5 states that:*

*“Ground level apartment floor to ceiling heights shall generally be a minimum of 2.7m and shall be increased, either at ground level only or in conjunction with all floors in an apartment block or building, in certain circumstances. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.”*

There are no ground floor apartments proposed as part of this amendment application. SPPR 5 is therefore not relevant to this proposal. The ground floor units are occupied by non-residential uses, as part of the mixed use nature of the overall scheme.



### Units per Core (SPPR 6)

Specific Planning Policy Requirement 6 states that

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

We refer the Planning Authority to the enclosed architectural floor plans prepared by Reddy Architecture & Urbanism, which confirm that no more than 12 apartments per floor per core are provided for in the proposed development, and therefore the proposed development complies with SPPR 6.

### Private & Communal Open Space

The following are the minimum private and communal amenity space requirements of the Guidelines that apply to the proposed apartments: -

Minimum Floor Areas for Private Amenity Space	
Studio	4 sq m
One bedroom	5 sq m
Two bedroom	7 sq m
Three bedroom	9 sq m

**Table 2:** Minimum private and communal amenity space requirements of the Guidelines

Minimum Floor Areas for Communal Amenity Space	
Studio	4 sq m
One bedroom	5 sq m
Two bedroom	7 sq m
Three bedroom	9 sq m

**Table 3:** Minimum private and communal amenity space requirements of the Guidelines

The consented development as amended, with the addition of the 8no. proposed apartments in Block B2 and 26no. 2-bed 3-person proposed apartments in lieu of 26no. studio apartments in Block A, is consistent with the minimum private and communal amenity space standards of the Guidelines as follows:

Each of the proposed 8no. new apartments in Block B2 and the 26no. alternative 2-bed 3-person apartments in Block A are provided with a private balcony/winter terrace, which exceed the minimum standards in terms of private open space provision. This is demonstrated in the apartment Floor Plans and Housing Quality Assessment prepared by Reddy Architecture & Urbanism, which accompany this report.

Thereafter, the proposed 8no. new apartments in Block B2 and alternative 26no. 2-bedroom apartments in Block A require access to 217sq m communal amenity open space. The prospective residents of Blocks A and B2 will have access to the external amenity area at roof level of Blocks A and B2 (c.714 sq m). This is allowable given the flexibility applied to the consented BTR apartments in Block A.

The Apartment Guidelines do not specify that all of the quantum of communal amenity identified in Appendix I must be external space. Managed private rental residential schemes can benefit from being able to deliver high quality, managed internal amenity spaces also. The consented scheme (Block A) is declared ‘Built-to-Rent’, where flexible private and communal open space standards applied under the

Apartment Guidelines at the time of grant of permission. The consented units benefit from a mix of external and internal amenity open space, as described above. This will also serve the new and altered apartment units in Blocks A and B2.

Communal amenity space, internal and external is provided throughout the scheme both internally and externally, a breakdown is provided below: -

Amenity Type	Block A	Block B2	Total
Total Communal Internal Amenity (Sqm)	398sqm	335sqm	733sqm
External Communal Amenity (Sqm)	343sqm	371sqm	714sqm

Also as previously identified, public open space in the form of a river walk and public square (c.14% of the site area) benefits prospective residents and the wider local community. The provision of communal open space and public open space within a central urban site is an almost unique scenario.

We refer the Planning Authority to the enclosed Floor Plans, Architectural Design Statement (Section 5.4), prepared by Reddy Architecture + Urbanism for further details.

### Car Parking

The Guidelines set out broad proximity and accessibility considerations for higher density apartment schemes categorised as ‘Central and/or Accessible Urban Locations’, being sites:

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

The application site meets all of these criteria.

In the context of car parking provision, ‘Central and/or Accessible Urban Locations’, the Guidelines require that:-

*“Car parking provision should be minimised, substantially reduced or wholly eliminated. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems.”*

In accordance with the recommendations of the Guidelines, the proposed amendment to the consented scheme does not provide any additional car parking over and above that already permitted on site (see latest permission under DCC Reg. Ref. LRD6074/24-S3).

### Bicycle Parking

The Guidelines provide that new development proposals in central urban and public transport accessible locations, which otherwise feature appropriate reductions in car parking provision, should at the same time be comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.

The proposed amendments to the consented scheme include an additional 42no. bicycle parking spaces (1no. long-term residential space per bedroom), in line with the requirements of the Apartment Guidelines, the Dublin City Development Plan and SPPR 4 of the Compact Settlement Guidelines. They can be accommodated in the permitted basement area under Block B1, without need to extend the basement area.

In addition, 42no. visitor bicycle parking spaces are permitted within the wider site, under LRD6074/24-S3. This complies with the provisions of the Compact Settlement Guidelines- SPPR 4 which recommends that *“visitor cycle parking should be provided”*.

We refer the Planning Authority to the Floor Plans and Architects Design Statement, prepared by Reddy Architecture & Urbanism, and to the Landscape Plans, prepared by Mitchell & Associates Landscape Architecture for further details on the location of the proposed additional bicycle parking facilities.

### **Building Life Cycle Report**

Paragraph 6.13 of the Guidelines requires that planning applications for apartment development include a Building Lifecycle Report.

An updated Building Life Cycle Report, prepared by Aramark, accompanies this LRD Application.

### **8.4.3 Urban Development & Building Heights Guidelines for Planning Authorities (2018)**

The Guidelines note that increasing prevailing building height 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 set out a number of Strategic Planning Policy Requirements (SPPR) which are noted as taking precedence over any conflicting policies and objectives in the Development Plans.

Section 3.1 of the Guidelines acknowledges that there is a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport links. Section 3.1 requires Planning Authority's to apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas:

- *Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?*
- *Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?*
- *Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?*

The proposed development seeks amendments to a consented scheme. The consented scheme includes Block B2 (8-storeys) and a 29-storey landmark tall building (Block A). The height of both of these buildings has already been determined by the planning authority and An Bord Pleanála to be consistent with the relevant criteria set out in Section 3.2 of the Building Height Guidelines. The proposed amendments do not change the consented building height of either building.

We refer the Planning Authority to Appendix B of this report which provides a comparative assessment of Section 3.2 of the Building Height Guidelines for further detail.

We refer the Planning Authority generally to the accompanying Architectural Design Statement and elevational drawings prepared by Reddy Architecture & Urbanism and Landscape and Visual Impact Assessment, prepared by ARC which accompany this application.

### **8.4.4 The Planning System and Flood Risk Assessment (2009)**

We refer to the enclosed Flood Risk Assessment prepared by ARUP which concludes: -

*There is no record historical flooding at the site.*

*While the site borders the River Liffey, flood risk to the site is low and existing ground levels are above the maximum 1% AEP fluvial water level and the 0.5% AEP tidal level. The risk of groundwater flooding is also low.*

*There is a risk of pluvial flooding at the site. This risk will be managed through grading of paved surfaces to direct surface water to the drainage system, and provision of drainage channels across entrance points to collect surface water. Further mitigation actions will be taken to remove part of the surface runoff from the combined sewer on Parkgate Street and relieve the drainage system in the area, reducing the risk of pluvial flooding in the vicinity of the site.*

*The minimum site flood defence level of the proposed development including an allowance for climate change and freeboard is 4.07mOD.*

*Flood risk to the buildings on site will be managed by setting minimum FFLs to 5.20mOD.*

*Access and egress routes will not be compromised during a flood event with the exception of the route to the internal river walk next to the River Liffey. This is not a primary access and egress route for the proposed development and the entrance/exit point to the building itself will be above the minimum site flood defence level.*

*The proposed development will also not impact on floodplain storage or conveyance.*

*As a small area of the existing site is within the 0.1% AEP tidal flood extent. The site is therefore classified as Flood Zone B and a Justification Test is required. Both the Plan Making and Development Management Justification elements of the Justification test have been assessed and both are deemed to be passed as part of this FRA.*

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

The stated objective of Design Manual for Urban Roads and Streets (DMURS) is to achieve better street design in urban areas. This will encourage more people to choose to walk, cycle or use public transport by making the experience safer and more pleasant.

The proposed development does not include any material changes to the site works for the wider site, including site access or pedestrian priority of ground plane of the consented scheme.

Given the proposed adjustments to the public plaza area, a revised Auto Track diagram, prepared by Arup, is submitted with the application to demonstrate that the site remains accessible to emergency vehicles (see page 12 of enclosed Transport Statement).

## 9 STATUTORY PLANNING CONTEXT – STATEMENT OF CONSISTENCY

### 9.1 Dublin City Council Development Plan 2022-2028

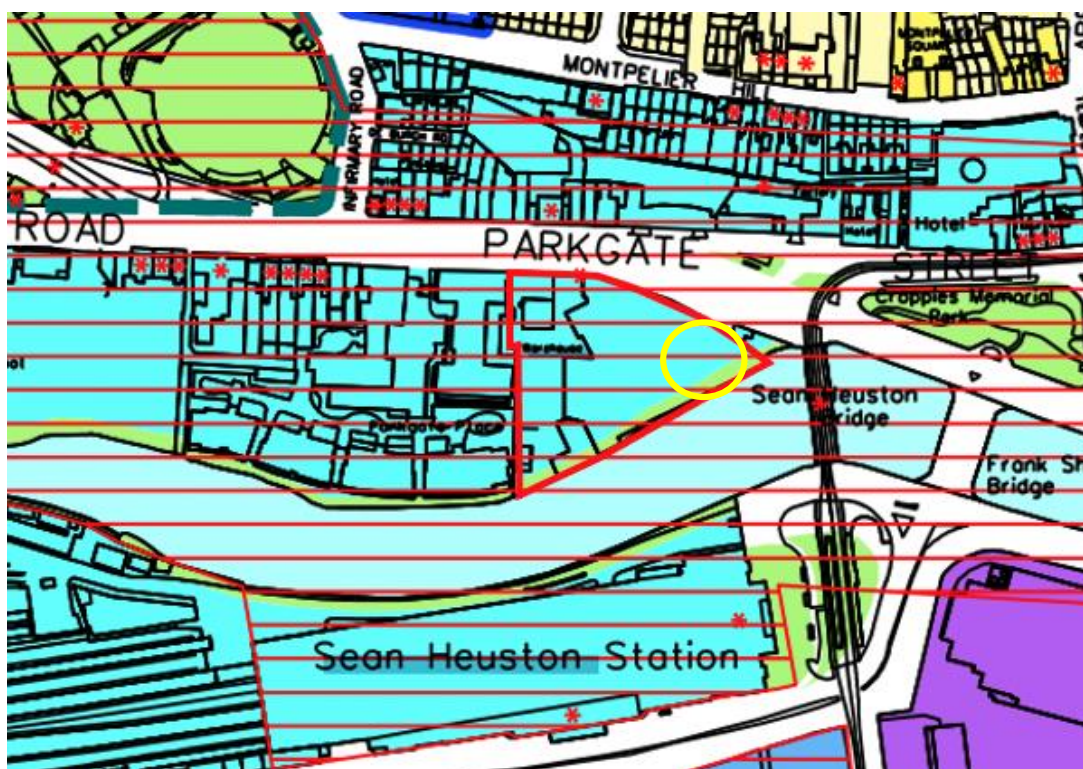
The Dublin City Council Development Plan 2022-2028 (hereafter referred to as the Development Plan) was adopted at a Special Council Meeting on 2 November 2022. The Plan came into effect on 14 December 2022 and is the statutory land-use plan governing the subject lands at this time.

This Statement of Consistency is understood to be intended to provide the Planning Authority with adequate comfort that the policies and objectives of the Statutory Development Plan have been duly complied with in devising the proposed amendment to the consented scheme.

#### 9.1.1 Land Use Zoning

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

A linear strip along the river edge remains zoned for open space. The adjustment to the Block A footprint continues to allow the riverside amenity walk to be comfortably delivered within this zone per the wider consented scheme.



**Figure 2:** Extract, Map E, Dublin City Development Plan 2022 - 2028 (SLA overlay of approximate location of proposed development (yellow circle) within wider planning unit (red outline). We refer to the accompanying Site Location Map prepared by Reddy Architecture & Urbanism for details.

Zoning objective **Z5** seeks:

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

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

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

The proposed amendments, together with the consented development continue to deliver food and beverage, café and community uses at ground floor level of Blocks B2 and A. Due to the insertion of the second fire core in Block A, minor alterations are proposed as follows: -

- An increase in floor area of permitted café/restaurant unit at ground floor of Block A from c. 223sqm to c.282sqm
- A decrease in floor area of permitted community facility at ground floor of Block B2 from c. 52sqm to c. c.49sqm
- An increase in floor area of permitted café/restaurant unit at ground floor of Block B2 from c. 229sqm to c.295sqm.

The non-residential uses at ground floor level continues to meet the mixed use objective of Z5 and the SDR A 7 principles discussed in the next section below.

### 9.1.2 Strategic Development & Regeneration Area (SDRA) 7: Heuston and Environs

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

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

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

In respect of the overarching principles for development in the SDRAs in a general sense, they set out an overall strategy broadly relating to development form and scale, connectivity/permeability, open space, etc.

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

The Guiding Principles for SDRA 7 Heuston and Environs, included under the theme of ‘*Land Use & Activity*’, do promote the creation of a new mixed-use district incorporating a mix of residential and office uses complemented by culture, retail and service elements specifically at the ‘**Heuston**’ lands. We would understand this to refer to ‘Key Opportunity Site’ No.3 Heuston (i.e., the CIE lands) to the south of the Liffey. The mix of uses at Blocks A and B2 continue to deliver food and beverage, café and community uses. Due to the insertion of the second fire core in Block A, very minor alterations are proposed as follows: -

- An increase in floor area of permitted café/restaurant unit at ground floor of Block A from c. 223sqm to c.282sqm
- A decrease in floor area of permitted community facility at ground floor of Block B2 from c. 52sqm to c. c.49sqm
- An increase in floor area of permitted café/restaurant unit at ground floor of Block B2 from c. 229sqm to c.295sqm.

The non-residential uses at ground floor level continues to meet the mixed use objective of the SDRA 7 principles.

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



Figure 13-10: SDRA 7 Heuston and Environs

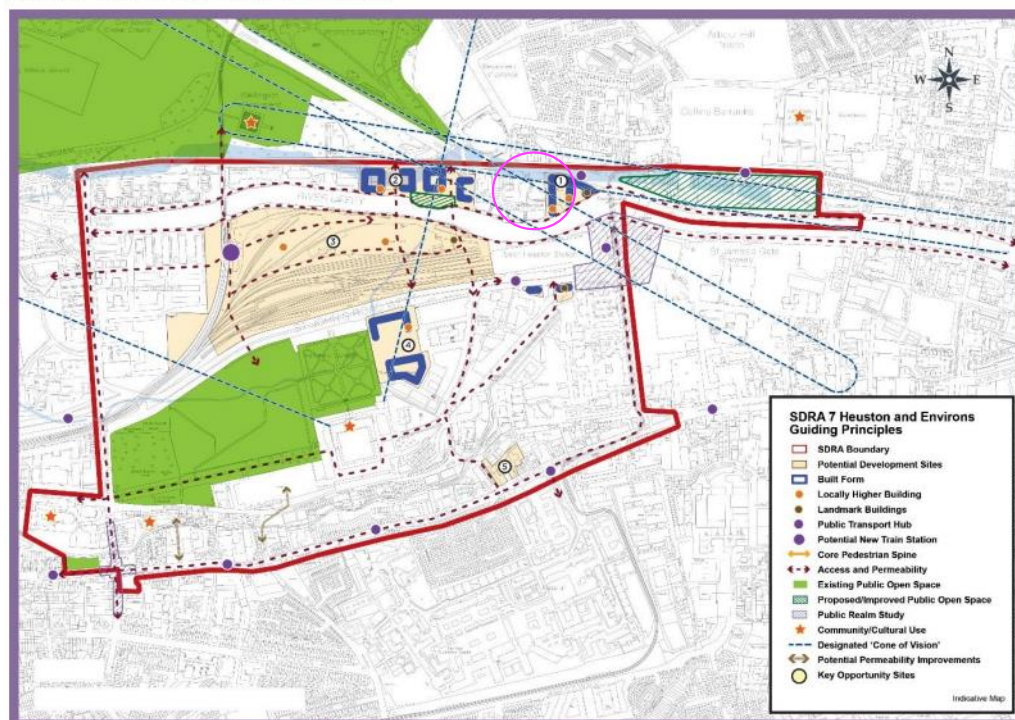


Figure 3: Extract from Figure 13-10 of the Dublin City Development Plan 2022-2028, including subject site.

### 9.1.3 SDRA 7 Guiding Principles for Hickey's Key Opportunity Site

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

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

These site-specific guiding principles for the Hickeys site are already met by the consented scheme for Block A (ABP-310567-21), Block B2 (LRD6042/23) and in combination with recently permitted LRD6074/24-S3 for Blocks B1 and C and the wider site works. Overall, this delivers a mix of residential amenity, retail, café/restaurant uses, co-working, community/culture and public amenity spaces provided at ground level to animate Parkgate Street and the river walk.

The consented scheme, with proposed amendment, will continue to provide a high quality residential scheme at upper levels, with the ground level primarily occupied by active uses, including retail, café/restaurant, co-working, community, cultural uses, public and private amenities and open space, which animate Parkgate Street and the surrounding public realm. The generous restaurant/café unit at the ground level of Block A, café and community uses at ground floor of Block B2, with active frontage to Parkgate Street and the public space, remain as part of the consented scheme, with only some minor adjustments to their floor plans.

The proposed development seeks amendments to a consented scheme. The consented scheme includes Block B2 (8-storeys) and a 29-storey landmark tall building (Block A), that has already been determined by the planning authority and An Bord Pleanála to be consistent with the relevant criteria set out in Section 3.2 of the Building Height Guidelines. The SDRA 7 diagram identifies this site as suitable for mid-rise and landmark buildings, per the consented scheme.

There is no change to the permitted building height at Block B2 and Block A as part of this amendment application.

#### 9.1.4 Conservation Areas

The site is located within a larger 'Conservation Area' designated in the Dublin City Development Plan along the River Liffey and its banks and quays, as evident in Figure 2.

For the avoidance of doubt, the proposed amendments to the consented scheme subject of this LRD application do not involve any new works to Protected Structures or other historic buildings / structures. These have been consented under ABP-306569-20, more recently under LRD 6074/24-S3. The details of works to the River Wall were agreed with the Planning Authority at compliance stage under ABP-306569-21. This was reconfirmed under the LRD6074/24 application, recently permitted. No changes proposed to the River Wall or bracing under this current application for proposed amendments to Block A and B2.

The significance of the site within the designated Conservation Area along the Liffey banks and the heritage significance of the existing buildings and structures on site, and their conservation, integration or demolition as part of the consented scheme, has been established under ABP-306569-20. This permits the conservation, refurbishment, repair and adaption of existing protected structures.

The demolition of all other structures within the former Hickey's Fabrics site, including the large single storey warehouse building with curved wall to Parkgate Street and all warehouse internal walls and partitions including the southern brick wall running parallel to the interior of the riverside stone wall, a small two storey building adjacent to the entrance stone archway and the former 2-storey detached house (Parkgate House) at the north west corner of the site, and other miscellaneous structures, is permitted under ABP-306569-20. The Board's Inspector's Report (ABP-306569-20) welcomed the refurbishment and reuse of the Protected Structures and considered that an appropriate balance had been achieved between protecting the historical significance of the site and enabling its redevelopment. These same works have been subject of more recent permission LRD 6074/24-S3.

No further amendments to site works, demolition or conservation works to protected structures, including the river wall (consented under original SHD ABP-306569-20 and more recent LRD6074/24) are proposed.

We refer to the enclosed Architectural Heritage Impact Assessment, prepared by ARC Architectural Consultants Limited accompanies this application.

#### 9.1.5 Climate Action

The following climate action policies of the Development Plan are relevant to the design of new buildings:

**CA8** (*Climate Mitigation Actions in the Built Environment*) and **CA9** (*Climate Adaption Actions in the Built Environment*) are almost identical policies, requiring that development proposals shall demonstrate:

*"... sustainable [climate adaptation, circular] design principles for new buildings/services/site.*

*The Council will promote and support development which is resilient to climate change. This would include:*

- a. measures such as green roofs and green walls to reduce internal overheating and the urban heat island effect;*
- b. ensuring the efficient use of natural resources (including water) and making the most of natural systems both within and around buildings;*
- c. minimising pollution by reducing surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems (SuDS);*
- d. reducing flood risk, damage to property from extreme events– residential, public and commercial;*



*e. reducing risks from temperature extremes and extreme weather events to critical infrastructure such as roads, communication networks, the water/drainage network, and energy supply;*

*f. promoting and protecting biodiversity [, novel urban ecosystems ] and green infrastructure.*

#### **CA10 Climate Action Energy Statement:**

*“All new developments involving 30 residential units and/or more than 1,000sq.m. of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development.”*

The proposed amendments to the consented development, which in turn is part of a wider consented scheme, includes a range of sustainable design principles to ensure resilience to climate change. We refer the Planning Authority to the enclosed Climate Action and Energy Statement, prepared by IN2 Engineering Partnership, for further discussion.

### **9.1.6 Electric Vehicles (EV)**

**CA24 (Electric Vehicles)** is a policy of the Council:

*“To ensure that sufficient charging points and rapid charging infrastructure are provided on existing streets and in new developments subject to appropriate design, siting and built heritage considerations and having regard to the Planning and Development Regulations (2001) as amended, which have been updated to include EV vehicle charging point installation.”*

There are no changes proposed to shared car parking areas / spaces in the consented scheme. All prospective residents will have access to these facilities.

### **9.1.7 Quality Housing and Sustainable Neighbourhoods**

**QHSN2** seeks that new residential development is:

*“To have regard to the DEHLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007), ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2020), ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual: A Best Practice Guide’ (2009), Housing Options for our Aging Population 2020 and the Design Manual for Urban Roads and Streets’ (DMURS) (2019).”*

The proposed development has had regard to the relevant Guidelines identified in QHSN2, in particular the **Apartment Guidelines (2023)** and **Compact Settlement Guidelines (2024)**. The consistency of the proposed amendments to the consented scheme with these Guidelines is discussed previously in Section 8.4 of this report.

**QHSN10** (sustainable density) seeks:

*“To promote residential development at sustainable densities throughout the city in accordance with the Core Strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.”*

The proposed development seeks to provide an additional 8no. units within Block B2 resulting in a total of 246no. units located within Blocks A and B2 on a net site area of c. 0.82ha

It should be noted that 316no. units are consented at Block B1 and C (see LRD6074/24). The combined development results in 562no. dwellings and a combined density of c. 685no. units per hectare.

The overall density marginally increases from 681 units per hectare (consented) to c. 685no. units per hectare (arising from 8no. additional apartments).

The consented scheme was previously considered acceptable to both Dublin City Council and An Bord Pleanála, being representative of strategic high density and high quality development of a central brownfield site, within a Strategic Development and Regeneration Area (SDRA7) and identified as a suitable opportunity site for mid-rise and landmark buildings, and being highly accessible by sustainable modes of transport.

It is submitted that the consented development with proposed amendments remains consistent with current strategic planning policy and guidance to actively promote higher density and building height at this urban brownfield regeneration sites. The proposed amendments to the consented high density scheme does not give rise to any new or significant adverse impact on residential (overlooking, overshadowing) or visual amenity, architectural heritage or environmental infrastructure.

We refer to Section 9.1.11.2 below for further discussion on the consistency of the proposed development with the Development Plan density objectives.

**QHSN11** (15-minute city concept) seeks:

*“To promote the realisation of the 15-minute city which provides for liveable, sustainable urban neighbourhoods and villages throughout the city that deliver healthy placemaking, high quality housing and well designed, inter-generational and accessible, safe and inclusive public spaces served by local services, amenities, sports facilities and sustainable modes of public and accessible transport where feasible.”*

The proposed amendments to the consented development continue to support the concept of a 15-minute city.

The proposed development will add 8no. new residential units to an otherwise consented mixed use scheme. The site location benefits from a range of local city centre services and amenities within easy walking and cycling distance. The consented scheme with the proposed amendments will achieve compact growth through more intensive use of an urban brownfield site on the western edge of Dublin City Centre.

The site is highly accessible to high frequency and capacity public transport services. The site is approximately 200m from Heuston Station which gives rail access to west Dublin and the west and south west of Ireland. Heuston Red Line LUAS stop is approximately 180m from the subject site which gives convenient access to the city centre and the IFSC in one direction and access to Tallaght and west Dublin in the other direction. Numerous Dublin Bus stops are also conveniently located on Parkgate Street directly adjacent the site Dublin Bus numbers 25, 26, 66, 66a, 66b, 66e, 67 and 69). In addition to the above public transport services, a Dublin Bikes station is located directly beside the subject site at Heuston Bridge.

**QHSN011** (universal access) seeks:

*“To ensure that 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H’s Design Manual for Quality Housing 2022 and the DHP&LG & DH’s Housing Options for Our Ageing Population Policy Statement 2019.”*

In accordance with the Apartment Design Guidelines 2023, 50% of the apartment units both permitted and proposed, across Blocks A, B1, B2 & A, are in excess of the minimum floor area requirements. In accordance with QHSN011, 50% of these oversized units (i.e. 25% of the proposed apartment units) are universally designed.

We refer the Planning Authority to the enclosed Architectural Design Statement, specifically Section 5.22, prepared by Reddy Architecture + Urbanism for details.

**QHSN34** (social and affordable housing) seeks:

*“To promote the provision of social, affordable purchase, cost rental and rental housing in accordance with the Council’s Housing Strategy, Part V of the Planning and Development Act, as amended by the Affordable Housing Act 2021 and government policy as outlined in the DHLGH ‘Social Housing Strategy 2020’ and support the realisation of public housing.”*

We can confirm that the site was purchased within the protected period of 1 September 2015 to 31 July 2021.

We refer the Planning Authority to the enclosed Part V Proposal Letter and Part V Validation Letter.

**QHSN36** (high quality apartment development) seeks:

*“To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood.”*

We refer to previous discussion of compliance with the Apartment Design Guidelines standards, in 6.6.4 of this report.

We refer also to discussion of compliance with the Development Plan design standards in 7.1.11, below, of this report.

The proposed additional units are well catered for in respect of benefitting from high levels of amenity, both within each individual apartment (generous floor areas and private balconies/ winter gardens) and in the wider private communal areas (ground and roof level courtyards and internal amenity spaces) and public amenities (public square and riverwalk) on site, and the public amenities in the immediately surrounding neighbourhood (Phoenix Park, local services, cultural attractions, etc).

**QHSN38** (Housing Strategy), seeks:

*“To encourage and foster the creation of attractive, mixed use, sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA, with supporting community facilities and residential amenities.*

*Further detail in regard to unit mix is set out in Chapter 15: Development Standards. Unit mix requirements for the Liberties and the North Inner City are set out in Section 15.9.1 and Table 37 of the Housing Strategy in Appendix 1.”*

**SC12 (Housing Mix)** seeks:

*“To promote a variety of housing and apartment types and sizes , as well as tenure diversity and mix, which will create both a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces and provide for communities to thrive.”*

The proposed 8no. additional dwellings in Block B2 comprise a mix of Studio, 1-bed and 2-bed 4-person apartments, in the following ratio: -

- 12.5% studio units
- 12.5% 1-bed units
- 75% 2-bed 4-person units

It should be noted that 26no. 2-bed 3-person units are proposed in lieu of 26no. studio apartments in Block A.

In the combined proposed scheme (246no. units in Blocks A & B2) and development permitted under LRD6074/24 (316no. units), there are a total of 50no. 2-bed 3-person units (i.e. c. 9% of overall units),

below the maximum 10% threshold of the Development Plan for this type of 2-bed apartment. This unit typology is catered towards older residents seeking to downsize or someone with care assistance. We note that a Part V Agreement will be entered in to post-planning by way of Condition subject to grant of permission.

The site is not located within the Liberties or North Inner City, identified in the HDNA for the provision of a proportion of 3-bed units.

Overall, the varied size and typology of apartment units permitted under DCC Reg. Ref. LRD6074/24 and proposed under this application, is appropriate to this central site and is consistent with the Development Plans objective to encourage a wide variety of dwelling types, sizes and tenures which will support the establishment of sustainable residential community.

**QHSN39** (property management) seeks:

*“To promote efficient and effective property management in order to secure the satisfactory upkeep and maintenance of communal areas in the context of the Multi Unit Developments Act 2011 and the Property Services (Regulation) Act 2011.”*

A Property Management Strategy Report prepared by Aramark accompanies this LRD Application.

### 9.1.8 Sustainable Movement and Transport

**SMT1** (modal shift) seeks:

*“To continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as active mobility and public transport, and to work with the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives to achieve compact growth.”*

The proposed development in combination with the consented scheme aims to promote a modal shift from private car use towards increased use of more sustainable forms of transport such as active mobility and public transport. No additional car parking is proposed as part of the amendments. Additional long-stay cycle parking facilities (42no. spaces) are proposed on site.

The consented scheme with the proposed amendments is well placed to support investment in and benefit from existing walking, cycle and public transport facilities.

**SMT2** (electric vehicle infrastructure) seeks:

*“To support the decarbonising of motorised transport and facilitate the rollout of alternative low emission fuel infrastructure, prioritising electric vehicle (EV) infrastructure.”*

No change to or additional car parking spaces are proposed to the consented scheme arising from the proposed amendments.

We refer the Planning Authority to Technical Note, prepared by ARUP Group.

**SMT5** (mobility hubs) seeks:

*“To support the development of mobility hubs at key public transport locations and local mobility hubs in tandem with new developments to include shared car and micro mobility initiatives, creating a vibrant, accessible and liveable place to support the transportation experience.”*

The wider consented development, most recently under DCC LRD6074/24 includes 24no. shared car parking spaces, significantly below the maximum car parking thresholds of the Development Plan. No change to or additional car parking spaces are proposed to the consented scheme arising from the proposed amendments.

The site and the prospective residential, working and visiting communities will benefit from easy access by foot or by bicycle to city centre amenities and employment opportunities. It is immediately accessible (within 200m) of Heuston Station strategic public transport hub

**SMT7** (travel plans) seeks:

*“To require the preparation and submission of travel plans for new and existing developments as part of the planning application process including residential, school, workplace etc.”*

We refer the Planning Authority to the enclosed Transport Statement, prepared by ARUP which addresses mobility management.

**SMT11** (pedestrian network) seeks:

*“To protect, improve and expand on the pedestrian network, linking key public buildings, shopping streets, public transport points and tourist and recreational attractions whilst ensuring accessibility for all, including people with mobility impairment and/or disabilities, older persons and people with children.”*

The proposed development does not alter the pedestrian priority site layout of the consented scheme or how it integrates with the local pedestrian and cycle network in the public road.

The wider scheme, most recently permitted under LRD6074/24-S3 provides for a publicly accessible ‘river walk’ incorporating the full length of the riverside stone wall and the turret, square tower and stone gabled buildings that contribute to the character of the existing built edge to the river and make a positive contribution to public placemaking and the cultural identity of this part of the city. It will remain open to the public during normal public park hours. We refer the Planning Authority to Section 5.11 of the enclosed Architectural Design Statement which demonstrates the River Walk located between amended Block A and the River Wall.

### 9.1.9 Sustainable Environmental Infrastructure and Flood Risk

**SI3:** *To require all new development to provide separate foul and surface water drainage systems.*

There are no changes proposed to the permitted foul and surface water drainage systems in the consented scheme. The consented scheme provides for separate foul and surface water drainage systems. We refer the Planning Authority to the enclosed Technical Note, prepared by ARUP for further detail.

**SI4:** *To require new private development sewers which are intended to connect to the public drainage system to comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works and/or Irish Water foul sewer specification (where applicable).*

The consented development complies with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works and Irish Water foul sewer specification. No changes are proposed to the consented drainage infrastructure design, which has sufficient capacity to absorb the 8no. additional apartments. We refer the Planning Authority to the enclosed Drainage and Watermain Report, prepared by ARUP for further detail.

**SI15:** *All development proposals shall carry out, to an appropriate level of detail, a Site-Specific Flood Risk Assessment (SSFRA) ....*

**SI21:** *To minimise flood risk arising from pluvial (surface water) flooding in the City by promoting the use of natural or nature-based flood risk management measures as a priority, by requiring the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving, and requiring the use of sustainable drainage techniques, where appropriate, for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risk and to deliver wider environmental and biodiversity benefits, and climate adaption.*

We refer the Planning Authority to the enclosed Flood Risk Assessment, prepared by ARUP Group which confirms: -

*There is no record historical flooding at the site.*

*While the site borders the River Liffey, flood risk to the site is low and existing ground levels are above the maximum 1% AEP fluvial water level and the 0.5% AEP tidal level. The risk of groundwater flooding is also low.*

*There is a risk of pluvial flooding at the site. This risk will be managed through grading of paved surfaces to direct surface water to the drainage system, and provision of drainage channels across entrance points to collect surface water. Further mitigation actions will be taken to remove part of the surface runoff from the combined sewer on Parkgate Street and relieve the drainage system in the area, reducing the risk of pluvial flooding in the vicinity of the site.*

*The minimum site flood defence level of the proposed development including an allowance for climate change and freeboard is 4.07mOD.*

*Flood risk to the buildings on site will be managed by setting minimum FFLs to 5.20mOD.*

*Access and egress routes will not be compromised during a flood event with the exception of the route to the internal river walk next to the River Liffey. This is not a primary access and egress route for the proposed development and the entrance/exit point to the building itself will be above the minimum site flood defence level.*

*The proposed development will also not impact on floodplain storage or conveyance.*

*As a small area of the existing site is within the 0.1% AEP tidal flood extent. The site is therefore classified as Flood Zone B and a Justification Test is required. Both the Plan Making and Development Management Justification elements of the Justification test have been assessed and both are deemed to be passed as part of this FRA.*

**SI22:** *To require the use of Sustainable Drainage Systems (SuDS) in all new developments, where appropriate, ...*

The permitted water drainage system was designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0, the CIRIA SUDS Manual C753 2015 and Dublin City Development Plan 2016-2022.

No changes to the permitted SuDS are proposed as part of the amendments to the consented scheme. We refer the Planning Authority to the enclosed Drainage and Watermain Report, prepared by ARUP Group which confirms same.

**SI23:** *To require all new developments with roof areas in excess of 100 sq. metres to provide for a green blue roof designed in accordance with the requirements of Dublin City Council's Green and Blue Roof Guide (2021) which is summarised in Appendix 11.*

There is no change to the quantum of permitted green roof coverage at Blocks A and B2 (approved under ABP-310567-21, as amended by LRD6042 23-S3A).

We refer the Planning Authority to the enclosed Drainage and Watermain Report, prepared by ARUP for further details.

**SI29:** *To require new commercial and residential developments, to include adequate and easily accessible storage space that supports the separate collection of as many waste and recycling streams as possible, but at a minimum general domestic waste, dry recyclables and food waste as appropriate (for further guidance, see Appendix 7).*

**SI30:** *To require that the storage and collection of mixed dry recyclables, organic and residual waste materials within proposed apartment schemes have regard to the Sustainable Urban Housing: Design*

*Standards for New Apartments Guidelines for Planning Authorities 2018 (or and any future updated versions of these guidelines produced during the lifetime of this plan).*

We refer the Planning Authority to the enclosed Operational Waste Management Plan, prepared by AWN Consulting LTD which provides detail on the additional bin stores proposed as part of this amendment.

Additionally, we refer to the enclosed floor plans, prepared by Reddy Architecture + Urbanism which provides details of the location of the proposed bin stores.

**SI42:** *To not allow unnecessary, inappropriate or excessive artificial lighting and to ensure that the design of public and external lighting proposals minimises light spillage or pollution and has due regard to the character, environmental sensitivity and residential amenity of the surrounding area.*

There are no changes proposed to the permitted public lighting scheme.

### 9.1.10 Green Infrastructure

**GI6:** *To integrate Green Infrastructure and an ecosystem services approach into new developments / new growth areas in the city that contributes to the city's green infrastructure network by its extension and enhancement and that provides for the environmental resilience of new development.*

**GI16:** *That new development should provide opportunities to incorporate biodiversity improvements through urban greening and the use of nature based infrastructural solutions that are of particular relevance and benefit in an urban context. Opportunities should be taken as part of new development to provide a net gain in biodiversity.*

**GI17:** *Habitat Restoration To increase the percentage of restored and naturalised areas on public land in the city. That new development on private and public lands should provide opportunities for restoration of degraded habitats and soils where feasible and provide for their long-term maintenance to limit degradation.*

**GI28:** *To ensure that in new residential developments, public open space is provided which is sufficient in amenity, quantity and distribution to meet the requirements of the projected population, including play facilities for children and that it is accessible by safe secure walking and cycling routes.*

Beyond some minor local adjustment to accommodate the larger Block A footprint, there are no substantive changes to the configuration of the public plaza and river walk open space amenities on site, most recently permitted under LRD6074/24-S3.

The publicly accessible 'river walk' incorporating the full length of the riverside stone wall and the turret, square tower and stone gabled buildings, with or without the proposed amendments, will contribute to the character of the existing built edge to the river, enhance local green infrastructure amenity and present new views across the river.

**GI52:** *To seek the provision of children's playing facilities in new residential developments and mixed developments with a residential element. To provide playgrounds to an appropriate standard of amenity, safety, and accessibility and to create safe and accessible places for socialising and informal play.*

The wider scheme, most recently permitted under LRD6074/24-S3 provides a ground level communal courtyard located between Blocks B and C, which includes a Children's Play Space. A large chess board (12sqm) surrounded by seating and tree planting at the southwest of the residential courtyard is also located between Block B and Block C.

The Development Plan requirement is not a pro rata standard. The permitted play area within the consented scheme exceeds the standard threshold for on site provision.

### 9.1.11 Development Standards

#### 9.1.11.1 Plot Ratio and Site Coverage

Table 2 of Appendix 3 sets out the indicative Plot Ratio and Site Coverage for different areas as follows:

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**Table 2: Indicative Plot Ratio and Site Coverage**

Area	Indicative Plot Ratio	Indicative Site Cover-age
Central Area	2.5-3.0	80-90%
Regeneration Area	1.5-3.0	50-60%
Conservation Area	1.5-2.0	45-50%
Outer Employment and Residential Area	1.0-2.5	45-60%

**Figure 4:** Extract from Table 2 of Appendix 3 of the Dublin City Development Plan 2022-2028

#### Applicant's Response

The site coverage and plot ratio of the consented scheme, with proposed amendments, remain as per the consented scheme at 42% and 5.1 respectively.

It was previously accepted that these are indicative and not stand alone objectives. The consented scheme, with the proposed amendments, achieves the realisation of a number of cross cutting policies and objectives relating to the sustainable, high density (re)development of underutilised, brownfield, central sites, to deliver a mix of residential and other uses, within immediate reach of city centre amenities, employment and alternative modes of transport.

#### 9.1.11.2 Density

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

**Table 1: Density Ranges**

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

**Figure 5:** Extract from Table 1 of Appendix 3 of the Dublin City Development Plan 2022-2028

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

The proposed development seeks to provide an additional 8no. units within Block B2 resulting in a marginally increased total of 246no. units located within Blocks A and B2 on a net site area of c. 0.82ha. The resultant density in this instance is **300 dw/ha**.

Overall, taking account of recent LRD6074/24 permission for 316no. apartments in Blocks B1 and C, the combined development is 562no. dwellings at a density of c. 685no. dw/ha. This represents a minor overall uplift from previously permitted 681 dw/ha at this site, within a designated Strategic



Development and Regeneration Area (SDRA7) where potential for high density mid-rise and landmark buildings has been identified in the Development Plan.

We refer the Planning Authority to in earlier Section 8.4.1 of this report, for in-depth discussion in respect of how the proposed development as an amendment to the consented scheme achieves sustainable density in response to the density recommendations of the Compact Settlement Guidelines 2024.

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

The marginal increase in residential density arising from the proposed amendments is achieved largely within the already permitted building envelope. As previously noted the plot ratio and site coverage remain as per the consented development. The uplift in residential unit number also does not materially increase loading on water and drainage services or deplete community, cultural or open space facilities in the surrounding area. The proposed units do not give rise to any undue overlooking, overshadowing or dominance of existing or permitted neighbouring residential properties. No new impacts on visual or cultural amenity arise as a result of the proposed amendments.

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

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

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

***Enhanced density and scale should:***

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

The proposed amendments to Blocks A and B2 have been carefully considered to ensure that the building remains appropriate in its relationship to the street and river edges to the site, and continues to enhance the existing townscape as a component of the wider consented scheme. Visually, the difference between the consented scheme with or without the proposed amendments will be minor in nature.

Design alterations to Block B2, include the integration of 8no. residential units, within the same permitted footprint and general built envelope of Block B2. There are minor amendments proposed

along the north and south elevations to accommodate winter gardens for the proposed apartment units within Block B2.

The proposed modification to the façade design of Blocks A and B2 relate to façade stretch and insertion of new balconies. It otherwise continues to follow the established historic street pattern of Parkgate Street, as per the consented scheme (most recently under LRD6042/23). The new balconies are inserted on the southern elevation to the internal public plaza. They do not interrupt the established, consented façade or change its visual impact. Overall, the amended scheme remains almost the same in character and appearance as to that already permitted on site.

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

***Objective 2- To provide appropriate legibility.***

***Enhanced density and scale should:***

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

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

The consented scheme, most recently permitted under LRD6074/24-S3 already provides high levels of site permeability through the provision of the public plaza and riverside walkway, with visual connections to other notable parts of the city, and with the potential for future onward links along the river edge.

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

***Objective 3- To provide appropriate continuity and enclosure of streets and spaces.***

***Enhanced density and scale should:***

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

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

The consented scheme, together with the proposed amendments, provides an appropriate level of enclosure to the streets and spaces. The consented scheme with proposed amendments maintains the same relationship with the river walk.

There remains a generous restaurant/café unit at the ground level of Block A, with active frontage to Parkgate Street and the public space. This complements the community space and second café/restaurant unit at ground floor in Block B, all contributing towards the activation of the public realm and Parkgate Street.

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

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

There are minor adjustments proposed to the quantum of public open space on site (reduced by c.282 sq m to accommodate enlarged Block A footprint). However, amounting to 14% of the site area, it continues to meet the Development Plan quantum requirement. It is configured in the same high quality manner, continuing to meet the quality criteria. The most significant features of the public amenity open space include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. The site is immediately adjacent to the Phoenix Park, with a wealth of recreational opportunities for all ages within the local community.

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

The consented scheme with the proposed amendments continues to prioritise pedestrian and cycle accessibility. No additional car parking spaces are proposed as part of this amendment. The car parking spaces are located at basement level, allowing for public and communal spaces within the scheme to be car free. 42no. additional long-stay bicycle parking spaces are proposed within the permitted basement area of Block B1 to serve prospective residents.

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

**Objective 5- To provide high quality, attractive and useable private spaces.**Enhanced density and scale should:

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

Private balconies or winter gardens are provided to each of the new and permitted apartments within Block B2 as external amenity areas that achieve (or in some cases exceed) the standards set out in the

Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023). All winter gardens can be accessed directly from the main living areas.

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

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

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

***Enhanced density and scale should:***

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

As previously discussed under the Z5 land use zoning objective and SDRA 7 principles for this site, the consented development as amended and in combination with the wider scheme most recently permitted under LRD 6074/24-S3, would remain a mixed-use scheme, with residential, retail, café/restaurant, recreational and community/cultural amenities that will breathe new life into a highly accessible and well serviced, brownfield site. All uses of which are permissible under the Z5 zoning objective.

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

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

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

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

The permitted (238no.) and proposed (8no.) apartments within Blocks A and B2 together deliver a range in unit typology from deep plan to wide frontage, including studio, 1 bedroom, 2 bedroom and 3-bedroom units.

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

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

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

Enhanced density and scale should:

- *Be carefully modulated and orientated so as to maximise access to natural daylight, ventilation, privacy, noise and views to minimise overshadowing and loss of light – see Appendix 16,*
- *Not compromise the ability of existing or proposed buildings and nearby buildings to achieve passive solar gain,*
- *Ensure a degree of physical building adaptability as well as internal flexibility in design and layout,*
- *Ensure that the scale of plant at roof level is minimised and have suitable finish or screening so that it is discreet and unobtrusive,*
- *Maximise the number of homes enjoying dual aspect, to optimise passive solar gain, achieve cross ventilation and for reasons of good street frontage,*
- *Be constructed of the highest quality materials and robust construction methodologies,*
- *Incorporate appropriate sustainable technologies, be energy efficient and climate resilient,*
- *Apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16),*
- *Incorporate an Integrated Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS solutions are in place – see Appendix 13,*
- *Include a flood risk assessment – see SFRA Volume 7.*
- *Include an assessment of embodied energy impacts – see Section 15.7.1.*

The proposed amendments include a modest increase to the permitted envelope of Block A to provide an additional fire core, resulting in alterations to the floor plans that provides for an additional 8no. units in Block B2 and 26no. 2-bed units in lieu of 26no. studio apartments in Block A, designed to 'build to sell' standards. The proposed new and altered apartments have been designed to maximise dual aspect, sunlight and daylight accessibility, privacy and ventilation.

Similarly, the architectural design and internal layouts have been designed to ensure appropriate separation distances are maintained between the Block A (proposed) and Block B1 (LRD6074/24-S3), of at least 16m, consistent with Compact Settlement Guidelines, to ensure privacy to living spaces is duly protected for prospective residents.

72% of the consented and proposed units within Blocks A and B2 are dual aspect, significantly higher than the Dublin City Development Plan requirements and the requirements of the Apartment Guidelines (2023).

It is worth highlighting that Block A achieves 100% daylight compliance, and Block B achieves 85% daylight compliance. 22no. non-complying rooms were identified in Block B2. We refer to Appendix B of the enclosed Sunlight and Daylight Analysis, prepared by IN2 for details of compensatory measures.

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

The proposed modifications to the façades of Blocks A and B2 remain very similar to the consented scheme. The façade of Block A is carefully stretched to retain the same slender building proportions and articulation. Additional balconies are inserted at Block B2 to meet 'build to sell' apartment standards. Overall the building elevations remain appropriately articulated to create a lively/moving façade. The choice of finishing materials remains as per the consented scheme, including natural stone cladding, glazed screens, brick and render to provide a modern interpretation with traditional materials. At the lower levels, quality, durable finishes shall continue to be used in deference to the street realm to ensure a quality treatment. Overall, the architectural language remains unchanged with the

proposed amendments. It is contemporary throughout the consented and revised scheme but continues to respond appropriately to the grain of the surrounding area.

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

There is no change to the permitted drainage and watermain strategy under Planning Amendment..

We refer the Planning Authority to the enclosed Site Specific Flood Risk Assessment, prepared by ARUP.

Having regard to Section 15.7.1 of the Dublin City Development Plan, as referenced in Objective 7 of Appendix 3, Table 3, the proposed amendments do not alter the consented reuse or demolition of existing buildings/structures on site. All demolition and reuse works are as permitted under ABP-306569-20 (and as more recently permitted under LRD6074/24-S3).

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

***Enhanced density and scale should:***

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

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

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

***Objective 9- To protect historic environments from insensitive development***

***Enhanced density and scale should:***

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

We refer the Planning Authority to the enclosed Conservation Statement, prepared by ARC which confirms that the “proposed amendments to the permitted Blocks A and B2 do not involve any works to structures of architectural heritage value, whether they are protected structures or not. Nor are the proposed amendments to the permitted Blocks A and B2 likely to result in any material or perceived effects on the setting of structures of architectural heritage value over and above effects occasioned by the existence permitted Blocks A and B2”.

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

In 2021 ARC Consultants prepared Chapter 13 Landscape and Visual Impact Assessment (LVIA) of the Environmental Impact Assessment Report (EIAR) for Block A. This LVIA assessed the likely visual impact of the 'Block A' residential tower in combination with the rest of the permitted scheme (including Block B) and of the surrounding urban landscape. This chapter formed part of the material submitted to the Board for its consideration in relation to ABP Ref. 310567-21. A total of 22 viewpoints in the surrounding area, Views A to V inclusive, were considered.

The proposed amendments to Blocks A and B have therefore been considered in the context of the 5 view locations where the proposed amendments to Blocks A and B are likely to be visible to various degrees. New comparative photomontage views have been prepared by Model Works for each of these 5 view locations. These views show the consented scheme (including Block A) without and with the proposed amendments to Blocks A and B.

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

***Objective 10- To ensure appropriate management and maintenance.***

***Enhanced density and scale should:***

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

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

### **9.1.11.3 Building Height**

It is a general principle of the Development Plan to support increased height and higher density schemes in the **city centre, Strategic Development Regeneration Areas**, Key Urban Villages, areas close to high frequency public transport and some other areas (as identified) considered as suitable for increased intensity of development. The SDRA 7 diagram identifies this site as suitable for mid-rise and landmark buildings, per the consented scheme.

The proposed development is located within Dublin City Centre, at the western gateway to the city centre, identified as a suitable location for higher buildings.

The application site is accessible to a range of city centre amenities and to significant employment opportunities in the city centre, at nearby hospital and third level education campuses and at the docklands. The site presents a logical western counterpoint to high density residential and mixed use development located at Dublin Docklands. The application site is already subject of consented development that includes landmark building height and high density development.

The proposed amendments to consented development does not increase the height of the consented scheme.

The consented scheme, with the proposed amendments, remains consistent with the Building Height Guidelines (2018). We refer to Section 9.1.11.3 of this report which demonstrates how the proposed development complies with Table 3 of Appendix 3 of the Dublin City Development Plan (Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale). The permitted building heights are also in accordance with the SDRA 7 design principles, per the consented scheme.

We refer the Planning Authority to Section 5.5 of the enclosed Architectural Design Statement, prepared by Reddy Architecture & Urbanism for detail.

### 9.1.11.4 Car Parking Standards

Under the Dublin City Development Plan, Table 2 of Appendix 5 sets out maximum car parking standards for various land uses as follows: -

Table 2: Maximum Car Parking Standards for Various Land Uses

Category	Land-Use	Zone 1	Zone 2	Zone 3
Accommodation	Hotel <sup>1</sup>	None	1 per 3 rooms	1 per room
	Nursing Home	1 per 3 residents	1 per 2 residents	1 per 2 residents
	Retirement Home	1 per 3 residents	1 per 2 residents	1 per 2 residents
	Elderly Persons Housing	1 per 4 dwellings	1 per 2 dwellings	1 per 2 dwellings
	Sheltered Housing	1 per 4 dwellings	1 per 2 dwellings	1 per 2 dwellings
	Student Accommodation	None <sup>2</sup>	1 per 20 bed spaces	1 per 10 bed spaces
Civic, Community and Religious	Houses	1 per dwelling	1 per dwelling	1 per dwelling
	Apartment/Duplexes	1 per dwelling	1 per dwelling	1 per dwelling
	Bank	1 per 350 sq. m. GFA	1 per 275 sq. m. GFA	1 per 75 sq. m. GFA
	Community Centre	1 per 350 sq. m. GFA	1 per 275 sq. m. GFA	1 per 75 sq. m. GFA
	Library	1 per 350 sq. m. GFA	1 per 275 sq. m. GFA	1 per 75 sq. m. GFA
	Public Institution	1 per 350 sq. m. GFA	1 per 275 sq. m. GFA	1 per 75 sq. m. GFA
Education	Place of Worship	1 per 100 seats	1 per 25 seats	1 per 10 seats
	Funeral Home	4 off street parking spaces	4 off street parking spaces	4 off street parking spaces
	College of Higher Education	None	1 per classroom plus 1 per 30 students	1 per classroom plus 1 per 30 students
Medical	Crèche/Childcare Services <sup>3</sup>	1 per 100sq.m. GFA	1 per 100 sq. m. GFA	1 per 100 sq. m. GFA
	School <sup>4</sup>	None	1 per classroom	1 per classroom
	Clinics and Group Practices	1 per consulting room	2 per consulting room	2 per consulting room
Retail and Retail Service	Café Restaurant and Takeaways	None	1 per 150sq. m. seating area	1 per 150sq. m. seating area
	Public Houses	None	1 per 300 sq. m. NFA	1 per 50 sq. m. NFA
	Club <sup>5</sup>	None	1 per 10 sq. m. floor area	1 per 3 sq. m. floor area
Enterprise and Employment	Retail Supermarkets exceeding 1,000sq.m. GFA	None	1 per 100 sq. m. GFA*	1 per 30 sq. m. GFA*
	Other Retail and Main Street	1 per 350 sq. m. GFA	1 per 275 sq. m. GFA	1 per 75 sq. m. GFA
	Retail Warehousing (non-food)	1 per 300 sq. m. GFA	1 per 200 sq. m. GFA	1 per 35 sq. m. GFA
Sports and Recreation	Offices <sup>6</sup>	None <sup>7</sup>	1 per 200 sq. m. GFA	1 per 100 sq. m. GFA
	Manufacturing / Warehousing	1 per 450 sq. m. GFA	1 per 450 sq. m. GFA	1 per 200 sq. m. GFA
	Clubhouse Gymnasium <sup>8</sup> Courts Pitches	Dependent on nature and location of use		
Venue	Auditoriums	1 per 100 seats	1 per 25 seats	1 per 10 seats
	Cinema	1 per 100 seats	1 per 25 seats	1 per 10 seats
	Conference Centre	1 per 100 seats	1 per 25 seats	1 per 10 seats
Venue	Stadia <sup>9</sup>	1 per 100 seats	1 per 25 seats	1 per 10 seats
	Theatre	1 per 100 seats	1 per 25 seats	1 per 10 seats

Figure 6: Extract from Table 2 of Appendix 5 of the Dublin City Development Plan 2022-2028

Under the City Development Plan the site is located within the Zone 1 car-parking zone. The maximum car parking provision 1 no. parking spaces to be provided per residential unit.

In accordance with these maximum standards, no additional car parking spaces are proposed as part of the amendments to the consented scheme. This is considered appropriate for a highly accessible site at the western edge of the city centre.

No additional car parking is proposed under this application. All prospective residents will have access to the car club parking facilities included in the wider consented scheme, most recently permitted under LRD6074/24-S3.

### 9.1.11.5 Bicycle Parking Standards

Table 1 of Appendix 5 of the Plan provides bicycle parking standards for various plan uses as follows: -



Table 1: Bicycle Parking Standards for Various Land Uses

Category	Land-Use	Zone	Long Term	Short Stay/ Visitor
Accommodation	Hotel <sup>1</sup>	All Zones	1 per 5 staff	To be determined by the Planning Authority on case by case basis
	Nursing Home	All Zones	1 per 5 staff	1 per 10 residents
	Elderly Persons Accommodation/ Sheltered Housing <sup>2</sup>	All Zones	1 per 5 residents	1 per 10 residents
	Residential Apartment <sup>3</sup>	All Zones	1 per bedroom	1 per two apartments
	Residential Dwelling	All Zones	1 per unit	1 per 5 dwellings
Civic, Community and Religious	Student Accommodation	All Zones	1 per bedroom	1 per 5 bedrooms
	Bank	All Zones	1 per 100 sq. m. Gross Floor Area (GFA)	
	Community Centre Library	All Zones	1 per 5 staff	
	Public Institution	All Zones		
	Place of Worship	All Zones	-	1 per 20 seats
Venue	Funeral homes	All Zones	-	To be determined by the Planning Authority on case by case basis
	College of Higher Education	All Zones	1 per 5 staff	1 per 2 students
	Crèche/Childcare Services <sup>4</sup>	All Zones	1 per 5 staff	1 per 10 children
	Primary Schools	All Zones	1 per 5 staff	1 per 5 students
	Post Primary Schools	All Zones	1 per 5 staff	1 per 5 students
Medical	Clinics and Group Practices	All Zones	1 per 5 staff	To be determined by the Planning Authority on case by case basis
	Hospital	All Zones	1 per 5 staff	1 per 10 beds
Retail and Retail Service	Café Restaurant	All Zones	1 per 5 staff	1 per 10 seats
	Public Houses	All Zones	1 per 5 staff	1 per 150 sq. m. GFA
	Retail	All Zones	1 per 5 staff	1 per 100 sq. m. GFA
	Retail Warehousing	All Zones	1 per 5 staff	1 per 100 sq. m. GFA
Enterprise and Employment	Offices <sup>5</sup>	All Zones	1 per 75 sq. m. GFA	To be determined by the Planning Authority on case by case basis
	Manufacturing/ Warehousing	All Zones	1 per 200 sq. m.	-
	Clubhouse Gymnasium <sup>6</sup>	All Zones	1 per 5 staff	1 per 50 sq. m. GFA
	Courts Pitches	All Zones	1 per 5 staff	4 per pitch or court
Venue	Auditoriums Cinema Conference Centre Theatre Stadia	All Zones	1 per 5 staff	1 per 20 seats

Figure 7: Extract from Table 1 of Appendix 5 of the Dublin City Development Plan 2022-2028

The proposed amendments to the consented scheme include an additional 42no. long term bicycle parking spaces (1no. long-term residential space per bedroom), in line with the requirements of the Development Plan and SPPR 4 of the Compact Settlement Guidelines.

42no. visitor bicycle parking spaces are already consented under LRD6074/24-S3 and complies with the provisions of the Compact Settlement Guidelines- SPPR 4 which advises that “*visitor cycle parking should be provided*”.

#### 9.1.11.6 Communal Amenity Space

Regarding communal amenity space, it is noted that Section 15.9.8 of the Development Plan requires that: -

*All new apartment developments are required to provide for communal amenity space externally within a scheme for the use by residents only. Communal open space provision is in addition to any private or public open space requirements. Communal amenity spaces may comprise of courtyard spaces and linear open spaces adjacent to the development.*

In respect of the applicable quantum standards, the City Plan points to Section 4.10-4.12 and Appendix 1 of the Apartment Guidelines.

We would first highlight that Block A of the consented scheme is declared ‘built to rent’, benefitting from flexibility under the Apartment Guidelines in force at that time in respect of the provision of amenity open space. The consented apartment units benefit from a generous quantum of external and internal communal residential amenities, and from the permitted public open space amenities.

The updated Apartment Guidelines (2023) identify that well-designed and maintained communal amenity space contributes to meeting residential amenity needs, focussed on external space but not exclusively so. Appendix 1 sets out the ‘minimum floor areas for communal amenity space’ but does not specify that this should be exclusively external open space. The Guidelines also acknowledge that the range of residential amenities in long term, managed rental schemes (BTR) may extend to facilities such as communal leisure, gym, work spaces, concierge, lounge, welfare facilities, etc.

Consented Block A and B2 together with recent permission for Blocks B1 and C within the wider site deliver public open space equivalent to 14% of site area). In addition, c.2,727sqm of external communal amenity space in total is provided for prospective residents within the consented scheme. This includes the surface level amenity courtyard area with children’s play area, and communal space at roof levels

of Blocks A, B & C. Communal open space includes soft and hard landscaped areas, all designed for safe and enjoyable use by residents. The consented communal open space can absorb the needs of the consented scheme, with the proposed amendments.

Within the consented scheme, permitted internal communal amenity space, amounting to c.959sqm in total, is located at ground floor, mezzanine, 7th, 9th, 25th floors of Blocks A and B2. This includes concierge spaces, TV rooms, a family room, lounges, bookable rooms, quiet rooms, and co-working spaces.

While BTR apartment development is now subject of the same design standards set out in Section 3 of the Apartment Guidelines, this should only be applicable to the 8no. proposed units and 26no. 2-bed units in lieu of 26no. studio apartments that amend the consented scheme.

Having regard then to Section 4.12 of the Guidelines regarding communal amenity space, we would highlight that the footprint of Block B2 and Block A subject of this proposed amendments is less than 0.25 ha. Where the proposed development is identified as an urban infill scheme of less than 0.25ha, it may be subject to some relaxation on communal amenity space provision on a case-by-case basis, at the discretion of the planning authority.

Even where the wider planning unit is considered, the proposed 8no. additional residential units in Block B2 and 26no. 2-bed units in lieu of 26no. studio apartments generate a requirement for only c.217 sq m communal amenity space, in accordance with the current Guidelines and Dublin City Development Plan. Given there is flexibility applied to the consented BTR units that are not changing, the needs of the new and altered units can be absorbed within the consented external communal open space, amounting to 714 sq m at roof level of Block A and B2.

The proposed new units will also benefit from the communal and public open space areas, including permitted (play area) and (giant chess) facilities, at ground level (under LRD6074/24-S3) and from their own individual private open spaces in the form of wintergardens and/or balconies.

We refer the Planning Authority to the Architectural Design Statement (Sections 5.8) prepared by RAU architects for further detail.

#### 9.1.11.7 Play Infrastructure

Section 15.8.8 of the City Development Plan requires: -

*In schemes of 25 or more units, small play spaces of 85-100 sq. m. are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should also be provided in addition.*

The wider consented scheme (LRD6074/24-S3) provides for a ground level communal courtyard located between Blocks B and C includes a Children's Play Space of 100sqm and a large chess board (12sqm) surrounded by seating and tree planting.

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

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

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

### 9.1.12 Culture

**Objective CU025** is a new objective in the Development Plan, which states: -

*All new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m. in total area\* must provide at a minimum for 5% community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need. \*Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector.*

Of note in respect of compliance with Objective CU025: -

- Development threshold for compliance is 10,000 sq m.
- 5% to be met predominantly by internal floor space.
- The possibility of external cultural / community space is not precluded.
- The possibility of off-site cultural / community space may be considered (no more than half of the 5% requirement).
- The balance of space between cultural and community use can be justified on evidence based audit of the immediate area.

The following definitions of community and cultural uses are provided in the Development Plan:

#### **Community Facility**

*A building, or part thereof, used for (community) activities organised primarily by the local community and to which the public may be admitted on payment of a charge or free of charge and includes community meeting space, parish centres, social/ non-sporting clubs such as youth clubs, bridge clubs and scouts' dens, clubhouses and family resource centres.*

#### **Cultural / Recreational Building and Uses**

*A building, or part thereof, used for cultural/ recreational purposes to which the public may be admitted on payment of a charge or free of charge such as:*

- ♣ A concert hall/ music hall/ music recital
- ♣ A theatre
- ♣ A cinema
- ♣ An art gallery (but not for the sale or hire of works of art)
- ♣ A museum
- ♣ A public library or public reading room
- ♣ A public hall

- ♣ *An exhibition hall*
- ♣ *A social centre, community centre, or non-residential club, but not a dance hall.*
- ♣ *Display or exhibition of items of interest*
- ♣ *Bingo hall, skating rink etc.*

The proposed minor increase in floor area of Block A does not meet the 10,000sqm development threshold for Objective CU025.

The consented development, as amended, will continue to deliver a mix of residential, food & beverage, co-working, community and cultural uses in accordance with its mixed use Z5 zoning.

In addition to providing a high quality residential scheme at upper levels, the ground level units and areas remain primarily given over to active uses including café/restaurant, community and residential amenity spaces, public and private amenities and open space, which animate Parkgate Street and the surrounding public realm.

This on site provision is then set within the context of an immediately surrounding area that enjoys a wealth of historic, cultural and recreational attractions. Significant historic features and cultural attractions within the immediate vicinity of the site include the City Quays, Heuston Station, Dr Steeven's Hospital, the Royal Hospital Kilmainham, the Guinness Brewery, Collins Barracks, and other protected structures along Parkgate Street. Significant publicly accessible recreational amenities are provided by the expansive Phoenix Park (including Dublin Zoo, Farmleigh, Aras on Uactarain, the Visitor Centre, landscaped gardens and playground facilities), the National Museum of Ireland at Collins Barracks, the Irish Museum of Modern Art at Kilmainham and the Guinness Storehouse, to name a few.

## 10 ENVIRONMENTAL IMPACT ASSESSMENT

We refer the Planning Authority to Appendix A of this Report which addresses Environmental Impact Assessment.

## 11 CHILDCARE

### 11.1 Planning Policy and Guidelines

#### 11.1.1 Childcare Facilities: Guidelines for Planning Authorities (2001)

These Guidelines set out general standards and guidance for the land use planning of childcare facilities in Ireland. It advocates a more proactive role by the planning authority in the promotion and management of childcare provision in their area.

Section 2.4 of the Guidelines sets out the appropriate locations for childcare facilities, stating that:

*“Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.”*

The Childcare Guidelines recommend the provision of 1no. childcare facility, or 20no. childcare spaces, for every 75no. dwellings in a permitted residential scheme.

There is, however, flexibility under the Guidelines that childcare facilities are not required in every instance of new residential development, having regard to local circumstances.

The Childcare Guidelines acknowledge the factors associated with determining the appropriate level of childcare facilities required in an area, namely:

- The current provision of childcare in the area.
- The nature of emerging new communities.
- Current demographic trends.

The Guidelines specifically state that:

*“The threshold for provision should be established having had regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas”.*

#### 11.1.2 Sustainable Urban Housing: Design Standards for New Apartments (2023)

The Apartment Guidelines (2023) introduce some further clarification and flexibility to the blanket requirement of the Childcare Guidelines 2001 to provide 1no. childcare facility (20no. spaces) for every 75no. new dwellings.

**The Apartment Guidelines state that the threshold for provision of childcare facilities in apartment schemes:**

*“...should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.”*

### 11.2 Childcare Needs

It may be noted that detailed Childcare Needs Assessments were submitted for the consented scheme under ABP-310567-21 (dated June 2021) and DCC Reg. Ref. LRD6042/23-S3A (dated October 2023). The most recent Childcare Needs Assessment was submitted under DCC Reg. Ref. LRD6074/24-S3 (dated December 2024). These Assessments demonstrated that a childcare facility was not required.

The proposed development seeks to increase the footprint of Block A to accommodate an additional staircore for fire safety purposes. This has resulted in an increase of 8no. units located in Block B2 and 26no. 2-bed 3-person units in lieu of 26no. studio apartments in Block A.

It is respectfully submitted that the additional and altered apartment units proposed will not give rise to additional demand for childcare spaces, due to their 2-bed typology and location within Dublin City's inner city transport hub. This is in accordance with the guidance provided within Section 4.7 of the Sustainable Urban Housing: Design Standards for New Apartments (2023). Notwithstanding this, a summary of the existing childcare facilities and demographic trends are provided below: -

#### **Existing Childcare Provision**

- It is conservatively estimated that there are 31no. Tusla registered existing childcare facilities spaces within c. 1.5km of the subject site.
- Furthermore, there is 11no. additional childcare facilities within 1.5km of the subject site which not registered with Tusla however are identified on the Pobal website.
- Additional childcare facilities are also available within the wider Dublin 7 / 8 area, noting that many parents opt to avail of childcare on route or close to their place of work.

#### **Demographic Trends**

- Population growth rates in Dublin City decreased in the period between 2011, 2016 and 2022. Population growth levels in Phoenix Park ED also decreased.
- The Phoenix Park ED experienced a decrease in population during the 2016 – 2022 period, in contrast to wider Dublin City which experienced population growth for the same period.
- The population levels within the 0 - 4 age group cohort within the Phoenix Park ED remained steady over the Census period (2011 – 2016) and experienced a moderate decrease for the 2022 Census.
- A comparative examination of the SAPS within the study area, indicate that the percentage population within the 0 - 4 age group cohort has also decreased.

Therefore, at a micro-ED and SAPS level, the rate of population growth is decreasing over time and the rate of growth is slower than Dublin City as a whole. Furthermore, the percentage population within the 0 - 4 age group cohort has moderately decreased over a 6-year period and generally in line with the same age cohort within the Phoenix Park ED.

## 12 SOCIAL INFRASTRUCTURE

This Section provides an overview of primary and secondary schools, childcare facilities, healthcare services, sports facilities, arts, and cultural amenities, as well as places of worship and other social resources in the locale.

### 12.1 Education and Training

#### Within 500m

No primary or secondary schools are located within 500m of the subject site.

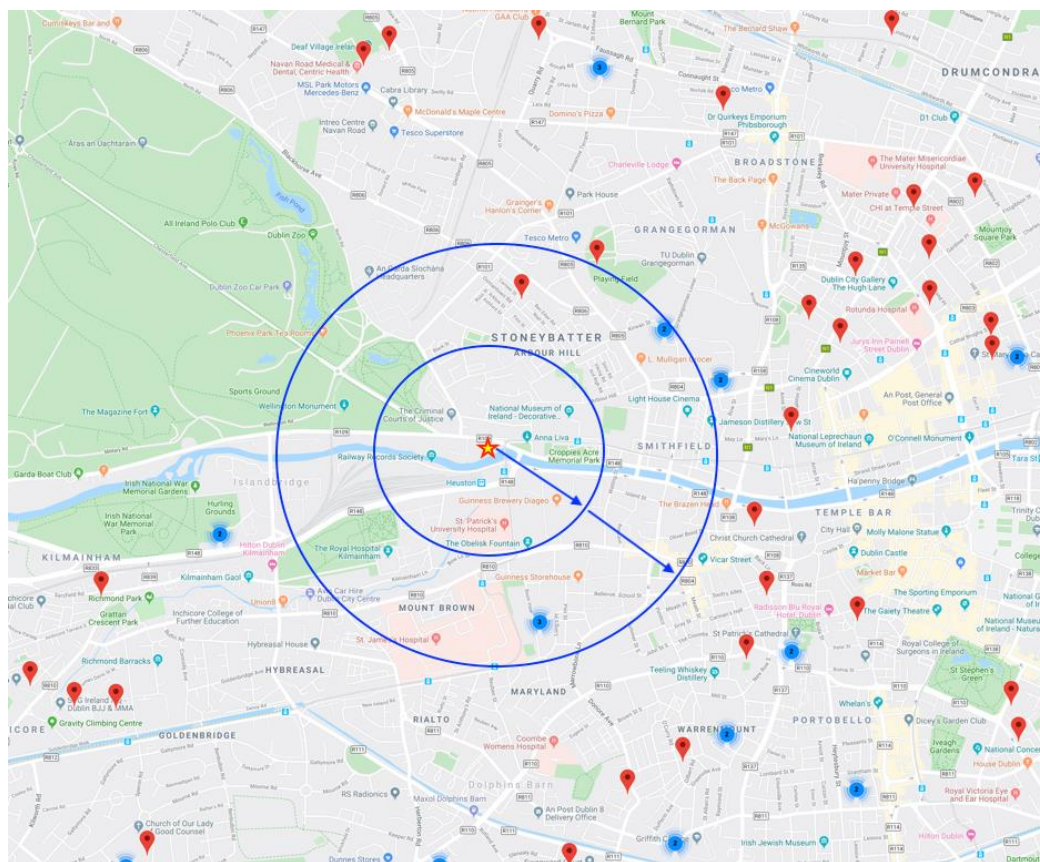
#### Within 1000m

- St. James's Primary School,
- Canal Way Educate Together School
- Stanhope Street Convent Primary School
- St. Gabriel's National School

In addition to this, there are two Secondary Schools within 1 kilometre. These are:-

- CBS James's Street
- St. Josephs Secondary School

There are 38no. primary schools and 10no. post-primary schools in the surrounding Dublin 8 and Dublin 7 area. Of these, 4 no. primary schools and 2no. post primary schools are within 1000m of the subject site.



**Figure 8: Primary and Post-Primary Schools.** Extract from Department of Education and Skills, School Search Results Map. Approximate location of subject site (yellow star), with approximate 500m and 1000m radii marked in blue.

It may be noted that the most recent Social Infrastructure Audit, prepared by Stephen Little and Associates submitted under LRD6074/24-S3 determined that the existing provision of schools in the area is sufficient to cater for the development. The assessment considered the proposed demand arising from both the development proposed under LRD6074/24-S3 in combination with that consented under ABP-310567-21 (as amended by LRD6042/23-S3A). The amendments now proposed, see an uplift of only 8no. units. On the basis that the average household size is 2.5 persons, the projected additional population is 20 persons. The Forward Planning Unit of the DES has previously confirmed that the following percentages of the estimated population is utilised to determine the likely population of school going age: -

- Primary School: 12%.
- Post-Primary: 8.5%.

Using the DES figures above, is estimated that the 8no. additional units proposed could potentially produce a demand for c. 2no. spaces for primary schools and c. 1no. space for post primary schools.

The most recent Department of Education and Skills enrolment data on primary schools indicates that there has been a general decrease in enrolment figures for primary schools in the study area over the past number of years. This is reflected in a recently published Statistical Bulletin Overview of Education 2003/04- 2023/23 (DES, August 2024) which notes that there has been a national decrease in primary school enrolments between September 2023 and 2024.

Given the likely timeframe for construction and occupation of the consented and proposed development in its entirety, the DES would have an opportunity to consider local demand for school places and any requirement to expand existing or provide new facilities in this area in the next tranche of its Capital Investment for Schools Infrastructure, should the need arise.

In our opinion, the proposed amendments will not result in significantly greater demand for school places, that has not already been considered by the planning authority for the scheme already consented, and which DES will be aware of in terms of its development programme.



## 12.2 Health

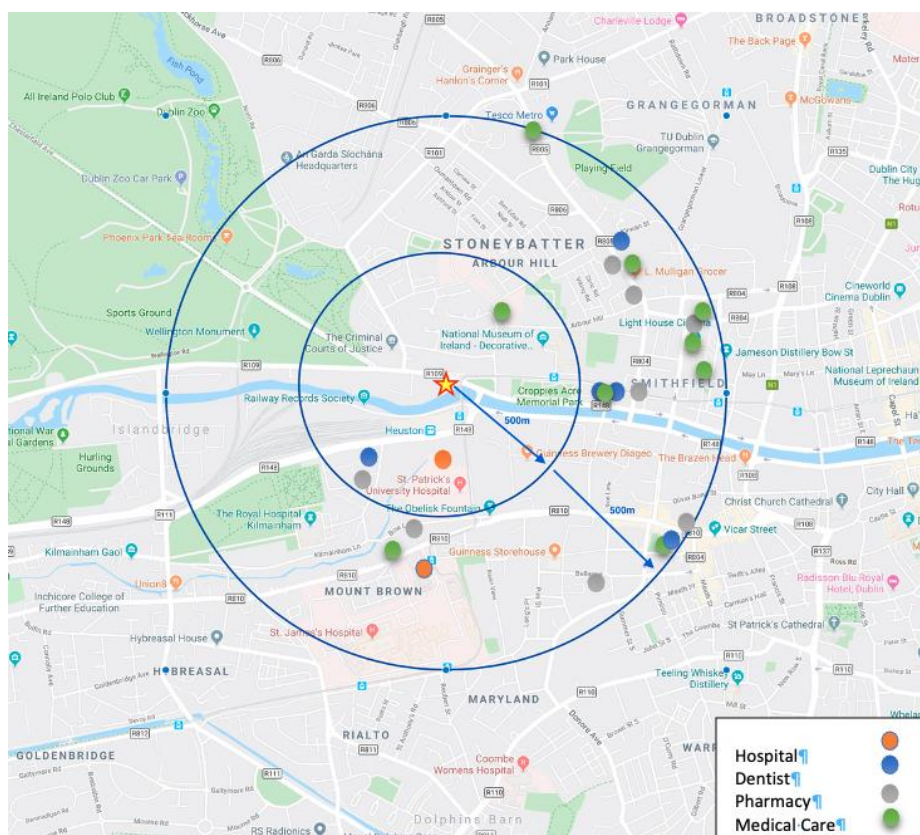
The following private and HSE nursing homes are identified in the Dublin 7 and Dublin 8 area:

Private Nursing Homes	HSE Nursing Homes
Curam Care Home, Navan Road, Cabra, Dublin 7	Cuan Ros Unit for the Elderly, Navan Road, Dublin 7
Santa Sabina House, Cabra, Dublin 7	The Meath Community Unit, 1-9 Heytesbury Street, Dublin 8
Croft Nursing Home, 2 Goldenbridge Walk, Inchicore, Dublin 8	Hollybrook Lodge (St. James' Hospital), Dublin 8
Nephin Nursing Home, 132-134 Navan Road, Cabra, Dublin 7	Bellvilla Community Unit, 129 South Circular Road, D08 TP2D

**Table 5:** Private and HSE Nursing Homes in the Dublin 7 and Dublin 8 Area (source: [www.hse.ie](http://www.hse.ie))

The following healthcare facilities are identified within the **500m** catchment:

- Heuston South Quarter Pharmacy
- Dublin Dental Specialist Clinic
- St. Patrick's University Hospital



**Figure 9:** Map showing location of healthcare and medical facilities.

**Within 1000m:**

- St. James's Hospital
- Thomas Court Primary Care Centre
- Cassidy's Pharmacy
- Blackhall Pharmacy
- Lloyds Pharmacy
- Easy SOP Pharmacy
- Janet Dillon Pharmacy
- Market Pharmacy Smithfield
- Liberites CarePlus Pharmacy
- Plaza Health Smithfield
- St. James's Medical Centre
- Medicus Medical Centre
- Charter Medical Smithfield
- Polska Przychodnia Smithfield
- Stoneybatter Family Practice
- Manor Street Family Practice
- Marinas Brilliant Smile Dental Services
- Art Medica Dental Clinic
- One Manor Place Dental Practice

## 12.3 Sports & Recreation

### Within 500m:

- Phoenix Park
- Anytime Fitness Kilmainham
- Avona Boxing Club
- The Croppies Acre Park

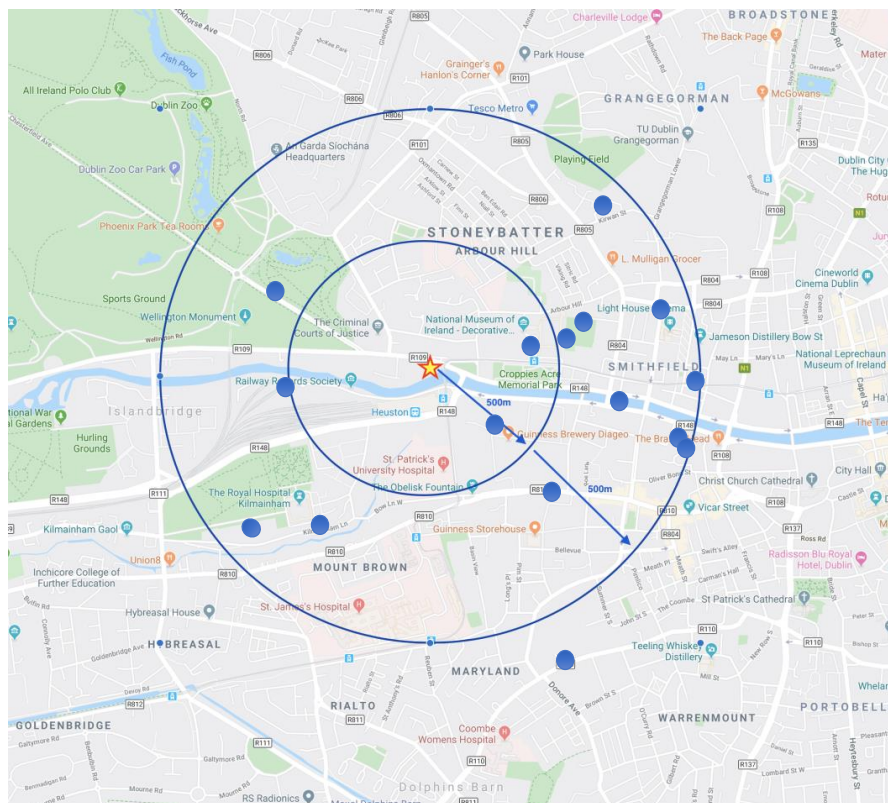


Figure 10: Map showing location of sport & recreation facilities. Each facility is represented by a blue dot.

### Within 1000m:

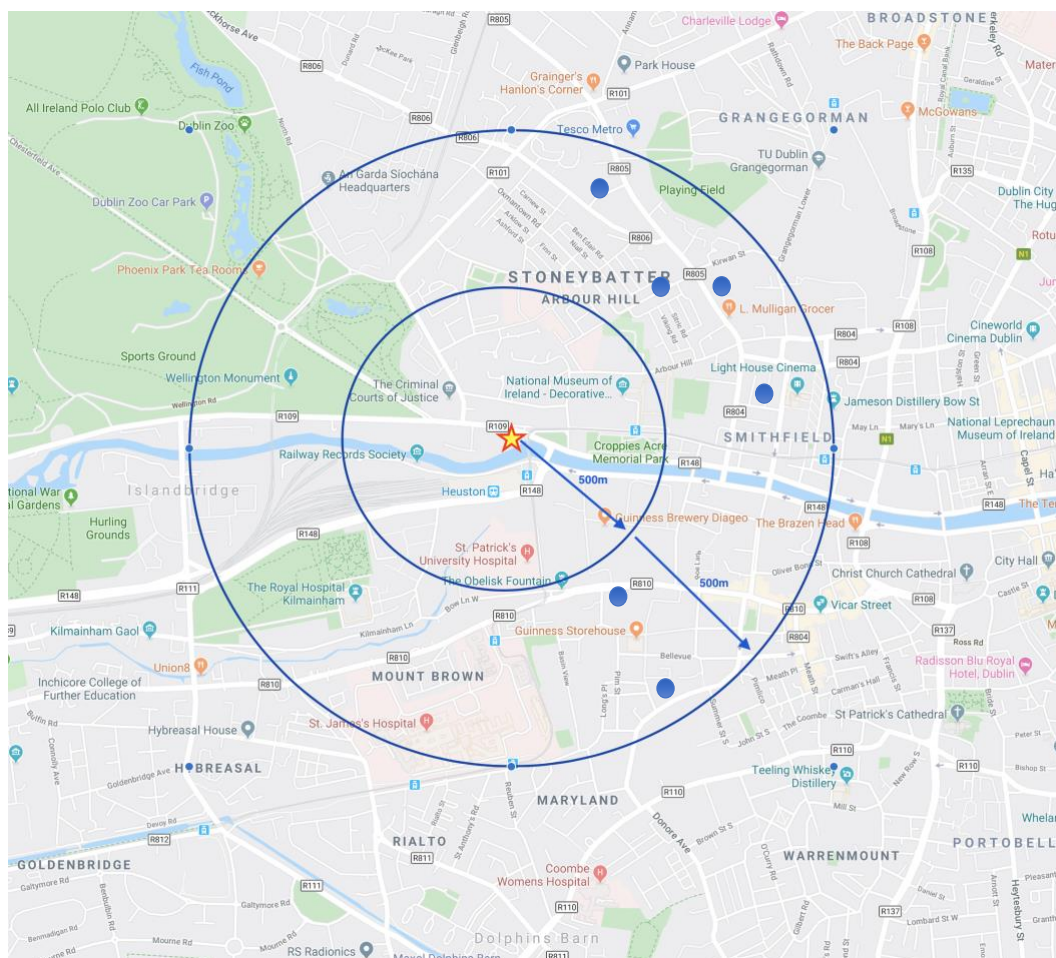
- St. James's Gate Health & Fitness Club
- 1 Escape Healthclub Smithfield
- Lift Training Studios Smithfield
- Viribus Crossfit Smithfield
- FUSE Fitness Smithfield
- TU Grangegorman Playing Fields
- Arbour Hill Boxing Club
- F45 Training Grangegorman
- The Royal Gardens at the Royal Hospital Kilmainham
- St. Catherine's Sports Centre
- Marshall Art Incorporated Dublin 7
- Origins Muay Thai
- Boss Hot Yoga Studio
- Phoenix Park Playground
- Grangegorman Playground

A number of additional sports facilities exist within reasonable proximity of the site, such as the Irish War Memorial Hurling Grounds, St. Brendan's GAA Club, Navan Road United FC, Dublin Municipal Rowing Club, Dynamo Dublin FC, Bohemian FC Football Grounds, Oblate Basketball Club, Richmond Park Football Club, Liffey Gaels GAA Club all within 3km of the subject site.

## 12.4 Social & Community Services

### Within 1000m:

- St. Catherine's Community Centre
- Aughrim Street Sports Hall
- St. James's Parochial Hall
- Blackhall Street St. Pauls Community Hall
- Stoneybatter Community Training Centre
- Aughrim Street Scout Group



**Figure 11:** Map showing location of social & community facilities. Each facility is represented by a blue dot.

Inchicore Library and The National Visual Arts Library NIVAL are also both within 1.5km of the application site



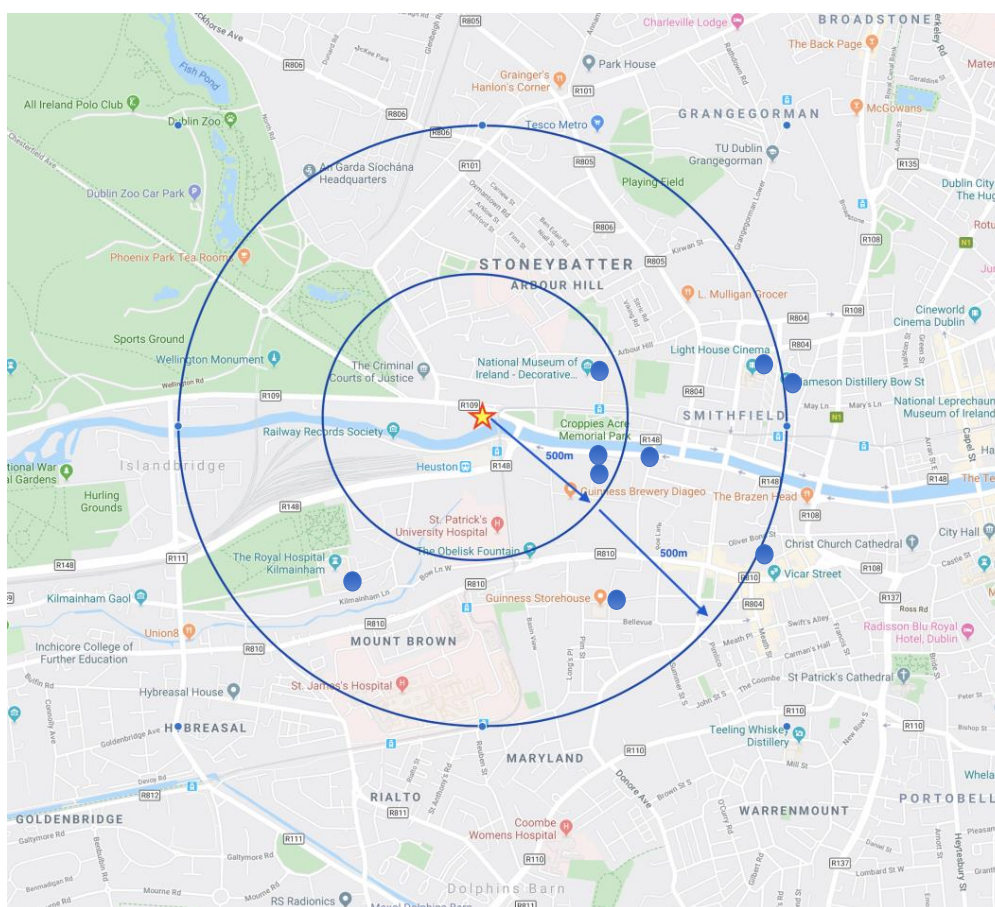
## 12.5 Art & Culture

### Within 500m:

- National Museum of Ireland
- Pearse Lyons Distillery
- Guinness Open Gate Brewery
- Mother's Tankstation Arts Centre
- National College of Art & Design

### Within 1000m:

- Guinness Storehouse
- Irish Museum of Modern Art
- Lighthouse Cinema
- Jameson Distillery



**Figure 12:** Map showing location of arts and culture facilities. Each facility is represented by a blue dot.

It is worth noting that a number of additional cultural facilities exist within reasonable proximity of the site, such as the Zoological Gardens, Aras an Uachtarain and Farmleigh Estate within Phoenix Park, Kilmainham Gaol, Irish War Memorial Gardens, Vicar Street Venue, Vaults Live theatre.

The site is at the western edge of Dublin City Centre, which provides a wide arts and culture offering.

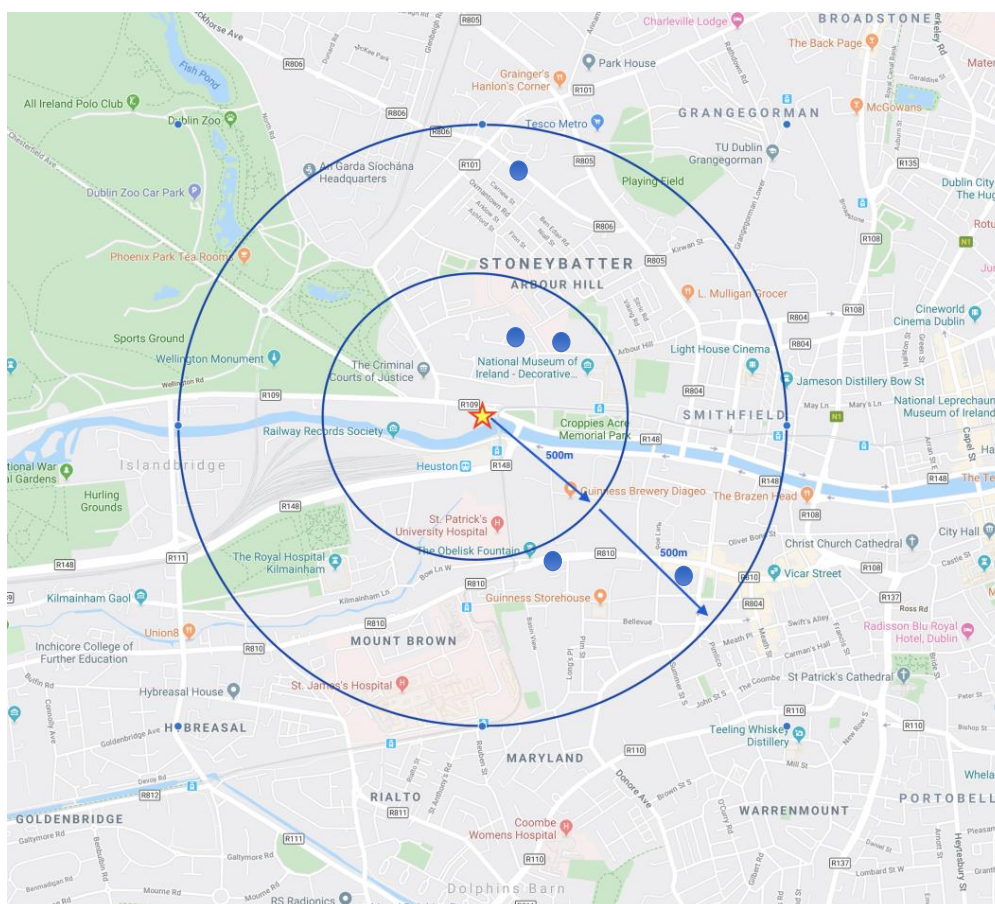
## 12.6 Faith Services

### Within 500m:

- Sacred Heart Catholic Church
- Greek Orthodox Church of the Annunciation

### Within 1000m:

- St. James's Catholic Church
- St. Catherine's Church of Ireland
- Aughrim Street Parish



**Figure 13:** Map showing location of faith services. Each facility is represented by a blue dot.

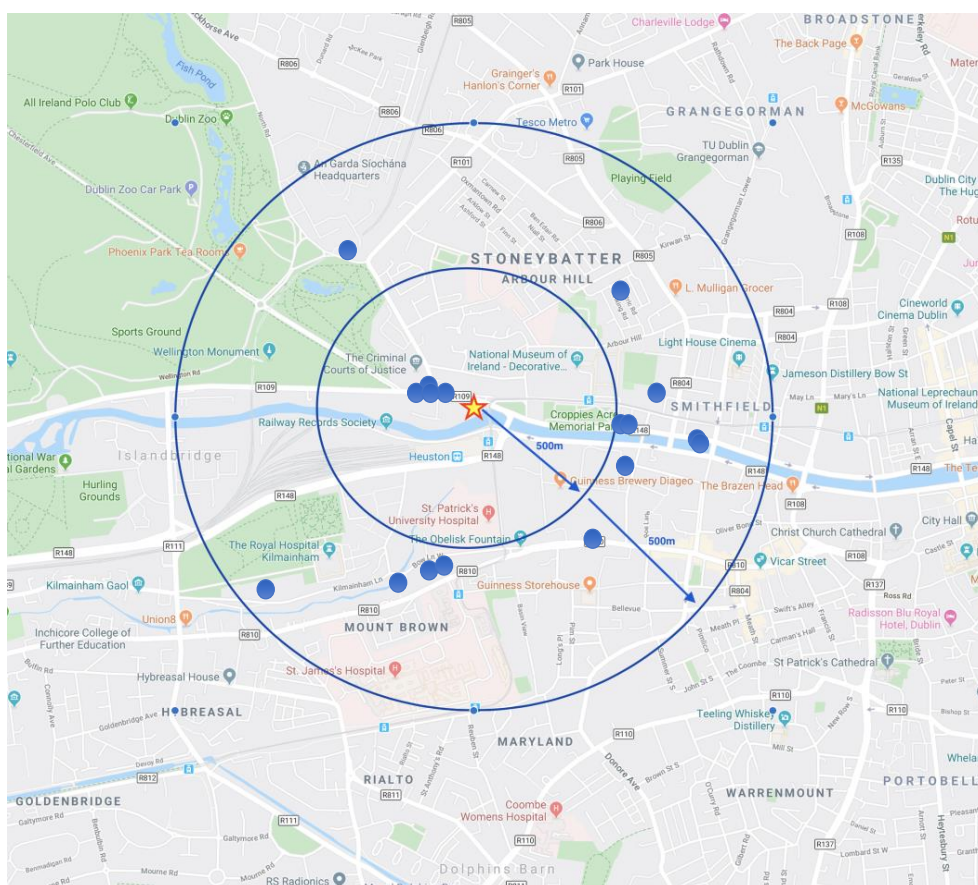
## 12.7 Other Services

### Within 500m:

- Heuston Station
- Dublin Bus routes 26, 69, C5, C6, 707, 842, 845, 51D, 52, 60, 735, C1, C2, C4, P29, 69X, X25, X27, X28, X30, X31, X32
- LUAS Red Line

### Within 1000m:

- Kilmainham Garda Station
- James's Street Credit Union
- James's Street Post Office
- Aonghus McCarthy Solicitors
- Tracy Horan & Co. Solicitors
- Cahir O' Higgins Solicitors
- Michael Kelleher Solicitors



**Figure 14:** Map showing location of other services and facilities. Each facility is represented by a blue dot and Dublin Bus routes are represented by the blue arrows.

## 13 CONCLUSION

It is our considered professional planning opinion that the development subject of this submission should be supported by the Planning Authority on the grounds that:

- The application plans and particulars provide an appropriate response to the issues raised by the Planning Authority at preliminary pre-planning consultation.
- The proposed development is consistent with the land use, strategic site regeneration and residential development and development standards, objectives and policies of the Dublin City Development Plan and other relevant Ministerial Guidelines.
- The proposed development will deliver much needed residential development within the city, at a highly accessible site immediately proximate to city centre retail, employment and amenities and a strategic public transport hub, at appropriate and sustainable density.
- The proposed apartments are designed to meet the relevant development plan and design guidelines standards for apartments, including also sunlight and daylight impact, passive surveillance of streets and spaces, and townscape visual impact.
- The proposed development is resilient to climate change and promotes sustainable modes of transport, encouraging a modal shift from private car to sustainable modes of transport.

We confirm that we act for the Applicant in this case and would ask that all future correspondence in relation to this planning application be directed to this office.



## 14 ENCLOSURES

The following items are included with this submission: -

1. Completed Dublin City Council Planning Application Form.
2. Completed Supplementary Form 19.
3. Newspaper Notice.
4. Site Notice.
5. Proof of Payment.
6. Part V Proposal Letter.
7. Dublin City Council Part V Validation Letter.
8. Letter of Consent from Davy Platform ICAV
9. Letter of Consent from Dublin City Council Parks Department
10. Letter of Consent from Dublin City Council Environment and Transportation Department
11. Planning Application Report & Statement of Consistency, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
12. Permitted and proposed architectural drawings, prepared by Reddy Architecture & Urbanism (refer to enclosed schedule)
13. Architectural Design Statement (including Housing Quality Assessment), prepared by Reddy Architecture & Urbanism
14. Drainage and Watermain Report, prepared by ARUP Group
15. Transportation Statement, prepared by ARUP Group
16. CEMP Note, prepared by ARUP Group
17. Landscape Drawings, prepared by Mitchell + Associates (refer to enclosed schedule)
18. Building Lifecycle Report, prepared by Aramark
19. Property Management Strategy Report, prepared by Aramark
20. Sunlight & Daylight Analysis, prepared by IN2 Engineering Design Partnership
21. Climate Action & Energy Statement, prepared by IN2 Engineering Design Partnership
22. Micro-Climatic Impact Assessment- Wind, prepared by IN2 Engineering Design Partnership
23. Verified Photomontages, prepared by Modelworks
24. Operational Waste Management Plan, prepared by AWN Consulting LTD
25. Natura Impact Statement, prepared by Altemar
26. Landscape and Visual Impact Assessment, prepared by ARC Architectural Consultants
27. Conservation Statement, prepared by ARC Architectural Consultants

## APPENDIX A: ENVIRONMENTAL IMPACT ASSESSMENT

## ENVIRONMENTAL IMPACT

Consented SHD ABP Reg. Ref. ABP-310567-21 for 29-storey Block A, including 198no. 'Build to Rent' apartments (73no. studio, 97no. 1-bed, 27no. 2-bed, 1no. 3-bed) and 1no. restaurant/café (c.187 sq m), was accompanied by an Environmental Impact Assessment Report (EIAR). The Bord, as the competent authority in the case of ABP-310567-21, found that the consented SHD, subject to the implementation of the mitigation measures as set out in the EIAR, Natura Impact Statement (NIS) and Construction Environmental Management Plan (CEMP) and the planning conditions of the permission, would not be likely to have significant effects on European sites and that the environmental effects would be acceptable.

We would respectfully submit to Dublin City County Council, that given their minor nature and scale, as amendments to the already consented scheme subject of an EIAR, and having regard to the findings of the enclosed specialist assessments, the proposed amendments would not be likely to have new or additional significant effects on the environment. It is our consequent professional opinion that an EIAR is not required for the proposed amendments to the consented scheme. This opinion is further supported by the planning authority's confirmation that:

- (a) "The proposed development is substantially the same as the permitted development, and*
- (b) The nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.*

*The Planning Authority has determined that no further consultation is required under Section 247 in relation to the proposed development."*

However, we recognise that Dublin City Council is the Competent Authority in this matter.

The proposed development largely comprises minor design amendments to buildings already permitted under:

- **SHD ABP-310567-21:** 29-storey Block A, including 198no. 'Build to Rent' apartments (73no. studio, 97no. 1-bed, 27no. 2-bed, 1no. 3-bed) and 1no. restaurant/café (c.187 sqm) and;
- **LRD6042/23:** 8-storey Block B2, including 40no. 2-bed apartments, 1no. café/restaurant unit (236 sq m) and 1no. cultural unit (c. 52 sqm).

The proposed development comprises amendments to strategic housing development, pertaining to Block A and Block B2 permitted under ABP-310567-21 (as amended by planning permission LRD6042/23-S3A), with a life of 8 years, to include: -

- Increase in the footprint (from 479sqm to 569sqm) and gross floor area of Block A (from 14,364sqm to 16,693sqm), to accommodate a second internal fire core extending from ground level to Level 27 inclusive.
- Minor internal layout reconfiguration at ground and mezzanine levels, to accommodate the new fire core, also resulting in: -
  - An increase in floor area of permitted café/restaurant unit at ground floor of Block A from c. 223sqm to c.282sqm
  - A decrease in floor area of permitted community facility at ground floor of Block B2 from c. 52sqm to c. c.49sqm
  - An increase in floor area of permitted café/restaurant unit at ground floor of Block B2 from c. 229sqm to c.295sqm.
- Consequent reconfiguration of 198no. permitted 'Build-to-Rent' apartments (73no. studios, 97no. 1-bed, 27no. 2-bed and 1no. 3-bed) located at Block A Levels 01 to 27 inclusive, resulting in an altered mix to 26no.

studio, 118no. 1-bed, 53no. 2-bed and 1no. 3-bed apartments, with no change to the total number (i.e. 198no.) within Block A.

- Insertion of 8no. new 2-bed apartments (1no. in each of Levels 01 to 08 inclusive) and 1no. studio apartment and 1no. 1-bedroom apartment in lieu of 2no. 2-bed apartments at level 09 in Block B2. This results in total 48no. permitted and proposed apartments in Block B2 (1no. studio, 1no. 1-bed and 46no. 2-bed).
- Associated adjustments to facade treatments at the north and south elevations of Block B2, including altered or additional private balconies.
- Ancillary provision of 42no. additional bicycle parking spaces.
- Localised adjustments to permitted ancillary site and landscape works, including to public plaza area (minor reduction from 1,430 sq m to 1,148sq m)

Beyond localised adjustments, no other changes are proposed to the associated and ancillary demolition, conservation, landscaping and site development works, including works to the river wall subject of separate planning reference LRD6074/24-S3.

The proposed development, subject of this LRD application, is substantially the same (location, built form, intensity and nature of use) as the consented SHD and will have no likely new or significantly different environmental impacts. As such, the EIAR findings would remain the same (see table below).

The Planning Authority, in a letter dated February 2025 in its determination under Section 247 (7) of the Planning and Development Act 2000, as amended, further confirms the minor nature of development proposed, stating: -

*The Planning Authority has compared the proposed development to the permitted development, and considered whether the —*

*(a) the proposed development is substantially the same as the permitted development, and*

*(b) the nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.*

*The Planning Authority has determined that no further consultation is required under Section 247 in relation to the proposed development.*

Consequently, we would anticipate that the conclusion of the planning authority in respect of the Environmental Impact Assessment of SHD ABP-310567-21 would therefore remain the same in this case, as follows:

*The Board completed an environmental impact assessment of the proposed development, taking into account:*

- (a) The nature, scale and extent of the proposed development;*
- (b) The environmental impact assessment report and associated documentation submitted in the planning application;*
- (c) The submissions from the planning authority, the observers and the prescribed bodies in the course of the application; and*
- (d) The Inspector's Report.*

*The Board considered that the environmental impact assessment report, supported by the documentation submitted by the developer, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.*

*The Board agreed with the examination, set out in the Inspector's Report, of information contained in the environmental impact assessment report and associated documentation submitted by the developer and submissions made in the course of the planning application.*

*The Board considered and agreed with the Inspector's reasoned conclusions that the main significant direct and indirect effects of the proposed development on the environment are and would be mitigated as follows:*

- *Traffic and transportation impacts: the development will give rise to short-term construction traffic impact, mitigated by traffic management and other environmental considerations in the Construction Environmental Management Plan. The upgrade of pedestrian and cycle routes will provide a long-term positive impact.*
- *Air Quality and Climate: Short-term negative impacts on the air quality from construction will be mitigated by the use of good practice construction methods and the implementation of a Construction Environmental Management Plan.*
- *Noise and Vibration: during the construction phase will be negative and short term and mitigated by compliance with all best practice construction methods such as noise restricting plan, restriction of construction hours and liaison with the public.*
- *Biodiversity impacts: No significant impacts will occur on any areas identified for local or national protection and measures to protect the water quality of the River Liffey will mitigate against any impacts on the aquatic environment or habitats with any European Sites.*
- *Archaeology, Architecture and Cultural Heritage: The potential for short term negative impact on any archaeology will be mitigated through monitoring of groundworks during construction. The impact on the character and setting of the protected structures on the adjoining site will be mitigated by the buildings high quality architectural style and finishes.*
- *Precautionary measures to prevent any contamination of water courses and other measures in the Construction Management Plan will prevent any significant negative impact on land and soil.*
- *Water impacts: Potential impacts on water quality in the area will be mitigated by construction management measures and implementation of Sustainable Drainage System measures.*
- *Landscape and Visual: impacts are mitigated by the high-quality architectural style and finish of the building.*
- *An upgrade of utilities and telecommunications will have a long-term positive impact for the site and surrounding area.*
- *Resource and Waste Management impacts which will be mitigated by preparation of site specific Construction and Demolition Waste Management Plan.*
- *The increase in housing stock will have a direct positive impact on the population of Dublin City.*

*The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the environmental impact assessment report and compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable.*

In support of this opinion we refer the Planning Authority to the table below which sets out the environmental effects of the amended scheme, compared to the permitted scheme under ABP-310567-21, as amended by DCC Reg. Ref. LRD6042/23.

Environmental Effects of the Proposed Alterations compared to the Permitted SHD ABP-310567-21			
Environmental Factor	Headings Under which the Environmental Factors were Assessed	Phase	Effect Compared to Consented Scheme
Material Assets	Traffic and Transport	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the proposed amendment.  There is no material change to pedestrian, bicycle or vehicular site access; no additional car parking; no change to proximity of public transport network.
Climate	Air Quality	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.
Climate		Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the of the consented scheme with proposed amendments.
Air	Noise & Vibration	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.
Biodiversity		Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.
Cultural Heritage	Archaeology and Cultural Heritage	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.
Cultural Heritage	Architectural Heritage Impact Assessment	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.  The footprint of Block A is proposed to increase resulting in a marginal reduction in separation distance to the River Wall; no new

			<p>works to the River Wall are proposed; no other works to protected structures are proposed.</p> <p>We refer the Planning Authority to the enclosed Architectural Impact Assessment Report, prepared by ARC which concludes: -</p> <p><i>The proposed amendments to the permitted Blocks A and B2 do not involve any works to structures of architectural heritage value, whether they are protected structures or not. Nor are the proposed amendments to the permitted Blocks A and B2 likely to result in any material or perceived effects on the setting of structures of architectural heritage value over and above effects occasioned by the existence permitted Blocks A and B2.</i></p>
Landscape and Visual	Landscape and Visual Impact Assessment	Construction Phase	<p><u>Neutral, imperceptible and permanent</u></p>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>The proposed amendments include an increase in the footprint of Block A, insertion of 8no. new apartments and modification of permitted apartments, resulting in minor associated façade modifications.</p> <p>We refer the Planning Authority to the enclosed Landscape and Visual Impact Assessment, prepared by ARC which confirms that the proposed amendments will not result in any change to the previously assessed extent of potential landscape and visual effects.</p>
Water		Construction Phase	<p><u>Neutral, imperceptible and permanent</u></p>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>We refer the Planning Authority to the enclosed Engineering Services Report, prepared by ARUP which confirms that the proposed planning amendments will not require any modification to the surface water drainage design permitted under ABP Ref. ABP-310567-21 (as amended).</p>
Land and Soils		Construction Phase	<p><u>Neutral, imperceptible and permanent</u></p>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p>

			No extension proposed to permitted basement; no new subterranean works proposed.
Water	Hydrogeology	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>We refer the Planning Authority to the enclosed Engineering Services Report, prepared by ARUP which confirms that the proposed planning amendments will not require any modification to the surface water drainage design permitted under ABP Ref. ABP-310567-21 (as amended).</p> <p>Additionally, we refer the Planning Authority to the enclosed Hydrological and Hydrogeological Risk Assessment, prepared by AWN Consulting which confirms that there is no direct source pathway linkage between the Proposed Development site and any Natura 2000 sites.</p>
Material Assets	Waste Management	Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>There are minor adjustments to the bin storage layouts. We refer the Planning Authority to the enclosed Operational Waste Management Plan, prepared by AWN Consulting.</p> <p>A Resource Waste Management Plan, prepared by AWN Consulting also accompanies this application.</p>
Population and Human Health		Construction Phase	<u>Neutral, imperceptible and permanent</u>
		Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>There is a minor uplift in the total number of dwellings in Block A and Block B2, from 238no. units to 246no. units (i.e. +8no. new units) and some modification of unit sizes, resulting in a marginal uplift in the total number of dwellings and prospective residents.</p>
		Construction Phase	<u>Neutral, imperceptible and permanent</u>



Material Assets	Utilities and Telecommunications	Operational Phase	<p>Comparatively, the same likely impact is envisaged during construction/operational phase of the consented scheme with proposed amendments.</p> <p>We refer the Planning Authority to the enclosed Telecommunications Report, prepared by ISM.</p>
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Having regard to all of the above findings and considerations, it is our professional planning opinion that the need for an Environmental Impact Assessment of the proposed amendments can be screened out. However, we recognise that the Planning Authority is the competent authority in this regard.

## APPENDIX B: BUILDING HEIGHT GUIDELINES

Section 3.2 Criteria	Response in the Case of ABP-310567-21 (Block A SHD Extant Consent)	LRD Amendments Now Proposed
<b>At the scale of the relevant city/town</b>		
<i>The site is well served by public transport with high capacity, frequent services and good links to other modes of public transport.</i>	The application site is located at a strategic public transportation hub and one of the most highly accessible locations in the city. Regional and intercity rail services are available at the immediately adjacent Heuston Station. The Luas red line is available at either Heuston or Museum stops, and numerous frequent bus routes serve Parkgate Street and Heuston.	<b>No change to location of building.</b>
<i>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</i>	Refer to chapter 13 'Landscape and Visual Impact Assessment' (LVIA) of the EIAR, prepared by ARC Architectural Consultants and Grade I Conservation Architects, for visual impact in the context of the historic setting of the site.  The EIAR LVIA generally concluded that the proposed development would make a positive contribution to the city skyline, at this landmark site, within a strategic regeneration area at the western Hueston gateway to the city centre, and having regard to the historic setting if this area. No significant adverse visual impacts were predicted	<b>No change to building height proposed. Footprint increases slightly, no consequential additional effects are envisaged.</b>  <b>Refer to enclosed Landscape and Visual Impact Assessment Report, prepared by ARC for details.</b>
<i>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.</i>	The site is identified in the Development Plan as having the capacity for a tall, landmark building.  The height and slenderness was previously welcomed in principle. A new approach to architectural expression and materiality seeks to respond to the previous recommendation of the Board's Inspector to create a more distinctive, rich and enduring landmark building, containing excellent residential accommodation, at this pivotal city site.  Refer to Architects Design Statement, prepared by Reddy Architecture and Urbanism and Glen Howells Architects, for further discussion of the architectural intent and design details of the proposed new building.	<b>No change to permitted building height. Footprint will increase marginally, however slender proportions retained. The proposed alteration will be imperceptible on site.</b>  <b>We refer the Planning Authority to the enclosed Architectural Design Statement, prepared by Reddy Architecture + Urbanism for details.</b>
<b>At the scale of district/ neighbourhood/ street</b>		
<i>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.</i>	The proposed building has been conceived as a tall, high quality, landmark building that sits comfortably with the consented scheme, the Parkgate streetscape, the river corridor and the historic and emergent city surroundings.  The height and slenderness of the previously proposed tower were broadly welcomed in the previous case. The base of the tower seeks to create a	<b>No material change to slender profile, architectural expression or materiality.</b>  <b>Change of 26no. studios to 2-beds occur in eastern apex, and are</b>

	<p>human scale and activate Parkgate Street with the consented public plaza and river walk with the proposed ground floor café/restaurant use. The middle and crown extend vertically as a tall, slender landmark at the western gateway to the city centre.</p> <p>The architectural expression and materiality is improved to create a distinctive, attractive and enduring landmark building.</p> <p>Together with the wider consented scheme it will deliver a mix of uses and excellent residential accommodation, at this highly accessible regeneration site.</p> <p>Prospective residents of the tower will enjoy high quality, well managed living accommodation and residential amenities. They will also undoubtedly appreciate the spectacular views afforded by the tower, across the city.</p>	<b>already served by the winter garden balconies in this elevation.</b>
<i>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials/ building fabric well considered.</i>	<p>The redesigned 30-storey Block A building delivers height and slenderness, to create refined and elegant modern building appropriate for Dublin's unique cityscape.</p> <p>The tower is formed by 3 curved planes, with three simple elements clearly read in its vertical expression: A translucent base that provides active use at ground floor and floats the rest of the building above the river wall and the shoulder height at Parkgate Street. An articulated middle of solid and glass, with richly detailed masonry and double order openings, creating sculptural articulation in vertical form in reference to the surrounding historic architecture. A lantern top, created with the extension of the façade blades to varying heights of 5m to 9m to give the building an evocative crown that changes in different view orientations. All creating a unique landmark building of architectural excellence, quality finish and superior residential accommodation appropriate to this central site.</p> <p>The proposed reconstituted stone and glass materials have been chosen having particular regard to durability, the local climate and the creation of variation, depth and architectural interest, which in combination with the consented development will present a coherent whole. We refer the Board to Sections 4 to 6 of the Architects Design Statement for further information on the materials</p>	<b>No change proposed to building profile, articulation or materials.</b>
<i>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</i>	The Development Plan highlights that Heuston is a suitable location for taller buildings as a western counterpoint to the Docklands. The proposed development positively addresses Parkgate Street, the River Liffey and views	<p><b>No material change to building location or design.</b></p> <p><b>Proposed modification to building footprint/volume will not be read</b></p>

<p><i>enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009)</i></p>	<p>along the city quays, and will sit comfortably as a tall, slender landmark at a pivotal regeneration site at the edge of the city centre.</p> <p>In combination with the wider consented development, site permeability will be enhanced through the provision of the public plaza and riverside walkway, with visual connections to other notable parts of the city, and with the potential for future onward links along the river edge.</p> <p>A Flood Risk Assessment, prepared by Arup accompanies this SHD application. This identifies that the flood risk to the development is low. Finished floor levels have been raised to allow for climate change, and access and egress to the site will not be compromised during a flood event. We refer the Board to the enclosed Flood Risk Assessment for further details.</p>	<p><b>differently in sensitive Liffey or Phoenix Park views. See Modelworks verified views and ARC LVIA.</b></p> <p><b>Modified Block A &amp; B2 integrate in the same manner with the public plaza and river walk contained in the wider consented scheme.</b></p> <p><b>The proposed amendments present no new flood risk. We refer the Planning Authority to the enclosed Flood Risk Assessment, prepared by ARUP for confirmation.</b></p>
<p><i>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.</i></p>	<p>The site is strategically located at the termination of the city quays and beside Heuston, which acts as a gateway to the city from the west. The development site has remained underutilised and identified for regeneration for many years.</p> <p>The proposal for a tall landmark building, of excellent design quality, is appropriate to the site’s pivotal location and redevelopment potential, which currently is not fully realised. The development of a tall building to complete the consented development at this site has been welcomed in principle by the Board in the case of ABP – 306569- 20.</p> <p>The proposed development has regard to the guiding principles of SDRA 7 and the criteria for high buildings set out in the Development Plan (see Section 12 for Statement of Consistency with the Development Plan objectives). It will provide a visible landmark and placemaking function at this gateway location and enhance the legibility of this part of the city.</p>	<p><b>The modified scheme interacts and integrates with the wider consented scheme and surrounding urban area in the same manner.</b></p>
<p><i>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</i></p>	<p>The development will provide for a greater range of adaptable one, two and 3 bed dwelling typologies, within a well-managed environment, and at highly accessible location adjacent to the city centre and excellent public transport.</p> <p>The development provides supporting residential amenities and a café/ restaurant uses. It also benefits from and complements the mixed use scheme consented under ABP-306569-20.</p>	<p><b>The proposed development, as modified, will continue to deliver the same ground floor mix of uses. It will form a composite part of the wider mixed use consented scheme in the same manner.</b></p> <p><b>The modified proposal will continue to deliver an appropriate of dwelling typologies, with a general reduction in quantum of</b></p>

		studio units in favour of 1-bed, 2-bed and 3-bed units within Blocks A and B2. The mix of BTR and 'build to sell' standard apartments in the overall scheme meets the relevant standards of the Development Plan and relevant Ministerial Guidelines
<b>At the scale of the site/ Building</b>		
<p><i>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.</i></p> <p><i>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'</i></p> <p><i>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</i></p>	<p>The building design is informed by a Daylight and Sunlight Analysis prepared by IN2 Engineering Design Partnership. This demonstrates that all living/dining and bedroom spaces are compliant with the BRE best practice guidelines. The shadow analysis results indicate no significant shadowing of surrounding buildings and where shadowing occurs it would be for a minimal period of time. The proposed amenity spaces achieve excellent sunlight and daylight availability. The assessment also concludes that the proposed development will not have a negative effect on the neighbouring amenity space at Parkgate Place or on the residences at Montpellier Hill.</p>	<p><b>Refer to the enclosed Sunlight &amp; Daylight Assessment, prepared by IN2 Engineering Design Partnership which confirms: -</b></p> <p><b>Modified Block A- Daylight</b></p> <p><b><i>100% of the analysed rooms were determined to be compliant with the methodology utilised. Detailed results are included in Appendix A</i></b></p> <p><b>Modified Block B2- Daylight</b></p> <p><b><i>85% of the analysed rooms were determined to be compliant with the methodology utilised. Detailed results are included in Appendix B. Compensatory measures are identified.</i></b></p> <p><b>In relation to potential for impact on existing neighbouring dwellings, the report states: -</b></p> <p><b>Daylight</b></p> <p><b><i>The analysis indicated that all existing residences on Montpellier Hill assessed for daylight impact were found to achieve compliance with BRE recommendations, as VSC values were predicted to be either remain above 27% and or any reduction was negligible. These</i></b></p>

		<p><i> dwellings would therefore not be adversely affected by the proposed development (with amended Blocks A and B2) in terms of receipt of natural light.</i></p> <p>Sunlight</p> <p><i>The analysis determined that sunlight (APSH) to all assessed neighbouring blocks will not be adversely impacted and comply with the BRE Guidelines.</i></p>
<b>Specific Assessments: The Guidelines state that at some scales, specific assessments may be required for taller buildings. These include:</b>		
<i>Assessment of micro-climatic effects</i>	<p>A Site Wind Analysis prepared by IN2 Consulting Engineers demonstrates that the proposed open spaces will benefit from a good micro-climate.</p> <p>Daylight &amp; Sunlight Analysis, prepared by IN2 Consulting demonstrates that the proposed development will benefit from excellent levels of sunlight and daylight access and that the Block A redesign has a negligible impact on the consented scheme ABP 306569-20</p>	<p><b>No new adverse impacts arise.</b></p> <p><b>Refer to the enclosed Sunlight &amp; Daylight Assessment, prepared by IN2 Engineering Design Partnership (see above)</b></p> <p><b>Refer to enclosed Micro-Climatic Impact Assessment- Wind, prepared by IN2 Engineering Design Partnership. Design mitigation built in to ensure private and public amenity spaces are appropriate / comfortable for use.</b></p>
<i>Potential impacts on birds/ bats</i>	<p>The Biodiversity Chapter of the EIAR, prepared by Moore Group, considers the potential for impacts on birds/ bats and concludes that it is not predicted that there would be any effect on birds or bats in terms in terms of flight lines, collision or artificial lighting impacts.</p>	<p><b>No material change to location, nature or extent of development proposed. Finding would remain the same.</b></p>
<i>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links</i>	<p>An updated Telecoms Assessment is enclosed with the application. The proposed development includes proposed telecommunications antennae on the roof of consented Block B1 to enable retention of microwave telecommunications channels, as may be necessary. No new considerations arise compared to the previous scheme. We refer the Board to the accompanying architectural drawings and also to the 'Specific Assessment –</p>	<p><b>Refer to enclosed Telecoms Statement, prepared by ISM.</b></p> <p><b>Account is taken of the permitted telecommunications antennae on the roof of Block B1. No new adverse effects are predicted for existing microwave links in the</b></p>

	Section 3.2 of the Building Height Guidelines (2018)', prepared by ISM for proposed specifications.	vicinity as a result of the proposed modifications to Block A and B2.
<i>Impact on safe air navigation</i>	It is not anticipated that buildings of this height would impact on safe navigation. The applicant has consulted with the Irish Aviation Authority (IAA) on the proposed development (see IAA response enclosed dated 09 April 2021). The IAA is satisfied that a suitably worded planning condition would seek to agree the erection of an appropriate obstacle warning light on the proposed building. Also, that a minimum 30 days notification of intention to erect cranes on the site is required. The applicant can confirm that it will comply with these requirements.	<b>No change to building height proposed. Same condition can be applied in respect of notification prior to erection of cranes on site at construction stage.</b>
<i>Urban Design Statement</i>	We refer the Board to the Architectural Design Statement provided by Reddy Architecture and Urbanism and Glenn Howells Architects.	<b>Refer to enclosed Architectural Design Statement, prepared by Reddy Architecture + Urbanism.</b>
<i>Relevant environmental assessments</i>	This planning application is accompanied by an Environmental Impact Assessment Report and Natura Impact Statement.	<b>Refer to Appendix A of the enclosed Planning Report &amp; Statement of Consistency, prepared by Stephen Little and Associates, for EIA Screening. Concludes no significant or new adverse environmental affects likely as a consequence of the proposed modifications. An EIAR does not accompany the application.</b>  <b>Refer to enclosed Natura Impact Statement, prepared by Altemar Ecological Consultants.</b>