

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 8th April 2022
JSA Ref 20055/RK

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT CONSISTING OF 377 NO. BUILD TO RENT APARTMENTS, RESTAURANT/CAFÉ FLOORSPACE (841 SQ. M), COMMUNITY SPORTS HALL (933 SQ. M), RESIDENTIAL AMENITY FLOORSPACE (1,016 SQ.M), OFFICE (195 SQ. M) AND A CRECHE (215 SQ. M).

On behalf of the applicant, Cairn Homes Properties Ltd, 7 Grand Canal, Grand Canal Street Lower, Dublin 2, we hereby submit this planning application to An Bord Pleanála in respect of a permission for the construction of 377 no. Build to Rent apartment units (21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments, & 8 no. 3 bedroom apartments). The development also includes c. 841 sq.m. restaurant / café floorspace (in 5 no. units at ground floor & lower ground floor), a Community Sports Hall (c. 933 sq. m), office space c. 195 sq. m, Residential amenity floorspace (c. 1,016 sq. m) and a creche of c. 215 sq. m.

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

Proposed Development

The proposed development for which permission is sought is described as follows in the public notices:

"The development will consist of the construction of a mixed use scheme of 377 no. "Built to Rent" BTR apartments, Community Sports Hall (c. 933 sq. m), along with 5 no. restaurant/cafés (c. 841 sq.m), creche (c. 215 sq. m), office (c. 195 sq m) and ancillary residents' support facilities/services (c. 1,016 sq. m) laid out in 6 no. blocks ranging in height from 3-9 storeys (over basement) comprising 21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments & 8 no. 3 bedroom apartments (selected no. with balconies), and public realm upgrades as follows: Building 01 (Part 3, 4, 6 & 7 storeys over basement) consists of 77 no. apartments comprising 13 no. studio apartments, 30 no.

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1 bedroom apartments, 33 no. 2 bedroom apartments, 1 no. 3 bedroom apartment (with a creche of c. 215 sq. m with associated play area at ground floor); Building 02 (Part 3, 5, 7 & 8 storeys over basement, (with a two-storey undercroft at ground and first floor levels on northern elevation of building) consists of 95 no. apartments comprising 7 no. studio apartments, 57 no. 1 bedroom apartments, 24 no. 2 bedroom apartments, 7 no. 3 bedroom apartments; Building 03 (Part 7 and 9 storeys over part basement) consists of 54 no. apartments comprising 18 no. 1 bedroom apartments and 36 no. 2 bedroom apartments (and office of c. 195 sq. m); Building 04 (7 storeys over basement) consists of 60 no. apartments comprising 42 no. 1 bedroom apartments & 18 no. 2 bedroom apartments; Building 05 (6 storeys, over basement to Lower Kilmacud Road & 7 storeys to the south and west) consists of 62 no. units comprising 1 no. studio apartment, 26 no. 1 bedroom apartments, & 35 no. 2 bedroom apartments (restaurant/café unit c. 219 sq. m at lower ground floor/plaza level & 2 no. restaurant/café units c. 234.1 sq. m and c. 133.9 sq. m respectively at ground floor level onto Lower Kilmacud Road) along with a double height Community Sports Hall including ancillary areas (c. 933 sq. m); Building 06 (5 & 6 storeys) consists of 29 no. units comprising 16 no. 1 bedroom apartments and 13 no. 2 bedroom apartments (restaurant/café unit c. 185.9 sq. m at lower ground floor/plaza level & 68.1 sq. m restaurant/café unit at ground floor level onto Lower Kilmacud Road); The BTR development will also include ancillary Residents' Support Facilities/Services (c. 1,016 sq. m at ground floor of Building 03 and 04) as well as open space areas and improvements to the public realm along the Lower Kilmacud Road (to footpath and cyclepath) and The Hill, new road layout (omission of left turning lane, widening of footpath) to The Hill, hard and soft landscaping, set down area on the Lower Kilmacud Road. Provision of 2 no. vehicular access points from 'The Hill' into 2 no. separate basements to include basement car parking spaces (119 no.); 1 no. set down surface car parking space as well as 866 no. cycle spaces (basement and surface levels) and ancillary areas; pumping stations at basement level, along with solar panels, and green roofs at roof level; All associated site development works, open spaces, landscaping, boundary treatment, plant areas, waste management areas, and services provision (including ESB substation)."

The proposed residential development has been prepared in accordance with the requirements of the relevant Section 28 Guidelines, the National Planning Framework, the Regional Spatial and Economic Strategy for the East and Midlands, the Dun Laoghaire Rathdown County Development Plan 2022-2028 and the Stillorgan LAP 2018-2024, and has been the subject of a pre-application consultations with the Planning Authority under Section 247 and a tri-partite meeting with An Bord Pleanála prior to the submission of this planning application to An Bord Pleanála.

Location

The site of c. 1.4 hectares is located at the junction of the N11 and the Lower Kilmacud Road. The site is bound by the Lower Kilmacud Road to the north, The Hill to the south and west and the N11 to the east.

Cairn Homes Properties Limited are the owners of the majority of this site with Dun Laoghaire Rathdown owning a small area adjacent to the N11. A letter of consent accompanies this submission from the Local Authority.

Zoning

The subject site is zoned objective 'DC' in the Dun Laoghaire Rathdown County Development Plan 2022-2028. The objective for this zone is *"to protect, provide for and or improve mixed use district centre facilities"*.

The proposed residential development, Community Sports Hall, Restaurant, Café Office, and Creche as well as open space uses are "permitted in principle" uses in relation to the land use zoning objectives.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A pre-application meeting was undertaken with An Bord Pleanála on the 28th September 2020, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This meeting was attended by representatives from Dun Laoghaire Rathdown County Council and the applicant's team, and the items on the Board's agenda were discussed.

The Statement of Response, which should be read in conjunction with all application documentation, clearly set out how the items raised by the Board in its Opinion have been fully addressed in the documentation now submitted for approval.

John Spain Associates Statement of Response is intended to provide a useful overview of the responses to the items in the Board's Opinion. The overall Statement of Response refers the reader to other documentation within the application pack which provides greater detail in respect of the items addressed within the JSA Statement of Response.

Consultation with Planning Authority under Section 247

The first stage of the SHD process is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended). A description of the pre-application consultation undertaken by the Applicant with Dun Laoghaire Rathdown Council under Section 247 has been included within the Planning Report and Statement of Consistency.

Part V

The applicant has entered into initial discussions with the Housing Department of Dun Laoghaire Rathdown County Council in respect to Part V. We refer the Board to the letter from the Housing Department of Dun Laoghaire Rathdown County Council dated the 22nd of March which notes that the proposed 41 no. units can form the basis of further compliance discussions.

In accordance with Part V legislation, as the Cairn land has been in the full ownership of Cairn Homes Properties Limited since before 31st July 2021 and it was purchased after 1st September 2015, that element of the site qualifies for a 10% reduction in Part V requirements.

The remainder of the development site (currently being acquired) provides the full 20% of the development on that area for Part V.

The breakdown of the proposed development across the two ownerships areas have been calculated based on the number of units proposed on each of the plots as set out below:

Land ownership	Total Number of units proposed	10%	20%
Cairn Homes Properties	337	33	
DLRCC	40		8
Total	377		41

The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Dun Laoghaire Rathdown County Council as per their requirements prior to the commencement of development. A letter from Dun Laoghaire Rathdown County Council is submitted as part of this application.

The applicant's Part V proposals are described and mapped in the design brochure accompanying this planning application. The proposal is to provide 41 no. of the residential apartments.

Please refer to the accompanying drawings, schedule of accommodation and costings for full details.

Drawings, Plans and Particulars

The planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001 as amended.

The planning application drawing packages include a Site Location Map, Site Layout Plan, Taken in Charge drawing, Landscape Masterplan and Engineering drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under Q. 23 of the SHD Application Form. Lands under the control of the applicant are identified on the drawings.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this planning application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the National Planning Framework (NPF), the RSES for the Mid-East Region, the Dun Laoghaire Rathdown County Council Development Plan 2022-2028 and the Stillorgan LAP 2018-2024.

Material Contravention Statement

As set out within the public notices for the application, the application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

The Material Contravention Statement provides a justification that the Board may have regard to in the event that the development is considered to represent a Material Contravention of the Development Plan/Local Area Plan for the area. The proposed

development does not represent a material contravention in relation to the zoning of land, as the subject site is zoned to facilitate the proposed uses.

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority
- Copies to the 4 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only, as set out below (copy of emails confirming same and cover letters issued to same are attached for reference purposes).

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in Section 6 of the Application Form.

Irish Water Requirements

The requirements in respect of Irish Water (IW) set out in Section 20 of the SHD Application Form are addressed in the form, the IW correspondence received (accompanying the application form) and the Infrastructure Design Report, including appendices, prepared by DBFL Consulting Engineers.

Waterman Moylan Consulting Engineers received a Statement of Design Acceptance dated 29th March 2022 from Irish Water, enclosed with the SHD application.

The applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

Prescribed Bodies

As required in the Board's Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below.

All of the prescribed bodies stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. Irish Water
2. Department of Culture, Heritage and the Gaeltacht
3. Transport Infrastructure Ireland
4. National Transport Authority

Fee

Please find enclosed fee of €74,734.80 made payable to An Bord Pleanála for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule issued on the 15th of March 2017. The basis of calculation is as follows:

377 no. units x €130	€ 49,010
2,184 sq. m x €7.20	€ 15,724.80
NIS	€10,000

Enclosures

The following documentation accompanies this planning application in accordance with Section 4 and 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and Articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017:

1. Particulars
1. Cover Letter to An Bord Pleanála
2. Application Form
3. Site Notice
4. Newspaper Notice
5. CD-Rom copy
6. SHD Application Fee
7. Letter of Consent (DLR)
8. Build to Rent Management Plan
9. Building Lifecycle Report
10. Draft BTR Covenant
11. Part V Proposals
12. ITM Red Line Area (on CD Rom)
13. Irish Water Confirmation of Feasibility and Design Acceptance.
14. Cover Letter to Dun Laoghaire Rathdown County Council
15. Cover Letters to Prescribed Bodies
2. John Spain Associates
16. Statement of Consistency & Planning Report
17. An Bord Pleanála Response Document
18. Statement of Material Contravention
19. Community/Social Infrastructure Audit
3. OMP Architects
20. Architectural Design Statement
21. Architectural Drawings plans elevations sections (including schedule of drawings and accommodation)
22. Technical Report (includes Housing Quality Assessment)
23. ABP Architectural Response
24. Part V Booklet
4. Waterman Moylan Consulting Engineers
25. Engineering Drawings and Schedule
26. Engineering Assessment Report (including Stormwater Audit by Punch)
27. Traffic and Transportation Assessment
28. Car Parking Rationale Report
29. Travel Plan (MMP)
30. DMURs Document
31. Construction Management Plan
5. JBA Consulting Engineers Flood Risk
32. Site Specific Flood Risk Assessment

6. Kevin Fitzpatrick Landscape Architects
33. Landscape Drawings
34. Landscape Design Report
7. The Tree File Arborist
35. The Tree File Tree Survey and Drawings
8. Modelworks
36. Photomontages
37. Townscape and Visual Impact Assessment
9. Arup
38. Micro-climate/Wind
10. Enviroguide Consulting
39. EIAR Screening
40. Article 299B Statement
11. AWN Consulting
41. Hydrological Assessment
42. Noise Report
43. Air Quality Report
44. Construction & Demolition Waste and By-Product Management Plan
45. Operational Phase Waste Management Plan
12. Altemar Bryan Deegan
46. AA Screening and NIS
47. ECIA and Bat Report
13. IES Daylight Report
48. Sunlight/daylight
14. Telecommunications Report ISM
49. Telecommunications Report
15. IAC Archaeology Report
50. Archaeological Desktop Assessment
16. Ethos Engineering
51. Residential Energy Statement
52. M&E Utilities Report
53. Site Lighting Report and drawings
54. Commercial Sustainability & Energy Statement
17. Burton Engineers
55. Road Safety Audit, Access Audit, Cycle Audit and Walking Audit
18. Derry O'Leary
56. Public Transport Capacity Report

The application website is www.BlakesSHD.com.

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 and application guidance documents issued by An Bord Pleanála.

Six no. hard copies, and three no. soft copies, of this planning application have been submitted to Dun Laoghaire Rathdown County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information, please do not hesitate to contact us.

Yours faithfully,



John Spain Associates