

**Planning Report and Statement of Consistency with  
Section 28 Guidelines and Local Planning Policy**

*In respect of*

**Proposed Mixed Use Development at  
The former Blakes and Esmonde Motors Sites, Stillorgan,  
Co. Dublin**

*Prepared for*

***Cairn Homes Properties Ltd.***

*Prepared by*

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## DOCUMENT CONTROL SHEET

<b>Client:</b>	<b>Cairn Homes Properties Ltd.</b>
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## 1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Cairn Homes Properties Ltd., 7 Grand Canal, Grand Canal Street Lower, Dublin 2, we hereby submit this Statement of Consistency with Planning Policy to accompany a strategic housing planning application to An Bord Pleanála under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 in relation to a proposed development at the former Blakes and Esmonde Motors site, Stillorgan, Co. Dublin.
- 1.2 The site is located in the administrative area of Dun Laoghaire Rathdown County Council. The Dun Laoghaire Rathdown County Development Plan 2022-2028 was adopted on the 10<sup>th</sup> of March and will come into force on the 21<sup>st</sup> of April. As such at the date of the lodgement of this application, the 2022-2028 Plan had been adopted but was not in force. However, when the Board come to determine the application the 2022-2028 Development Plan will be the relevant Development Plan for the purpose of assessing the application. Accordingly, the proposed development has been assessed against the policies and objectives contained in the 2022-2028 Development Plan.
- 1.3 Notwithstanding this, and for completeness, the application has also been assessed against the 2016 -2022 Development Plan which is in force at the date the application was lodged.
- 1.4 In summary, the proposed development will consist of the construction of a mixed-use scheme of “*Built to Rent*” BTR apartments, laid out in 6 no. blocks ranging in height from 3-9 storeys comprising 377 no. 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 as well as public realm upgrades.
- 1.5 This Planning Report and Statement of Consistency, prepared by John Spain Associates, demonstrates that the proposal is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), and with local planning policy save to the extent set out in the Statement of Material Contravention.
- 1.6 This Planning Report and Statement of Consistency should be read in conjunction with the accompanying detailed documentation prepared by OMP Architects, KFLA Landscape Architects and Waterman Moylan Consulting Engineers. For details of consistency with the quantitative standards for residential units as outlined in the Apartment Guidelines 2020, and the Dun Laoghaire Development Plan 2022-2028 & 2016-2022, please refer to the Schedules Document brochure prepared by OMP Architects.
- 1.7 This Statement of Consistency addresses the requirement of the prescribed application form which requires:
- (A) A statement that, in the prospective applicant’s opinion, the proposed strategic housing development is consistent with relevant guidelines issued by the Minister under section 28 of the Planning and Development Act 2000.*
- (B) A statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the relevant development plan.*

- 1.8 There is a general obligation to “have regard” to Ministerial Guidelines. Additionally, Section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act provides:
- (b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.*
- 1.9 This Planning Report and Statement of Consistency also includes details in respect of the proposed development in relation to the site location and context, the development description and the relevant planning history.
- 1.10 The proposed development has been the subject of a section 247 pre-application consultation with the Planning Authority in compliance with Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Details of the pre-application meeting and details of the Part V proposal are summarised in this report.

**Figure 1.1 – Overall Site Plan**



Source: OMP

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The subject lands comprise a substantial portion of Stillorgan Village occupying the former Esmonde Motors and former Blakes sites. The site area is approximately 1.4 hectares.
- 2.2 The site 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.
- 2.3 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 to the making of the application from the Local Authority accompanies the application.

**Figure 2.1 – Subject Lands**



### 2.1.1 Local Context

- 2.4 Stillorgan is located approximately 7 km from the City Centre. Stillorgan is served by high capacity public transport links. A High-Quality Bus Corridor (QBC) runs on the N11 linking Stillorgan to Dublin City Centre and to Bray and Dun Laoghaire.
- 2.5 The site is adjacent to Stillorgan Village Centre (also known as Stillorgan Shopping Centre) and the Leisureplex site (to the north currently under construction). A number of small single storey artisan type buildings which house retail/ commercial units are located along the Hill to the south and west of the subject site.
- 2.6 Stillorgan Shopping Centre located to the west of the site is a key focal point in Stillorgan located on the junction of Lower Kilmacud Road and Old Dublin Road. The



centre which was constructed in the 1960's accommodates a large number of retail operators, both convenience and comparison, and is supplemented by a range of services and facilities, including banks, cafes and restaurants. There are also a range of other retail and commercial properties in the village centre. It is envisaged that the proposed development will complement this existing provision and provide commercial development and active frontage (café/restaurant units) along Kilmacud Road and the Hill.

**Figure 2.2 – Ownership and extent of Public Realm Upgrades**



- 2.7 Cairn Homes Properties are the legal owners of the majority of the site comprising the original Blakes site was acquired on 3rd March 2016 and the Esmonde Motors site which was acquired on 27th October 2020.
- 2.8 Please also note that an Executive Order dated 12th January 2022 confirmed the County Councils agreement to sell their portion of the land (land Parcel C – c. 974 sq. m) to Cairn Homes and a contract relating to this transaction was signed by both parties on 14th March 2022. The public realm lands will remain under the ownership of Dun Laoghaire Rathdown Council.

### 3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

#### 3.1 SUMMARY

- 3.1 The proposed development consists of the construction of a mixed-use development comprising mixed-use scheme of “Built to Rent” BTR apartments, commercial, childcare and residents’ facilities laid out in 6 no. blocks ranging in height from 3-9

storeys comprising 377 no. 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), Residential amenity floorspace (c. 1,016 sq. m), office space, and a creche of c. 215 sq. m as well as public realm upgrades of some 2,392 sq. m.

**Table 3.1 – Summary of Key Site Statistics**

Site Area	1.41 ha. Gross (including public realm works) 1.17 ha. net (residential development)
Land Use Zoning	DC – District Centre
No. of Apartments	377 Build to Rent Apartments in 6 no. blocks 21 no. studio apartments (5.6%) 189 no. 1 bedroom apartments (50.1%) 159 no. 2 bedroom apartments (42.4%) 8 no. 3 bedroom apartments (2.1%)
Density	267 Gross (322 net)
Creche	215 sq. m
Community Sports Hall (including ancillary areas)	933 sq. m
Office	195.2 sq. m
5 no. restaurant/café units	841 sq. m
Ancillary Residents' Support facilities/services	1,016 sq. m (to include Gym, multi-function meeting rooms, meeting rooms, café, concierge, co-working area, studio, lounge)
Open Space	5,288 sq. m of open space comprising: 1,177 sq. m public open space 4,111 sq. m communal open space (including 1,024 sq. m balcony compensatory space)
Public Realm upgrades	2,392 sq. m
Building Heights	3-9 storeys
Dual Aspect	53%
Plot Ratio	1:2.7 (Gross) 1:3.2 (Net)
Car Parking	119 no, in basements and 1 no. surface set down
Bicycle Parking	866 no. cycle spaces
Motorcycle	6 no. spaces
Shared Car Spaces	5 no. spaces
Accessible Spaces	4%
EV spaces	10% (12 no.)
Vehicular Access	2 no. from the Hill
Basements	2 no. basements located either side of wayleave
Part V	41 units

**Figure 3.1 – CGI image of the proposed development**



- 3.2 The proposed development is proposed as a “build to rent” development in accordance with SPPR 7 and 8 of the Apartment Guidelines 2020.
- 3.3 The proposed development will also include significant landscaping works comprising of hard and soft landscaping, provision of public and communal open spaces, and new boundary treatments. The proposed development is described in detail below.

### 3.2 THE PROPOSED DEVELOPMENT

3.4 The residential component of the development consists of 377 no. Build to Rent apartment units comprising 21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments and 8 no. 3 bedroom apartments.

3.5 The overall mix is as follows:

**Table 3.2 – Overall Dwelling Mix**

	<b>Studio Apartments</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>3 bedroom</b>	<b>Overall</b>
No.	21	189	159	8	377
%	5.6%	50.1%	42.2%	2.1%	

Source: OMP Schedule of Areas

3.6 The proposed development comprises 6 no. buildings as follows:

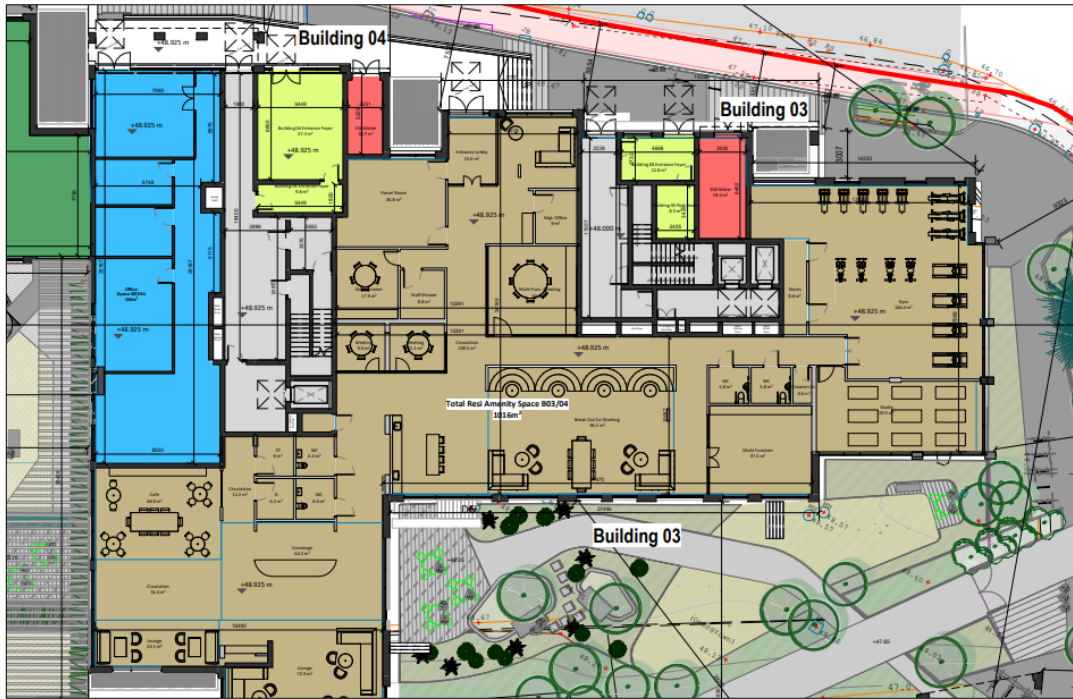
- Building 01 (Part 3, 4, 6 & 7 storeys over basement) consists of 77 no. apartments comprising 13 no. studio apartments, 30 no. 1 bedroom apartments, 33 no. 2 bedroom apartments, 1 no. 3 bedroom apartment (with a creche of c. 215 sq. m with associated play area at ground floor);
- Building 02 (Part 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);

**Figure 3.2 – Lower Kilmacud Road and the Hill**

3.7 The proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2020. A full Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, dual aspect, storage etc.

### **3.2.1 Residents Support Facilities/Services (Communal Facilities)**

3.8 The proposed development will also include a significant amount of internal residential amenity located at ground floor level of building 3 comprising some 1,016 sq. m (or c. 2.7 sq. m per unit) of residents' support facilities/services. The internal amenity is dedicated to resident use only and forms part of the requirement for BTR developments. It is also noted the Community Sports Hall would be available to the future residents of the scheme.



### 3.2.2 Community Sports Hall

- 3.9 A Community Sports Hall of c. 933 sq.m (including changing rooms access, foyer etc.) will also be provided within the scheme (Building no. 4) and will be accessible from the civic plaza area located along the Hill. This will be open for use to the general public and the future residents on a bookable basis.

**Figure 3.3 – Plaza Area**



### 3.2.3 Commercial Floorspace

- 3.10 The proposed development also provides for 3 no. café/ restaurant spaces at ground floor level fronting onto the Lower Kilmacud Road and 2 no. café/ restaurant spaces framing the open space on the Hill at lower ground floor (Plaza level). This element of the scheme will be focussed along the Hill and Lower Kilmacud Road and will provide for greater animation of the streetscape.

**Table 3.3 – Non-Residential Floorspace**

Unit no.	Sq. m	
Café/Restaurant Unit 1	234.1	
Café/Restaurant Unit 2	133.9	
Café/Restaurant Unit 3	68.1	
Café/Restaurant Unit 4 (Plaza level) B5	219	
Café/Restaurant Unit 5 (Plaza level) B6	185.9	
Crèche	215	
Office Hub	195	
Community Sports Hall	933	
	2,184	

- 3.11 The proposed development also includes commercial office floorspace of c. 195 sq. m located at ground floor of Block 3.
- 3.12 In addition, an outdoor civic space will be provided along the Hill which will address the Restaurant / Café provision. This civic space is intended to accommodate outdoor seating and dining areas associated with the restaurant/café use.
- 3.13 A creche is also proposed to serve the development. The creche is located along the 'The Hill' and will be accessed directly from street level. The creche will be approx. 215 sq.m. with the ability to cater for c. 54 no. children based on 4 sq.m. gross per child.

### 3.2.4 Height

- 3.14 The proposed development will vary in height from 3 no. storeys to 9 no. storeys. The height and massing of the development has been given careful consideration and is considered appropriate having regard to the site's district centre strategic location whilst also respecting the more sensitive boundaries to the east and west and keeping consistent with the height (8 no. storeys) and massing of the permitted Leisureplex development to the north.
- 3.15 The height of the building gradually decreases in a stepped approach along the Lower Kilmacud Road with a variety of heights and modulation to the elevations to both respond to the changes in the ground level and to create the appearance of individual blocks and façade treatments.

### 3.2.5 Material Finishes

- 3.16 A variety of materials are proposed within the development to provide visual interest and to create a distinct sense of place. Brick will be the predominant material used on the principal elevations and on those parts which are in contact with the street and / or public realm. The introduction of render facades will also be used to visually break up the length of the elevations particularly fronting the Lower Kilmacud Road.

3.17 The outer / public facades of the buildings are typically faced in brick. Subtle changes in bonding patterns introduce a layer of nuance and visual interest. The inner / courtyard facades of the buildings are largely finished in self-coloured render. These two primary treatments are complemented with coloured render infill panels, to larger facade openings, and metal-framed balconies. Details of the proposed material and finishes are set out in the Architectural Design Statement prepared by OMP.

### 3.2.6 Public Realm/Landscape

3.18 Detailed consideration has been given to the provision of public open space and landscaping within the development. The intent is to create a new urban development with a high-quality public realm which will attract activity and add animation to the subject development. The landscaping of the scheme will create an attractive recreational space for the enjoyment of the future and existing surrounding residents through a series of attractive and usable open spaces which respond to the needs of the anticipated users.

3.19 The proposed development provides for a number of different open space areas, both for the use of the residents and the wider public. The civic spaces comprise of the new plaza at the junction of the Hill and the Lower Kilmacud Road, the civic space along the Hill to serve the community hall and / café/ restaurant units. The proposed development provides 5,288 sq. m of open space (public and communal, including balcony compensatory open space) on the net ownership c. 11,770 sq. m site (44.9% of the site) which is in compliance with the Apartment Guidelines. Additional public realm improvements are also provided on the wider site (on lands under the ownership of Dun Laoghaire Rathdown County Council of some 2,392 sq. m. The proposed works to the public realm include:

- Works to footpath and cyclepath along the south side of Lower Kilmacud Road;
- Closure of the existing left turn slip from the Lower Kilmacud Road to The Hill.
- Alterations to the existing street layout on The Hill relating to extended loading bays, on-street car parking and widened footpath on the west side

**Figure 3.4 – Public Realm Upgrades**



3.20 The public realm works will encompass the Hill as they relate to the hard landscaping etc. These works are located on Dun Laoghaire Rathdown lands and will integrate with



the landscaping proposed in the scheme, and a letter of consent is included with the application.

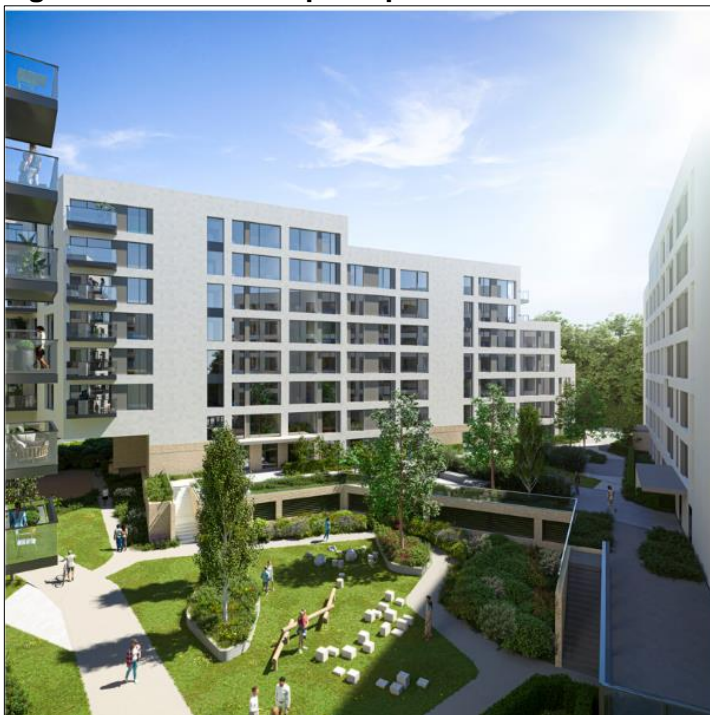
**Figure 3.5 – Central Open Space**



Source: KFLA

3.21 Communal open space will be provided in a number of courtyard areas. The communal open space meets the requirements as set out in the apartment guidelines, c. 2,214 sq.m. The proposed development includes some 4,111 sq. m of communal open space.

**Figure 3.6 – Central Open Space**



3.22 A landscape report prepared by KFLA Landscape Architects accompanies this application and provides details of how the site is utilised in terms of open space provision, landscaping and planting. This report also provides details of boundary treatments, public realm works, site lighting and trees and highlights the detailed consideration that was given to all aspects of the open space strategy. The landscape plan is considered to be robust and gives careful consideration to the site layout and existing conditions, while providing usable open space for the future residents.

### 3.2.7 Car and Bicycle Parking

#### 3.2.7.1 Car Parking

3.23 Section 12 of the Dun Laoghaire Rathdown County Council Draft Development Plan 2022 – 2028 sets out the car parking standards. Table 12.6 of the Draft Development Plan specifically sets out the parking requirements, which would result in a requirement of some 499 no. spaces. The development will provide 119 car parking spaces for the residential units with 4% being provided for disabled users. This equates to 0.32 car parking spaces for every apartment. The 119 car parking spaces includes 5 no. spaces for GoCar and 11 no. electric charging car spaces. In addition there is 1 no. set down surface car parking space to be provided.

3.24 There is no dedicated provision of restaurant / café car parking /Community Sports Hall/creche parking proposed for this site. It is envisaged that any parking needs of these uses can be provided within the existing publicly accessible car parks in Stillorgan.

3.25 In accordance with DLRCC Development Plan requirements provision is made for

- Disabled car parking (4% of spaces)
- Motorcycle parking (4 for every 100 car parking spaces)
- One car parking space for every 10 residential units shall be equipped with one fully functional and clearly marked EV charging point
- Cycle parking

3.26 However, this level of parking is considered appropriate given the availability of high frequency/capacity bus transport on the adjacent QBC (as set out in the Public Transport Capacity Assessment, prepared by Derry O’Leary, included with the SHD).

3.27 The parking provision is in accordance with the Apartment Guidelines which require BTR development to reduce or eliminate car parking associated with the development, particularly in central accessible locations such as the subject lands which is” adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART; commuter rail or Luas stops **or within 5 minutes walking distance of high frequency (min 10-minute peak hour frequency) bus services.**”

3.28 It is noted Waterman Moylan Consulting Engineers have prepared a Traffic and Transportation report and a Mobility Management Report, as well as a Car Parking Rationale report, all included with the SHD application.

3.29 Having regard to the location of the site and its intended use as a BTR Development, it is considered that this level of car parking provision is appropriate. A detailed traffic and transportation assessment prepared by Waterman Moylan Consulting Engineers is submitted with the pre-application submission which provides further detail and justification for the proposed parking provision.

### 3.2.7.2 Cycle Parking

3.30 The Draft DLRCC 2022-2028 development plan sets out the cycle parking requirements and stipulates that cycle parking should be in accordance with the Council published – ‘Standards for Cycle Parking and Associated Cycling Facilities for New Developments’ (2018), which would result in a requirement of 452 no. for the residential element and 38 no. for the commercial elements. The total number of bike parking spaces provided is in line with the National Standards (Design Standards for New Apartments) and exceeds the DLRCC standards. In this regard, 866 No. safe/secure bicycle parking spaces will be provided for residents and employees of the commercial units. The proposed development is 9-minute cycle to Sandyford Employment Centre via St. Raphaela’s Road. There are dedicated off street cycle paths along St. Raphaela’s Road providing safe cycle from the proposed development to the employment centre.

### 3.2.8 Site Services

3.31 It is proposed to divert the existing 300mm diameter foul sewer which traverses the site to facilitate the development. It is proposed to discharge the whole site to the sewer traversing the site by gravity in accordance with Irish water requirements. The proposal to divert the existing sewer has been agreed in principle with Irish Water and subject to a diversion agreement. The drainage will generally drain by gravity via slung drainage to be strapped to the underside of the ground floor slab within a dedicated service zone within the areas with basement below and by gravity below ground to its outfall location in all other areas.

3.32 The foul drainage in the basement of building 1 & 2 will be pumped to a standoff manhole before draining by gravity to the proposed diverted existing 300mm diameter foul sewer located between the 2 No. basement / building areas. The foul drainage in the basement of building 3-5 will be pumped to a standoff manhole before draining by gravity to the existing 600mm diameter foul sewer located northeast of the site in the Lower Kilmacud Road.

### 3.2.9 Pedestrian and Vehicular Access

3.33 The proposed development contains a number of pedestrian access points. The principal entrances will be off Lower Kilmacud Road and the Hill. Pedestrian permeability through the site will be facilitated through the public open space area centrally within the development in an east / west direction. The intention is that this area will be controlled in the evenings (similar to DLR public spaces).

3.34 Vehicular access to the development and to the basement car parks will be from the Hill. The proposed development has also incorporated the vision from Stillorgan Village Area Movement Framework Plan for the junction at the Hill and the Lower Kilmacud Road into its design by removing the left slip lane and providing improved pedestrian and cyclist amenity at this key location resulting in a safer environment. Further details regarding access and servicing are provided in the enclosed report by Waterman Moylan Consulting Engineers.

3.35 It is noted there is a former road (currently not in use) and not accessible which traverses the centre of the subject site. The continuance of a road in that location is not feasible as it would have a negative impact on the functionality of the N11 and the traffic circulation in the locality. The proposed development seeks to provide a (managed) pedestrian east west route through the site which will be closed in line with

opening/closing times of Dun Laoghaire Rathdown public parks. The design of the scheme will improve the appearance of the central area of the site including the route of the former access road. It is noted the previous right of way was extinguished on the 14th of March 2022.

### **3.2.10 Waste Management**

3.36 Construction Waste and Operational Waste Management Plans have been prepared by AWN. The plan sets out the anticipated waste generations arising. It is noted the construction phase relates to the removal of earth for the construction of the basements and that there is no demolition proposed. The proposed waste storage and waste collection strategy is set out in the supporting documentation. Please see AWN reports for further details.

### **3.2.11 Flood Risk Management**

3.37 Detailed consideration has been given in the design of the development to account for potential flood risk. A Flood Risk Impact Statement is submitted as part of this planning application prepared by JBA Consulting. The report states that the proposed design can appropriately manage flood risk without increasing risk to neighbouring properties and roadways.

### **3.2.12 Housing Quality**

3.38 A Housing Quality Assessment has been prepared by OMP Architects to accompany this application. The proposed units comply with the relevant standards as set out in the Apartment Guidelines 2020.

### **3.2.13 Sustainability / Energy**

3.39 An energy statement has been prepared by Ethos. The report sets out the strategy for the utilities and site services within the development and compliance with Part L. Please see the accompanying report for full details of the proposed utilities and services.

## 4.0 PLANNING HISTORY

- 4.1 A planning history search was conducted using the Dun Laoghaire Rathdown online planning search system. There are a number of previous applications on the subject lands set out below with older planning applications contained in Appendix 2.

## 4.1 SUBJECT LANDS

### 4.1.1 SHD An Bord Pleanála Reference 300520-17

- 4.2 Planning permission was granted by An Bord Pleanála for a mixed-use development comprising of 179 no. student accommodation units (576 no. bed spaces) and 103 no. residential units, retail units, Community Sports Hall, and all associated site works in combination of three and seven storey blocks, with a nine-storey landmark element.

**Figure 4.1 – Site Layout – Permitted Scheme**



### Urban Design and Public Realm

- 4.3 With reference to scale and massing the Board’s Inspector considered that *“the scale and massing of the development is acceptable at this urban brownfield site. Visual interest is provided by the arrangement of blocks and various stepping up and down of height. This is appropriate given the sloping nature of the site along Lower Kilmacud Road and The Hill.”*
- 4.4 In relation to the urban design and public realm, the Inspector was of the view that the *“urban design and public realm changes as improvements and a benefit to the overall usability and safety of the area. In my view, the proposed development will open up an otherwise closed urban block and provide a positive contribution to the built form and urban fabric at this location.”*
- 4.5 The Inspector was also satisfied that pedestrian permeability was not compromised in any way and that *“The triangular site is open and permeable where it is strategically important, along The Hill and Lower Kilmacud Road.”*

### Height

4.6 The Inspector noted that *“The precedent of a bulky and tall building form has been set on the site, as demonstrated by previous permissions.”* Furthermore, the Inspector considered that *“the composition of the building blocks is thoughtful and responds well to the site and orientation. Attention has been paid to the nearest residential development along The Hill to the south and there are no other sensitive residential receptors in the immediate vicinity.”*

4.7 The Inspector concluded that:

*“In the context of the County Development Plan and existing and emerging Local Area Plan policies guiding building height in Stillorgan and the way in which the design of the proposed building integrates with the surroundings, I find the development to be acceptable in terms of building height, scale and massing.”*

### Amenity

4.8 The Inspector noted the following in relation to the residences to the south:

*“In terms of overbearing appearance or overshadowing, given the separation distances involved, the upward sloping topography of the site along The Hill and the stepped design of the residential apartments in Buildings 01 and 02, I have no concerns that the residential amenity of property in the immediate vicinity will be adversely impact upon.”*

4.9 The Inspector did not anticipate the residential amenity of residences to the east (Stillorgan Park Avenue) to be impacted on (due to separation distances 49-53m across the N11) stating *“I do not anticipate that the residential amenities of existing property in the wider area will be adversely impacted upon by the proposed development, either by overbearing appearance, overshadowing, noise or loss of daylight/sunlight.”*

### Flood Risk

4.10 With reference to Flood Risk, the Inspector was satisfied with the design approach (which is replicated in the current SHD) stating:

*“I consider that the measures employed in the design and layout of the proposed development are satisfactory to manage flood events as they occur. The Council's requirements in relation to flood storage and flow paths together with the construction methodology and technical standards are entirely reasonable. Coupled with the applicant's surface water proposals including sustainable urban drainage systems and the Councils recommendations in that regard, I consider that the proposed development has satisfactorily addressed flood risk (on and off site) and surface water management on site.”*

4.11 In granting permission, the Bord considered that *“the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area, would be acceptable in terms of pedestrian and traffic safety and convenience, and would not give rise to flooding in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area”.*

4.12 The proposed development seeks permission for 377 no. residential units and commercial development. The proposed development is largely within the footprint of the permitted development and retains the permitted character and urban design rationale for the area.

**Figure 4.2 – View of permitted scheme on the site.**



**4.1.2 ABP-311667-21 (Subject lands)**

4.13 Cairn Homes Properties Ltd. lodged a pre-application request to An Bord Pleanála for 318 no. Build to Rent apartments, (3-8 storeys) creche and associated site works relating to a site of c. 1.08 hectares.

**Figure 4.3 – Site Layout**



4.14 The proposal comprises the construction of a mixed-use development of “Built to Rent” BTR apartments, retail/commercial, childcare and residents’ facilities laid out in 5 no.

blocks ranging in height from 3-8 storeys comprising 318 no. apartment units (59 no. studios, 129 no. 1 beds, 128 no. 2 beds, & 2 no. 3 beds). The development also includes: c. 767 sq.m. retail / restaurant / café (5 no. units at ground floor & lower ground floor), a community sports hall (c. 579 sq. m), Residential amenity floorspace and a creche of c. 238 sq. m.

4.15 The proposal is similar to the current SHD proposal save for the exclusion of the 9 storey element located at the junction of the N11 and the Lower Kilmacud Road, located on Dun Laoghaire Rathdown County Council lands.

4.16 On the 1<sup>st</sup> of February 2022, An Bord Pleanála was of the opinion *“that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.”* (emphasis added).

## 4.2 LANDS TO NORTH OF THE KILMACUD ROAD

### 4.2.1 ABP – 305176-19 SHD Leisureplex Lands

4.17 On the 4<sup>th</sup> of December 2019, An Bord Pleanála granted permission for a Strategic Housing Development comprising 232 no. build to rent apartments, 162 no. car parking spaces, 1,049 sq. m retail and 806 sq. m (4 no.) café/restaurants, and associated works at the former Leisureplex site, Stillorgan subject to 22 no. conditions.

4.18 The 5 no residential blocks are wrapped around two internal courtyards. Block 5 (D), along St Laurence’s Road comprises of 4-5 storeys with an internal 6 storey element and the remaining development, Blocks 1-4, fronts onto the perimeter with the Old Dublin Road and Kilmacud Lower and ranges in height from 4-8 storeys.

#### Principle of Development

4.19 It is noted the Inspector had *“no objection to the principle of the use on the site for a mixed-use development, subject to complying with development policies and other planning requirements...”*

4.20 With reference to BTR, the Inspector did not consider that the management of the apartments as BTR rather than Build to Sell “should have a negative impact on the existing or proposed residences, rather the model will provide a better experience for the tenant, having regard to the supplementary residential amenities,”

4.21 The residential unit mix proposed was as follows:

- 10 no studio units;
- 113 no 1-bedroom units;
- 109 no. 2-bedroom units.

#### Housing Mix, Apartment Size, Dual Aspect

4.22 The Inspector noted that SPPR 8 of the Apartment Guidelines, sets out a reduction in the normal apartment standards for developments that qualify as specific BTR developments in accordance with SPPR 7 stating:

*“In this regard, no restrictions on dwelling mix apply. Flexibility also applies in relation to the provision of a proportion of the storage and private amenity spaces associated with individual units as set out in Appendix 1 of the guidelines, in relation to the provision of the communal amenity space, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development.”*



- 4.23 The permitted scheme included c. 34% dual aspect units which the Inspector considered appropriate, having regard to the location of the site.

**Figure 4.4 – Layout of Leisureplex SHD**



#### Car Parking

- 4.24 The site is situated close to the N11 and a QBC. 162 no. car parking spaces were provided in the basement for both the commercial and residential development. The Inspector considered that

*“The provision of 0.41 parking spaces per unit complies with national guidance and can be justified at this location having regard to the provision of a high-quality public transport corridor within the vicinity of the site.*

*Having regard to the location of the site within the Stillorgan District Centre, adjoining the N11 and adjoining public transport corridors, I am satisfied that the BTR scheme is suitable and justifiable at this location and the overall design complies with the national guidance for BTR development.”*

#### Plot Ratio and Density

- 4.25 The density of 294 units per hectare and plot ratio of 3.85 was considered by the Inspector to be in line with national guidance stating:

*“the density proposed, c. 294 dwelling/ha, is in line with the national guidance, pattern of development in the vicinity and as such the plot ratio and density is acceptable, subject to the protection of residential amenity.”*

#### Height

- 4.26 In relation to height the Inspector noted that: *“Since the adoption of this LAP, the national guidance for increased building heights in urban areas has been published. An advisory note attached to the DLRCC development plan states that all housing standards in the development plan are superseded by the most up to date standards and specifications in the “Specific Planning Policy Requirements” (SPPR) therefore I have assessed the proposal in line with relevant SPPR’s and the overall design and layout further below. The terms of the 2018 guidelines on building height and the recent permitted development on the adjoining development (ABP 300520-17) would justify a*

grant of permission for the proposed development despite its height exceeding the benchmark height of 5 storeys.”

#### Public Open Space

4.27 With regard to Public Open Space, the Inspector outlined that *the PA note the open space provision of 10% is an absolute minimum although considering the requirement in 8.2.8.2 (ii) of the development plan for 670 bed spaces, c. 13,400m<sup>2</sup> is required, and a financial contribution could be accepted for any shortfall.*”

4.28 The Inspector was satisfied with the quantum of open space provided complied with the 10% requirement in the CDP and Appendix 1 of the Apartment Guidelines noting:

*“The quantum of communal open space provided (c. 1,984.3m<sup>2</sup>) complies with the 10% requirement in the CDP (15.4% provided) and Appendix 1 of the apartment guidance (required 1,363m<sup>2</sup>). I do not consider the PA request for a special contribution in lieu of the under provision of public open space reasonable having regard to the quantum of private space and the additional c. 900m<sup>2</sup> for the public plaza and I consider a Section 48 Scheme provides a mechanism for the collection of a financial contribution for public open space in the Stillorgan area.”*

### **4.3 DUN LAOGHAIRE RATHDOWN PART VIII DEVELOPMENT (PC/H/01/20)**

4.29 The Part 8 proposal (4-9 storeys) related to the construction a new Public Library and Housing at St. Laurence’s Park, Stillorgan, Co. Dublin, consisting of:

- 2 storey library building with gross area of 1,010 square metres;
- 88 apartments (76 no. 1 bed, 11 no. 2 bed, including 4 no. duplex and 1 no.3 bed units), comprising of 7,619 square meters of internal accommodation ranging from 4 to 9 storeys.
- Landscaping works to provide a communal garden space and allow for 40 car parking spaces, 2 motorcycle parking spaces and 157 bicycle parking spaces.
- The proposed works include the demolition of 16 no. Maisonettes, 2 no. semi-detached houses and removal of prefabricated Library building.

**Figure 4.5 – Part 8 Layout**



4.30 The Part 8 Planning Approval was granted in December 2020. Work has not yet commenced.

## **5.0 COMPLIANCE WITH NATIONAL AND REGIONAL PLANNING POLICY**

5.1 The key provisions of national and regional planning policy as it relates to the proposed development is set out in the following sections.

### **5.1 NATIONAL PLANNING FRAMEWORK**

5.2 The National Planning Framework is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

5.3 As a strategic development framework, 'Project Ireland 2040' sets the long-term context for our country's physical development and associated progress in economic, social and environmental terms and in an island, European and global context.

5.4 The NPF states that:

*"Although sometimes necessary to safeguard against poor quality design, planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes.*

*This is in recognition of the fact that many current urban planning standards were devised for application to greenfield development sites and struggle to take account of evolved layers of complexity in existing built-up areas.*

*In particular, general restriction on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general locations e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc".*

#### **5.1.1 National Strategic Outcomes**

5.5 The NPF states that carefully managing the sustainable growth of compact cities, towns and villages will add value and create more attractive places in which people can live and work. Section 2.6 of the NPF seeks to provide compact and sustainable growth.

5.6 National investment planning, the sectoral investment and policy frameworks of departments, agencies and the local government process will be guided by these strategic outcomes in relation to the practical implementation of Project Ireland 2040. The NPF sets out the importance of development within existing urban areas by *"making better use of under-utilised land including 'infill' and 'brownfield' and publicly owned sites together with higher housing and job densities, better services by existing facilities and public transport".*

#### **5.1.2 National Policy Objectives**

5.7 The following National Policy Objectives are noted:

5.8 National Policy Objective 2a states that a target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

- 5.9 National Policy Objective 3a of the NPF states that it is a national policy objective to *“deliver at least 40% of all new homes nationally within the built-up envelope of existing urban settlements”*.
- 5.10 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.
- 5.11 National Policy Objective 4 seeks to *‘ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’*.
- 5.12 National Policy Objective 11 of the National Planning Framework states that *“there will be a presumption in favour of development that encourages more people, jobs and activity within existing urban areas, subject to development meeting appropriate planning standards and achieving targeted growth”*.
- 5.13 National Policy Objective 13 of the National Planning Framework also states that:  
*“In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria enabling alternative solutions that seek to achieve well-designed high quality and safe outcomes in order to achieved targeted growth and that protect the environment”*.
- 5.14 The NPF also states that *“to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”*.
- 5.15 National Policy Objective 27 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.”*
- 5.16 National Policy Objective 33 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.”*
- 5.17 National Policy Objective 34 seeks to *“Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.”*
- 5.18 National Policy Objective 35 states that it is an objective to: *“increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”*.

### **5.1.3 Evaluation of Consistency**

#### **5.1.3.1 NPO2a, NPO3a, NPO3b**

- 5.19 NPO 2a seeks to target and focus 50% of future population and employment growth in the existing 5 no. cities and suburbs, NPO 3b aims to deliver at least 40% of new homes nationally within the envelope of existing urban settlements, and NPO 3b seeks to deliver at least 50% of all new homes in the 5 no. cities and suburbs. In this respect the subject site is located within the District Centre of Stillorgan within Dublin. The area of the site on which the residential units are proposed is zoned District Centre where residential is a permitted in principle use and is in accordance with the National Planning Framework.
- 5.20 The proposed development will provide 377 no. residential units within the District Centre of Stillorgan, which is within the existing built-up area of Stillorgan within the metropolitan area of Dublin City.
- 5.21 With reference to NPO 3a, the proposed development accords with the NPF, in particular with its principles of compact growth and the reinforcement of the country's existing urban structure at all levels.

#### **5.1.3.2 NPO 4**

- 5.22 National Policy Objective 4 states “*ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being*”. The proposed development will provide for a high quality of residential units in accordance with the Apartment Guidelines 2020. The proposed materials and finishes will also be of a high-quality standard in order to create a unique quality urban place. The proposed development will also provide for café and restaurant uses, as well as a creche and Community Sports Hall at ground floor level which will integrate the existing and future residential communities.
- 5.23 It is considered that the proposed development provides for the creation of an attractive, high quality, sustainable new mixed-use development within the existing District Centre of Stillorgan. The provision of the new sustainable development is therefore consistent with the NPF objective.
- 5.24 The proposed development will provide for high density residential development in an existing urban area in close proximity to public transport facilities. The proposed development will also provide for restaurant, café units at ground floor level and lower ground floor (Plaza level) which will encourage more people, jobs and activity within existing urban areas.
- 5.25 In relation to NPO 4, the proposed development will create a high-quality, attractive and liveable place for future residents. The landscaping proposal will provide high-quality public and communal open spaces for the residents to enjoy. In addition, the proposal provides a number of communal facilities for the residents, comprising some 1,016 sq. m. The proposal in compliance with NPO4 will provide an attractive, liveable well designed high quality urban place, which will enjoy a high quality of life and well-being. The subject lands are located c. 2km to the north of Sandyford Industrial Estate and c. 3 km from UCD, and 4km from St. Vincent's Hospital all major employment centres.

#### **5.1.3.3 NPO11**

5.26 With regard to NPO 11, the proposed development is located within the District Centre of Stillorgan, which has a wide range of local shops, restaurants and cafes, along one of the main routes into the city centre (QBC) and is well served by public transport with Dublin Bus and Luas within walking distance of the site. The existing site is vacant and underutilised and presents an appropriate site for a development that encourages more people, jobs and activity.

#### **5.1.3.4 NPO13**

5.27 In accordance with NPO 13, it is clear that there is a strong emphasis towards increased building heights in appropriate locations within existing urban centres and along public transport corridors. The proposed building height ranges from 3 no. storeys to 9 no. storeys and is considered appropriate given the context of the site within the urban area. The proposed density and height of the development is considered appropriate for the location of the site and the availability of public transport facilities and proximity to supporting services and amenities. The proposed development is therefore in accordance with the objectives of the NPF in this regard.

#### **5.1.3.5 NPO 27**

5.28 With regard to NPO 27, the proposed development is designed to minimise reliance on private car use and encourage sustainable modes of transport. The car parking provision proposed, and high levels of cycle parking (866 no. spaces) is to encourage a sustainable alternative mode of transport to the motorcar. The NPF seeks to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes

#### **5.1.3.6 NPO33**

5.29 In accordance with NPO 33, new homes will be provided at a sustainable location, with access to existing services and facilities. The proposal is located within Stillorgan District Centre close to its wide ranging and diverse retail offer and amenities.

#### **5.1.3.7 NPO35**

5.30 In accordance with NPO 35, the proposal will increase residential density (267 units per hectare gross, 322 units per hectare net excluding public realm), which is considered appropriate for this site which is located within the established residential area of Stillorgan, within the District Centre of Stillorgan, and high-quality public transport options.

5.31 The proposed development for a mixed-use residential scheme on this brownfield site represents an opportunity to provide for increased densities and increased heights in accordance with the NPF policies and objectives. The subject site is located within the metropolitan area of Dublin City which is identified for significant residential growth to 2040.

5.32 The proposed development seeks to deliver a significant quantum of residential development at a site that is located within a well-established District Centre location within easy walking distance of a wide range of services, public transport options and amenities.

5.33 The NPF provides for a strong emphasis towards increased building heights in appropriate locations within existing urban centres and along public transport corridors. The proposed development ranging in height from 3 no. storeys to 9 no. storeys is therefore considered appropriate in this location and in accordance with the NPF.

#### **5.1.4 Rebuilding Ireland – Action Plan for Housing and Homelessness**

5.34 Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing stock and laying the foundation for a more vibrant and responsive private rented sector.

5.35 Rebuilding Ireland is set around 5 no. pillars of proposed actions. *Pillar 3 seeks to – Build More Homes: Increase the output of private housing to meet demand at affordable prices.*

#### **5.1.5 Evaluation of Consistency**

5.36 The proposal will deliver much needed housing within the Metropolitan Area of the Greater Dublin Area in accordance with the aims of Rebuilding Ireland, and in particular Pillar 3, which seeks to build more homes – *“to increase the output of private housing to meet demand at affordable prices.”*

5.37 In addition, the proposed development is located within a sustainable location, within an established District Centre adjacent to a high frequency/capacity Quality Bus Corridor and c. 2.2km from the subject site (c. 25-30minute walk).

## **5.2 REGIONAL ECONOMIC AND SPATIAL STRATEGY 2019-2031**

5.38 The Regional Economic and Spatial Strategy (RSES), which was published on the 5<sup>th</sup> of November 2018, notes that the preferred spatial strategy for the Eastern and Midlands is the consolidation of Dublin plus the Regional Growth Centres of Athlone, Dundalk and Drogheda, supported by planned focussed growth of a limited number of self-sustaining settlements.

5.39 The RSES sets out that the Dublin Metropolitan Area (DMA) includes *“the continuous built-up city area and number of highly urbanised surrounding settlements”*

5.40 Growth enablers for the Dublin Metropolitan Area include:

- *To achieve growth of 1.4 million people in Dublin City and Suburbs and 1.65 million people in the Dublin Metropolitan Area by 2031;*
- *To realise ambitious compact development targets at least 50% of all new homes within or contiguous to the existing built-up area in Dublin and at least 30% in other metropolitan settlements;*

## 5.2.1 Metropolitan Area Strategy

- 5.41 The Metropolitan Area Strategic Plan (MASP) supports the overall Settlement Strategy as set out in Chapter 5 and sets out an integrated land use and transportation strategy for the sequential development of the metropolitan area focussed on:
- *Consolidation of Dublin city and suburbs*
  - *Key Towns of Swords, Maynooth and Bray*
  - *Planned development of strategic development areas in Donabate, Dunboyne, Leixlip, and Greystones*
- 5.42 The following Regional Policy Objectives (RPO) are noted:
- 5.43 RPO 3.2: aims to promote compact urban growth - targets of at least 50% of all new homes to be built, to be within or contiguous to the existing built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.
- 5.44 RPO 4.3: Supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.
- 5.45 RPO 5.3 states that *“Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.”*
- 5.46 RPO 5.4: Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing: Design Standards for New Apartments’ Guidelines and ‘Urban Development and Building Heights Guidelines for Planning Authorities’.
- 5.47 RPO 5.5: Future residential development supporting the right housing and tenure mix within the DMA shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.
- 5.48 It is noted that the MASP Housing and Regeneration policy objective RPO 5.4 states that *“Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments’ Guidelines, and ‘Urban Development and Building Heights Guidelines for Planning Authorities’”*



**Figure 5.1 – RSES Settlement Strategy Extract**



5.49 The RSES sets out 16 Regional Spatial Objectives which include:

- Sustainable Settlement Patterns - Better manage the sustainable and compact growth of Dublin as a city of international scale and develop Athlone, Dundalk, Drogheda, and a number of key complementary growth settlements of sufficient scale to be drivers of regional growth. (NSO 1, 7, 10)
- Compact Growth and Urban Regeneration - Promote the regeneration of our cities, towns, and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region’s citizens. (NSO 1)
- Integrated Transport and Land Use - Promote best use of Transport Infrastructure, existing and planned, and promote sustainable and active modes of travel to ensure the proper integration of transportation and land use planning. (NSO 2, 6, 8,9)
- Support the Transition to Low Carbon and Clean Energy - Pursue climate mitigation in line with global and national targets and harness the potential for a more distributed renewables-focussed energy system to support the transition to a low carbon economy by 2050. (NSO 8, 9)

## 5.2.2 Evaluation of Consistency

- 5.50 The proposed development will deliver a sustainable settlement pattern and provide for 377 no. residential units and additional commercial uses including, restaurant / café, creche and community sports hall on a key site within the District Centre of Stillorgan, which will increase density, height and the consolidation of development at this location in a compact form. The proposal is therefore compliant with the over-arching objectives of the RSES, in this respect.
- 5.51 The future residents of the scheme will be able to utilise existing transport infrastructure ensuring the proper integration of transportation and land use planning. Stillorgan has access to existing high capacity/frequency bus service; (as set out in the Public Transport Capacity Assessment, prepared by Derry O’Leary, included with the SHD), located adjacent to the Stillorgan QBC and will provide for a sustainable development as it will encourage the modal shift from the private motor car to more sustainable modes of travel.
- 5.52 The proposed development therefore enhances the activity and overall density in this urban area to provide for high-quality mixed-use development.

## 5.3 HOUSING FOR ALL: A NEW HOUSING PLAN FOR IRELAND

- 5.53 The recently published ‘*Housing for All: A New Housing Plan for Ireland*’, reinforces the critical and strategic need for new dwellings where it is a target to provide 300,000 housing units by the year 2030.
- 5.54 Housing for All - a New Housing Plan for Ireland’ is the government’s housing plan to 2030. It is a multi-annual, multi-billion-euro plan which will improve Ireland’s housing system and deliver more homes of all types for people with different housing needs.
- 5.55 In order to achieve this, Housing for All provides four pathways to achieving four overarching Housing Policy Objectives:
1. Supporting Homeownership and Increasing Affordability
  2. Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion;
  3. Increasing New Housing Supply; and
  4. Addressing Vacancy and Efficient Use of Existing Stock.
- 5.56 The government’s overall objective is that every citizen in the State should have access to good quality homes:
- *to purchase or rent at an affordable price;*
  - *built to a high standard and in the right place;*
  - *offering a high quality of life.*
- 5.57 The government’s vision for the housing system over the longer term is to achieve a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system.

### **5.3.1 Evaluation of Consistency**

5.58 In this regard the proposed BTR development will allow for new residential development, built to a high standard and quality, which can be rented within a District Centre, with its range of amenities and services, proximity to high quality high frequency public transport services.

### **5.4 TRANSPORT STRATEGY FOR THE GREATER DUBLIN AREA 2016 - 2035**

5.59 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.

5.60 The Strategy includes five overarching objectives to achieve the vision which are as follows:

- Build and strengthen communities
- Improve economic competitiveness
- Improve the built environment
- Respect and sustain the natural environment
- Reduce personal stress

5.61 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.

5.62 The Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government's Transport 21 investment framework are included in all of the strategy options.

5.63 The proposed residential development, which provides for a density of 267 units per hectare (gross), and 322 units per hectare net (excluding public realm) adjacent to existing good quality public transport, in particular the Dublin Bus Network is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

### **5.5 DRAFT GREATER DUBLIN AREA TRANSPORT STRATEGY 2022-2034**

5.64 This draft strategy has been prepared by the National Transport Authority and was subject to public consultation up to January 2022. The Strategy Aim of this strategy is to provide a sustainable, accessible and effective transport system for the Greater Dublin Area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports economic growth.

5.65 The Strategy includes four Strategic Objectives to achieve the aim which are as follows:

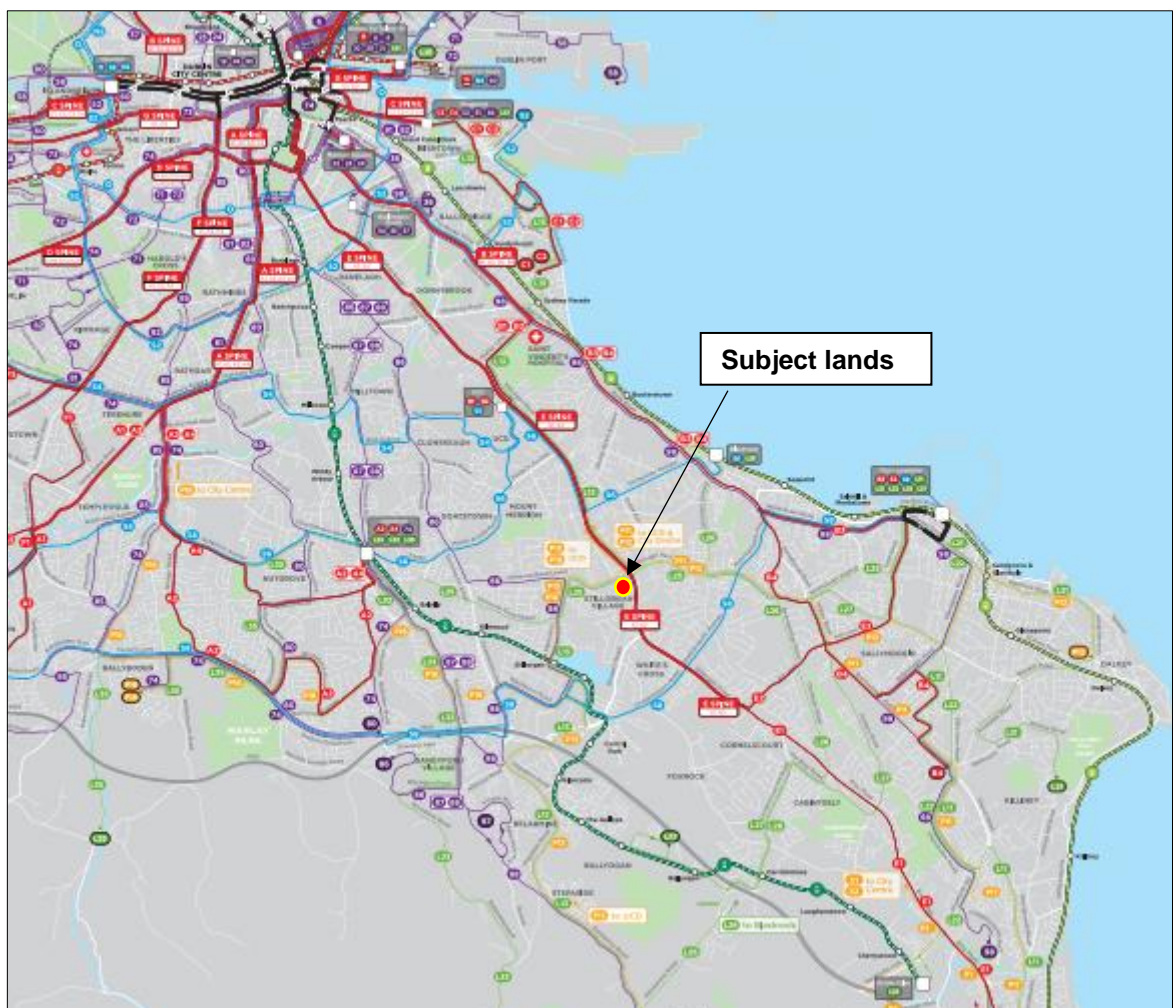
- An enhanced natural and built environment;
- connected communities and better quality of life;
- a strong sustainable economy;
- and an inclusive transport system.

5.66 The proposed development is considered to be consistent with the objectives of the draft Transport Strategy as it will enhance the quality of the existing built environment in the District Centre of Stillorgan, promote a better quality of life for existing and future residents by the regeneration of an underutilised brownfield site with a compatible use and support the use of existing public transport connections whilst also promoting sustainable modes of travel such as walking and cycling.

## 5.6 BUSCONNECTS: TRANSFORMING CITY BUS SERVICES 2018

5.67 BusConnects Dublin project was published in 2018 which proposes a core bus corridor network. This will consist of sixteen radial core bus corridors, which will allow for quicker and more efficient journeys to and from the City Centre.

5.68 The BusConnects programme will deliver a bus system that will enable more people to travel by bus, allow bus commuting to become a much more viable and attractive option for the populace.



5.69 The site is located adjacent to one of the core radial corridors that BusConnects is proposing. Current proposals for the Stillorgan area envisage the following enhanced services:

- Spine Routes E1 and E2
- Local Routes L13 and L25

- Peak Time Routes P11, P12, P13 and P16.

5.70 The provision of this new public transport corridor will greatly boost the accessibility of the subject site which is already well served by many existing Dublin Bus routes (7b, 7d, 46a, 47, 84x, 118, 145, 155).

5.71 It is expected that a number of these existing already high capacity/frequency services will be enhanced as the N11 corridor develops.

## 6.0 STATEMENT OF CONSISTENCY WITH SECTION 28 GUIDELINES

6.1 The following is a list key section 28 guidance documents of relevance to the proposed development:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Urban Development and Building Height Guidelines (December 2018);
- Sustainable Urban Housing: Design Standards for New Apartments (2020);
- Delivering Homes, Sustaining Communities (2008);
- Design Manual for Urban Roads and Streets (2013);
- Guidelines for Planning Authorities on Childcare Facilities (2001);
- Draft Water Service Guidelines for Planning Authorities (2018);
- The Planning System and Flood Risk Management (2009);

### 6.1 SUSTAINABLE RESIDENTIAL DEVELOPMENT IN URBAN AREAS (2009)

6.2 The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 ("*SRD Guidelines*") provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. To assist with this, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

6.3 The role of the SRD Guidelines is to ensure the '*plan led*' delivery of new development throughout the country.

6.4 The role of the SRD Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:

- Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Are easy to access for all users and to find one's way around;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Provide a mix of land uses to minimise transport demand.

6.5 The SRD Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

6.6 The SRD Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that '*the*

*scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy’.*

- 6.7 The SRD Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 that *‘the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...’.*
- 6.8 Having regard to the above, the subject site is zoned DC “District Centre”. The proposed development is therefore making the most efficient use of the subject land increasing residential development in an existing urban area and providing for high density residential development in key location well served by existing public transport and local services. The proposed development is therefore compliant with the guidelines in terms of the sequential development approach.
- 6.9 Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally. The proposed development is located in close proximity to local services such as Stillorgan Shopping Centre, key employment areas such as Sandyford Industrial Estate. In addition, the subject site is a short distance to the City Centre with a range of additional services available.
- 6.10 The subject lands are located adjacent to ‘Public Transport Corridors’ in the context of the densities required under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009). The site is located adjacent to a high capacity, high frequency QBC with multiple routes (as set out in the Public Transport Capacity Assessment, prepared by Derry O’Leary, included with the SHD).
- 6.11 Section 5.8 of the Guidelines recommends that *‘in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes.* The proposed development provides for a gross density of 267 no. units per hectare (based on 1.41 hectares gross, 322 units per hectare on the site excluding public realm c. 1.18 hectares). It is considered that given the location of the site in close proximity to a number of surrounding services, including public transport links, existing local facilities and education and employment centres that the proposed density on site is appropriate in this instance.
- 6.12 The layout is highly accessible for future occupants as well as the existing community with a permeable layout both internally and externally as new linkages are provided to surrounding land uses.
- 6.1.1 Urban Design Manual – A Best Practice Guide (2009)**
- 6.13 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 criteria are discussed in detail below. This SHD pre-application submission is accompanied by a Design Statement, prepared by OMP Architects, which demonstrates how the proposed development has regard to and has been developed in accordance with best practice in respect to urban design. The Design Statement should be read in conjunction with

this Statement of Consistency and Planning Report and with the plans and particulars accompanying this submission.

**Figure 6.1 – Urban Design Manual 12 criteria**



Source: Urban Design Manual DoEHLG 2009

- 6.14 The Guidelines also provide advice on the core principles of urban design when creating places of high quality and distinct identity.
- 6.15 The proposed development also has regard to the advice set down in the ‘*In Practice*’ section of the Urban Design Manual (2009), which recommends the following approach:

*Development Brief:* An analysis of the site has been carried out which includes reviewing the proposed residential development to the north and west of the subject site and an analysis of the surrounding land uses and site context. The proposed development has been designed as to ensure that the proposed scheme is in keeping with the design of the surrounding development. The proposed development has also had regard to the existing site conditions such as access and egress and the provision of services and utilities.

*Site Analysis:* The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.

*Concept Proposals:* This application is accompanied by a Design Statement which outlines the concept design proposal. The Design Statement outlines the progression of the scheme design in terms of land use and density range, boundary conditions and connections which is discussed in greater detail below.

*Pre-planning:* Pre – Planning discussions were held with Dun Laoghaire Rathdown County Council. Details of the meeting are detailed in appendix 1 of this Statement of Consistency.

### **Urban Design Manual – A Best Practice Guide (2009)**

- 6.16 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 no. criteria are assessed as follows:



***Context: How does the development respond to its surroundings?***

- 6.17 **Response:** The subject site is a vacant brownfield site located in a prominent position within the urban district centre of Stillorgan Village. The proposed development occupies a key opportunity site within the existing urban area adjacent to the existing retail core and the quality public transport route.
- 6.18 The proposed development seeks to further enhance the objectives of the Stillorgan LAP by increasing the heights and density in response to the emerging context and overall emphasis on building heights as set out in national policy guidance. The proposed height between 3-9 no. storeys is in keeping with the character of the area and is in context with the permitted 8 no. storey development at the former Leisureplex site.
- 6.19 The proposed development has also had regard to the existing residential dwellings to the south east of the site and the context of the single storey units along The Hill. The proposed height and urban form of the overall development relates to the existing urban form of these buildings stepping down in height at these locations to make a more appropriate transition and scale from the development towards existing properties.
- 6.20 The layout of the proposed development links the proposed streets and spaces through the architectural design and overall landscaping of the development. The development provides for suitable separation distances to adjoining properties and provides appropriate boundary treatments on site to protect the residential amenity and landscape character of the area.
- 6.21 The layout of the development will also provide for connections to the existing retail core to the north and will enable expansion to the shopping centre area along the Hill and Lower Kilmacud Road into this new residential hub. The ground floor at the junction of the Hill and the Lower Kilmacud Road will provide for a range of restaurant / café uses in addition to a Community Sports Hall which will allow the proposed development to integrate with the existing facilities in the area.
- 6.22 In addition, the proposed development also includes improvements and upgrade works to the surrounding public realm, which are included in the red line and a letter of consent is provided from Dun Laoghaire Rathdown County Council, and is included with the application. The public realm improvements will increase the overall accessibility and connectivity of the subject site with the existing retail core thus will provide for improved pedestrian links between the subject development at the surrounding environment.
- 6.23 The development will be finished in materials of a high-quality design to ensure it represents its own character while at the same time integrate with the existing local character of Stillorgan Village.

***Connections: How well is the new neighbourhood / site connected?***

- 6.24 **Response:** The proposed development will provide for a main vehicular and bicycle access points via the Hill.
- 6.25 The development will consist of a series of footpaths, cycle routes and public realm improvements which will connect the proposed development with the surrounding area. A pedestrian and cycle link will also be provided from the Hill to the N11 through the public open space area. This link will be available for use between normal business

hours of 8am to 8pm after which the space will be gated (similar to the management of DLR public parks).

- 6.26 The proposed development will open up the site in terms of accessibility and connectivity within the village and will increase permeability within the existing Village Centre and proposed new residential area.

***Inclusivity: How easily can people use and access the development?***

- 6.27 **Response:** The proposed development will provide a variety of vehicle, pedestrian and cycle routes throughout the site. The vehicular access will be provided directly from The Hill to 2 no. basement areas. At surface level pedestrian and cycle access will connect the future residents with the green space and the surrounding area. The proposed access network provides for a clear navigable route throughout the development with a series of cycle paths and footpaths increasing the overall level of connectivity for future residents.
- 6.28 The proposed development will also include a new public plaza located off the Hill. This area will provide for an outdoor seating and amenity area for the future residents as well as creating a new community space accessible to the wider surrounding residential area. The proposed Community Sports Hall will be access off this plaza also.
- 6.29 The layout of the proposed development will also enable the provision of a cycle track to be provided by Dun Laoghaire Rathdown County Council along the Lower Kilmacud Road in accordance with the Stillorgan Village Movement Framework Plan.

***Variety: How does the development promote a good mix of activities?***

- 6.30 **Response:** The proposed development includes a Community Sports Hall, café / restaurant units, and a high-quality network of public open space. It is considered that the proposed development provides for the necessary ancillary land uses required for this residential development, whilst having regard to the significant range of community, commercial and social infrastructure in the immediately surrounding area.
- 6.31 The proposed Community Sports Hall will provide for a range of sports related activities such as fitness classes, yoga, dance classes, ball sports, and other related activities.
- 6.32 The proposed development also provides for a mix of residential amenity facilities which comprise concierge areas, gym, meeting rooms, etc. The proposed amenity creates a high-quality environment for the future residential uses promoting a good mix of ancillary facilities within the scheme.

***Efficiency: How does the development make appropriate use of resources, including land?***

- 6.33 **Response:** The proposed development is located on a predominant vacant brown field site in an existing urban area. The proposed density makes efficient use of these valuable District Centre zoning lands in a mixed-use development and includes an appropriate quantum of public open space, connectivity to the existing high quality public transport network and a range of café / restaurant and community uses.
- 6.34 The layout and orientation of the scheme has been designed by OMP Architects to have regard to aspect and views and ensure individual units and areas of open space achieve light throughout the day.

***Distinctiveness: How do the proposals create a sense of place?***

- 6.35 **Response:** The proposed development will create a unique and new sense of place within the existing district centre. The proposed ground floor use at the junction of the Hill and the Lower Kilmacud Road will provide for a mix of restaurant / café and community uses which will link into the existing retail core while at the same time providing their own distinct character to this area.
- 6.36 The proposed development will also provide for a mix of unit sizes and useable active open space area. There is a variety and mix of unit types, heights and design, with a mix of apartment buildings proposed throughout the scheme, thereby providing a good sense of place on site.
- 6.37 The proposed development will provide for a series of landscaped areas. These areas will each have a separate designated purpose within the scheme. The central public open space area will provide for recreational green space.
- 6.38 The proposed development will also provide for 2 no. civic outdoor amenity spaces which will include formal and informal seating areas and a public park. The proposed civic spaces will act as a new focal point within the Village and will create a sense of place in this portion of the Village. In addition, improvements and upgrades to the public realm are also proposed as part of the development. The improvements to the overall public realm in the area will enhance the attractiveness of this area within the Village, thus will improve the connectivity and permeability within the area.
- 6.39 The existing condition of the Village is car dominated and heavily influenced by congestion of the junction with the Lower Kilmacud Road and The Hill. The proposed scheme is fundamentally more pedestrian and cycle friendly this creates a better sense of place and much improved public realm for both the existing and future residents and visitors.
- 6.40 The development will also provide for a Community Sports Hall at ground floor level. The Community Sports Hall will provide for a community facility which will serve the existing and future residents. The Community Sports Hall will provide for an activity space for the future residents and the surrounding wider community. It is considered that the addition of the community facility creates a sense of place that will aid in the integration of the existing and proposed residents.

***Layout: How does the proposal create people-friendly streets and spaces?***

- 6.41 **Response:** The proposed layout of the development provides for a straightforward, easily accessible and easily navigable network of places. The access arrangements create an easily accessible development and improves the connective of the site with the surrounding area.
- 6.42 The current arrangement at the junction of the Lower Kilmacud Road and the Hill is congested and car dominated with a poor-quality public realm in terms of layout, function and finishes. The proposed development aims to create a more pedestrian and cycle friendly environment by significantly improving the quality public realm which emphasises the pedestrian activity in the area. The proposed public realm improvements as well as the addition of the new civic space along the Hill will be a significant upgrade on the current condition and will help create friendly and attractive streets and spaces within the Village.

***Public Realm: How safe, secure and enjoyable are the public areas?***

- 6.43 **Response:** The layout of the proposed public areas has been designed to ensure a level of passive surveillance is obtained. The proposed courtyards will be overlooked by the shared amenity space. At the upper floors the proposed apartment units will overlook the courtyard area creating safe and secure spaces. The level of activity surrounding the courtyard areas will ensure a safe and secure environment is maintained. In addition, the courtyard areas will be separated from the public open space area for residential use only.
- 6.44 The proposed area of public open space has also taken into account the requirement for passive surveillance and has been designed to ensure a number of the residential units overlook this space.
- 6.45 An outdoor civic space will also be provided. This will act as a recreation space and seating/ leisure area for the surrounding community. The proposed café use will also integrate into this area with outdoor seating spaces. This proposed civic space will be overlooked by the public roadway and a number of residential units proposed within the scheme.
- 6.46 It is therefore considered that the proposed design and layout of the overall development provides for a high quality safe and enjoyable area to reside.

***Adaptability: How will the buildings cope with change?***

- 6.47 **Response:** In relation to the proposed residential units, all of the dwellings meet or exceed the minimum standards for residential unit size. The development provides a mix of 1-, 2-, and 3-bedroom units that can be easily reconfigured to adapt to the changing life cycles and personal needs of each resident.
- 6.48 The proposed development also provides for significant communal space at ground floor level which can be adapted for a number of different uses.

***Privacy / Amenity: How do the buildings provide a high-quality amenity?***

- 6.49 **Response:** The Build to Rent apartments comply with all relevant Section 28 Guidelines unit size requirements. The design of dwellings has also had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling.
- 6.50 The development provides for adequate separate distances between dwellings. This maintains a high level of privacy and amenity obtained by residents and reduces the level of overlooking and overshadowing.
- 6.51 A daylight analysis has been prepared by IES and the report concludes that:

*“Across the proposed development, 90% of the tested rooms are achieving Average Daylight Factors (ADF) in accordance with the BRE Guide / BS 8206-2:2008 when Living/Kitchen/Dining spaces are assessed as whole rooms against a 2% ADF target and Bedrooms against a 1% ADF target. The majority of rooms that are below the recommendations are located on the lower floors. However, overall the quality of daylight provision across the development can be considered high.”*

*71% of the combined proposed public, communal and private amenity spaces situated within the development site will receive at least 2 hours of sunlight over their total area.*

*When considering the private spaces in isolation this equates to 71%. Thus, the amenity areas provided are meeting the BRE recommendations.”*

- 6.52 As such, it is considered that the level of residential amenity obtained within the proposed development is therefore consistent with the relevant guidelines.
- 6.53 In addition, the proposed development will also provide for high quality amenity space in terms of landscaped open space, ancillary café / restaurant services, and community space. These ancillary facilities are available to use for the proposed future residents and the surrounding community. The provision of these ancillary services increases the level of residential amenity obtained for the future residents. As such it is considered that the proposed development provides for a high-quality amenity value throughout the scheme.

***Parking: How will the parking be secure and attractive?***

- 6.54 **Response:** It is proposed to provide Basement car parking spaces (119 no.) and 1 no. set down surface car parking space as well as 866 no. bicycle parking spaces and vehicular access to the site will be from ‘The Hill’ from 2 no. locations. The overall car parking ratio therefore amounts to c. 0.32 no. spaces per unit.
- 6.55 The surface level cycle parking spaces have been integrated into the landscape proposal as to ensure an attractive and integrated approach is implemented.

***Detailed Design: How well thought through is the building and landscape design?***

- 6.56 **Response:** The proposed design of the development has been subject to a pre-application consultation between the design team and the Planning Authority, details of which are attached as Appendix 1 of this report.
- 6.57 The Architectural Design Statement sets out a comprehensive design rationale for the proposed development. The proposed design rationale has been carefully considered and has evolved based on advice from the previous application granted on the site and the pre app consultation with Dun Laoghaire Rathdown County Council. It is considered that the proposed scheme makes best use of its strategic location on a vacant brown field site and makes appropriate response to the site characteristics and the district centre zoning.
- 6.58 The landscape strategy aims to integrate the new built development with the existing landscape and create a high-quality public realm incorporating a significant civic space. Throughout the scheme a series of attractive and usable open spaces are created that respond to the needs of the anticipated users.
- 6.59 The proposed landscaping aims to enhance the overall biodiversity and ecology of the area which will improve the overall character and visual amenity of the development. The usable landscape space in the scheme is provided through a range of different landscape typologies aimed at providing for different uses. The spaces are evenly distributed throughout the scheme, with most of the spaces physically connected to each other and the surrounding public realm and open space network.
- 6.60 In all the open spaces the levels have been carefully considered to accommodate easy circulation and create suitably flat areas for activities and uses. Careful consideration of the levels has been central to the site and landscape design with the aim to provide for universal access wherever possible.

6.61 Each of the above is addressed in detail in the design statement submitted with the application prepared by OMP Architects.

## 6.2 URBAN DEVELOPMENT AND BUILDING HEIGHT GUIDELINES (DECEMBER 2018)

6.62 The Urban Development and Building Height Guidelines are intended to set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040. Compliance with these requirements and, in particular with the requirements of SPPR 3(A) have been addressed in the Material Contravention Statement, prepared by JSA, accompanying the planning application.

6.63 The guidelines in effect put in place a presumption in favour of high buildings at public transport nodes. The guidelines state that it is Government policy to promote increased building height in locations with high quality public transport services.

6.64 The Guidelines emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density and to ensure that the transition towards increased heights and densities are not only facilitated but actively sought out and brought forward by the planning process and particularly at Local Authority level and An Bord Pleanála level.

6.65 Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.

6.66 Section 28 (1C) states:

*“Guidelines to which subsection (1) relates may contain specific planning policy requirements that, notwithstanding subsection (1), are required to be applied by planning authorities and the Board in the performance of their functions”.*

6.67 The Board is obliged to have regard to the Section 28 Ministerial Guidelines in applying their functions under legislation. Section 9(3) of the Planning and Development (Housing) and Residential Tenancies Act 2016 provides:

*(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.*

***(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.***

*(c) In this subsection “specific planning policy requirements” means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.*

6.68 SPPRs as stated in the Guidelines, take precedence over any conflicting, policies and objectives of development plans, local area plans, and strategic development zone planning schemes as noted in Section 1.14 of the guidelines which states:

*“Accordingly, where SPPRs are stated in this document, they take precedence over any conflicting policies and objectives of development plans, local areas plans and strategic development zone planning schemes. Where such conflicts arise, such plans/schemes need to be amended by the relevant planning authority to reflect the content and requirements of these guidelines and properly inform the public of the relevant SPPR requirements”.*

- 6.69 The statutory plan in this respect is the Dun Laoghaire Rathdown County Development Plan which refers to the Stillorgan LAP 2018 in this regard. The LAP states that a benchmark height of 5 no. storeys may be provided on the subject site (with a 9-storey landmark). While the proposed development complies with the landmark height of 9 storeys, the proposal exceeds the benchmark height of 5 stories (by proposing a range of heights which include 6,7 and 8 storeys). Notwithstanding this, An Bord Pleanála may still grant planning permission for the proposed development pursuant to section 9(6)(c) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended.
- 6.70 It is submitted that the justification set out within the accompanying Material Contravention Statement clearly demonstrates that the proposed development should be considered for increased building heights due to the location of the subject site adjacent to quality public transport corridors and the policies and objectives set out within the Section 28 Guidelines in particular the Urban Development and Building Height Guidelines, and the National Planning Framework. In particular, SPPR 3(A) of the Urban Development and Building Height Guidelines provides a justification for a material contravention of the Development Plan in relation to building height having regard to the compliance of the proposed development with the criteria under Section 3.2 of the Guidelines.
- 6.71 In addition, the proposed level of car parking proposed is consistent with the policies and objectives set out within the Section 28 Guidelines, in particular the Sustainable Urban Housing: Design standards for New Apartments 2020.

### **6.3 SUSTAINABLE URBAN HOUSING: DESIGN STANDARDS FOR NEW APARTMENTS 2020**

- 6.72 Updated Sustainable Urban Housing Design Standards for New Apartments were published in December 2020. The guidelines provide for revised guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.
- 6.73 A key inclusion in the guidelines is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The guidelines identify locations in cities and town that may be suitable for apartment development as follows:
- Central and/or Accessible Urban Locations
  - Intermediate Urban Locations
  - Peripheral and/ or Less Accessible Urban Locations
- 6.74 The subject site meets the classification as a central and/or accessible urban location. The Apartment Guidelines note that these locations are generally suitable for large scale apartment development and higher density developments. These locations are categorised as including the following:

- Sites within walking distances (i.e. up to 15 minutes or 1,000-1500m), of principal city centres or significant employment locations, that may include hospitals and third level institutions;
- Sites within reasonable walking distance (i.e. up to 15 minutes or 1,000-1,500m) to/from high-capacity urban public transport stops (such as DART or Luas); and
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 10-minute peak hour frequency) urban bus services.

6.75 The subject development is located adjacent to the QBC along the N1, which is a high frequency/high capacity QBC, and comprises a less than 10 minute peak hour frequency urban bus service. In addition, the site is located c. 600m to the north of St. John of God Hospital. The subject site therefore falls into the central and/or accessible urban locations category and is therefore suitable for high density apartment developments.

6.76 We refer the Board to the Public Transport Capacity Assessment prepared by Derry O'Leary, which concludes:

1. *"The AM peak surveys of bus patronage undertaken in March 2022 and the subsequent analysis clearly indicate that the subject site is located on an existing high frequency, high capacity bus route. They confirm that there is more than adequate spare capacity, both pre- and post-development, in the existing bus network on the N11 QBC past the subject site in Stillorgan.*
2. *The additional demand for bus service generated by the development site will result in manageable increases in passenger volumes on the N11 bus routes. At the same time, a full "return to normal" level of commuting, post-Covid, is unlikely. The analysis above indicates that a combination of both of these increases is within the capacity of the local routes to handle. However in the event of an increase in patronage, the NTA, through "Measure Bus5", will respond to increased demand by higher bus frequencies.*
3. *The NTA plans for the Bus Connects E-Spine, within the overall redesigned network, increases confidence that it will stay ahead of likely growth in future demand. The assurances from the NTA regarding monitoring of demand and enhancements/amendments to bus services on the E-Spine, as required, offer a high degree of confidence that the proposed development is well located and future residents will lead to increased use of public transport in the achievement of national climate change objectives.*
4. *No capacity constraints in the bus network, either current or planned, are anticipated, based on the analysis and research undertaken on the existing QBC above. "*

6.77 The Guidelines note that in Central and/or Accessible Urban Locations planning authorities must consider a reduced overall car parking standard.



*“In more central locations that are well served by public transport, the default policy is for car parking to be minimised, substantially reduced or wholly eliminated in certain circumstances.”*

6.78 The proposed development in this regard will provide for 119 no. car parking spaces which results in a ratio of 0.32 spaces per unit. The proposed ratio of car parking is consistent with the approach under the Apartment Guidelines.

### **6.3.1 Evaluation of Consistency**

6.79 This application is accompanied by a Housing Quality Assessment, prepared by OMP Architects which demonstrates that the proposed apartments and associated communal spaces will conform to and exceed the standards set out within Sustainable Urban Housing: Design Standards for New Apartments 2020.

6.80 The following is noted with reference to the Specific Planning Policy Requirements (SPPRs) contained in the 2020 Apartment Guidelines:

#### **6.3.1.1 Specific Planning Policy Requirement 1 (Mix)**

6.81 Specific Planning Policy Requirement 1 (SPPR1) states that *‘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)’.*

6.82 The Apartment Guidelines note that developments may include up to 50% 1 bed or studio type units and there shall be no minimum requirement for apartments with 3 or more beds. The proposed development provides for 21 no. studios (5.6%), 189 no. 1 bed units (50.1%), 159 no. 2 bed units (42.2%) and 8 no. 3 bed units (2.1%).

6.83 The proposed development comprises a Build to Rent development and therefore is not bound by the unit mix. SPPR 8(i) of the 2020 Apartment Guidelines provides that BTR developments are not subject to the restriction of dwelling mix.

#### **6.3.1.2 Specific Planning Policy Requirement 2 (Small Urban Infill Sites)**

6.84 Does not apply to the subject site.

#### **6.3.1.3 Specific Planning Policy Requirement 3 (Minimum Areas)**

6.85 SPPR3 of the Apartment Guidelines 2020 state that the following minimum floor areas for apartments apply:

- Studio Apartment Minimum 37 sq. m;
- 1 bedroom apartment Minimum 45 sq.m;
- 2-bedroom apartment Minimum 73 sq.m;
- 3-bedroom apartment Minimum 90 sq.m;

6.86 The proposal is a BTR scheme and subject to SPPR8 not bound by minimum areas. Notwithstanding this, the proposed development meets the minimum apartment floor

area requirements set out in SPPR3. The schedule of accommodation / Residential Quality Audit and drawings prepared by OMP demonstrates (included in the Technical Report by OMP) that the proposed development complies and exceeds the standards outlined in the Sustainable Urban Housing: Design Standards for New Apartments 2020.

- 6.87 In addition, the Guidelines state 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%).”*
- 6.88 Even though the proposal is a BTR scheme, the proposed development complies with the above.

#### **6.3.1.4 Specific Planning Policy Requirement 4 (Aspect)**

- 6.89 SPPR4 of the Guidelines relates to the provision of dual aspect units and states the following:

*“Specific Planning Policy Requirement 4*

*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.” (Emphasis added)*

- 6.90 SPPR4 states that a minimum of 33% dual aspect units should be provided in central and accessible urban location, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage.



6.91 The proposed development provides for an overall of 53% dual aspect units in accordance with the apartment guidelines. A Housing Quality Assessment prepared by OMP Architects is submitted as part of application which demonstrates compliance with the applicable standards.

#### **6.3.1.5 Specific Planning Policy Requirement 5 (floor to ceiling heights)**

6.92 The apartment blocks comply with the requirement for floor to ceiling heights of 2.7m at ground floor level.

#### **6.3.1.6 Specific Planning Policy Requirement 6 (Max units per core)**

6.93 SPPR 6 notes that a maximum of 12 apartments per core may be provided within apartment schemes. The proposed development is a BTR scheme and by virtue of SPPR8(v) the 12 apartments per core requirement does not apply. The apartment buildings have a range of 4-9 no. apartments per core. Building 05 has 14 no. units per level, with 2 no. cores resulting in 7 units per core.



6.94 The Housing Quality Assessment, prepared by OMP Architects demonstrates how the proposed apartments comply with appendix 1 of the Apartment Guidelines 2020 in respect of sizes of apartments, minimum aggregate floor areas, widths, storage, minimum private open space.

6.95 With reference to Appendix 1 of the Apartment Guidelines, communal open space the proposed development would require a communal open space provision of 2,214 sq. m.

Communal Open Space	Requirement	No. of Units	Requirement
Studio	4 sq. m	21	84
1 bed	5 sq.m.	189	945
2 bed	7 sq.m.	159	1,113
3 bed	9 sq.m.	8	72
			2,214 sq. m

6.96 The proposed development provides 4,111 sq. m of communal open space including balcony compensatory open space). Additional public realm improvements are also provided on the wider site (on lands under the ownership of Dun Laoghaire Rathdown County Council).

**6.3.1.7 Build to Rent**

6.97 The proposed development is described as “Build to Rent” in the public notices. The application is also accompanied by a draft legal covenant agreeing that the development will remain owned and operated by an institutional entity and that this

status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period.

6.98 In relation to part (b) of SPPR7, the application is accompanied by proposals for supporting communal and recreational amenities provided as part of the BTR development.

(i) *Resident Support Facilities – comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*

6.99 In response to this point, the proposals include the following internal *Resident Support Facilities* comprising:

- Concierge areas,
- Management offices,
- Waste management areas,
- Storage areas for bicycles, and
- Postal rooms.

6.100 In relation to part (b)(ii) of SPPR7, the proposal includes internal *Resident Services and Amenities*, comprising:

- Resident lounges,
- Multi-use rooms,
- Gym and exercise suites, and
- Work zones for residents.

6.101 The residential support facilities and resident services and amenities provided amounts to 1,016 sq.m. resulting in 2.7 sq.m. per unit.

6.102 In addition, the proposed development also includes the provision of a Community Sports Hall comprising of 933 sq.m. The Community Sports Hall is available on a bookable basis for the wider community and the residents within the scheme. The community sport hall will host a wide range of local classes, sports and community groups which will help integrate the new development in the established existing community in the area.

### **Operational Management of BTR**

6.103 We refer the Board to the enclosed Build to Rent Management Plan, prepared by Cairn which outlines that the Build to Rent (BTR) residential development will be managed by an operational team with resident service managers on-site during typical working hours i.e., 08:30 to 17:30 Monday to Saturday. It is likely there will also be 24-hour on-site presence for security purposes.

**Specific Planning Policy Requirement 8**

**For proposals that qualify as specific BTR development in accordance with SPPR 7:**

- (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;**
- (ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;**
- (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;**
- (iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;**
- (v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.**

- 6.104 The proposed development provides for a mix of units notwithstanding the provisions set out in SPPR8. A total of 21 no. studios, 189 no. 1 beds, 159 no. 2 beds and 8 no. 3 bed units will be provided.
- 6.105 Each of the proposed units meet or exceed the minimum requirements for storage as set out in appendix 1 of the guidelines. However, the relaxation in relation to balconies has been incorporated into the development.
- 6.106 With reference to private amenity space, additional high quality compensatory communal open space is provided (1,897 sq. m over provision to give an overall total of 4,111 sq. m) within the scheme over and above required by the Apartment Guidelines (2,214 sq. m), to take into account the proportion (50%) of the proposed units which contain balconies. This over provision of communal open space equates to some 85.6 % (or 1,897 sq. m), which is significantly above the estimated balcony compensatory space (1,024 sq. m) set out in the OMP Design Statement. Furthermore there are support services and amenity floorspace (1,016 sq. m) provided for residents in addition to the Community Sports Hall, which residents will have access to.
- 6.107 In addition, the majority of the units are larger than the minimum standard and some of those with private balconies and terraces have been enhanced in size and quality as a compensatory measure.
- 6.108 The proposed development provides for 119 no. car parking spaces resulting in 0.32 no. spaces per unit. The proposed development is located adjacent to the N11 which is a high-quality public transport corridor. The site is also located in close proximity to the Luas at Stillorgan and Sandyford. The location of the subject site is highly accessible and well served by quality public transport. The proposed reduced car

parking standards are therefore considered appropriate given the BTR nature of the development and the highly accessible location.

- 6.109 As noted previously, BTR developments are not required to achieve the requirement for the majority of units being 10% larger. Nevertheless, the proposed development provides that the majority of units are 10% greater and provides for a wide range of unit sizes.
- 6.110 In relation to units per core, the proposed development ranges from 4 to 9 units per core. The proposed development incorporates some of the relaxations available to BTR developments, however, also provides for a number of aspects such as unit mix, storage and core numbers as per the standard requirements. In this regard it is considered that the proposed development provides for an appropriate balance between standard and BTR development having regard to the location and site characteristics.

#### Open Space

- 6.111 The apartment guidelines set out standards for private and communal open space. The proposed development includes a range of open spaces such as the civic plaza and a number of communal gardens (communal open space).
- 6.112 The proposed development provides 4,111 sq. m of communal open space which is above the Apartment Guidelines requirements. Additional public realm improvements are also provided on the wider site (on lands under the ownership of Dun Laoghaire Rathdown County Council comprising c. 2,392 sq. m. Additional public open space of some 1,177 sq. m is provided comprising 10% of the site area on lands under the applicant's ownership (Cairn and DLR lands excluding the public realm), which meets the 2016 Development Plan requirements. The Public Open Space provision is below the 2022 Development Plan requirement of 15%

### **6.4 DESIGN MANUAL FOR URBAN ROADS AND STREETS (DMURS) 2019**

- 6.1 The Design Manual for Urban Roads and Streets (DMURS) 2019 as amended, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas.
- 6.2 DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas.
- 6.3 DMURS sets out four core design principles which designers must have regard for the design of roads and streets.

#### **6.4.1 Evaluation of Consistency**

- 6.4 As set out in the Waterman Moylan DMURS Statement of Consistency, the proposed development has been designed to provide excellent pedestrian connectivity to/from and around the site with significant improvements being provided as part of the public

realm works. The apartments are all located so that they front directly onto the active edges/open space, which will provide surveillance to enhance pedestrians feeling of safety and wellbeing. The primary pedestrian routes within the development are 2 m wide or greater and those within the public realm are 3m wide or greater provide adequate space for comfortable pedestrian movement. The public streets surrounding the site will be developed as part of the proposals, greatly improving pedestrian permeability in the surrounding area in line with the Stillorgan Local Area Plan.

- 6.5 With reference to Design Principle no. 1 (connected networks), the proposed development does not create any new roads or streets but focuses on connectivity through and within the site for pedestrians and cyclists. The provision of high levels of connectivity for pedestrians and cyclists are intended to promote walking and cycling by making them a more attractive option to the private car.
- 6.6 In relation to Design Principle no. 2 (multi-functional streets), the commercial restaurant/café and the Community Sports Hall, will create a central place to meet. The proposed public realm/open space to the north/north west of the development will provide improved accessibility together with a place to sit and socialize. It will be a vibrant location with lots of people movement which will provide a real sense of place.
- 6.7 With regard to Design Principle no. 3 (pedestrian focus), the design of the scheme has placed a particular focus on the pedestrian. Connectivity to/from the scheme is heavily weighted towards the pedestrian. There are excellent pedestrian links to the nearby Stillorgan Village Centre and to the surrounding road networks and public transport services. The internal open space has been designed to provide a sense of enclosure and to be active with good passive surveillance in order to enhance pedestrians' sense of safety and well-being within this area. The proposed public realm works, which will also benefit from the aforementioned passive surveillance from the new residential development, will improve the quality of the surrounding streets making them more favourable for pedestrian travel.
- 6.8 In respect of Design Principle no. 4, (multi-disciplinary approach), the design of the proposed scheme has been developed through the design team working closely together. The proposed development design is led by OMP Architects working together with Waterman Moylan Consulting Engineers and Kevin Fitzpatrick Landscape Architects. The design team have also worked closely with Dun Laoghaire Rathdown County Council.

## **6.5 GUIDELINES FOR PLANNING AUTHORITIES ON CHILDCARE FACILITIES (2001)**

- 6.9 Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions.



6.10 The Sustainable Urban Housing; Design Standards for New Apartments; Guidelines for Planning Authorities 2020 states that *“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”*.

6.11 Having regard to the above, the number of 1 bed and studio units have been discounted from the creche calculation. The proposed development would therefore result in a total potential requirement of 45 no. spaces (based on 167 no. units).

### **6.5.1 Evaluation of Consistency**

6.12 A creche is also proposed to serve the development. The creche is located along the ‘The Hill’ and will be accessed directly off-street level. The creche will be approx. 215 sq.m. with the ability to cater for c. 47 no. children based on 4.5 sq.m. gross per child which is in compliance with the Guidelines.

## **6.6 DRAFT WATER SERVICES GUIDELINES FOR PLANNING AUTHORITIES 2018**

6.13 The Draft Water Services Guidelines for Planning Authorities were published in January 2018 by the DoHPLG, which sets out a clear structure for actively managing the interface between spatial planning and development and water services planning. The Water Services Guidelines for Planning Authorities have been prepared by the Department of Housing, Planning and Local Government in consultation with Irish Water.

6.14 The Guidelines provide best practice guidance in relation to the interface between planning and development functions provided by planning authorities and the delivery of public water services by Irish Water.

6.15 The key aims of the Guidelines are to:

- *Provide advice to planning authorities on the operational framework within which Irish Water must operate to deliver water services,*
- *Establish mechanisms for effective engagement between planning authorities and Irish Water across all the relevant functions of planning authorities, and*
- *Set out how the planning system, in setting out a spatial framework for growth and development, will relate to and inform the planning and delivery of water services by Irish Water at a national, regional and local level.*

6.16 The Draft Guidelines state that it is a requirement for Strategic Housing Development applications to contain evidence that Irish Water has confirmed that it is feasible to provide the appropriate service or services and that the relevant water network or networks have the capacity to service the development.

6.17 The Draft Guidelines outline that having regard to the views of Irish Water and having satisfied itself *“that there is a reasonable prospect of the constraint(s) being addressed within the lifetime of the permission, a planning authority or An Bord Pleanála (in the case of a SHD application) may approve, inter alia, this aspect of the development, subject to a condition that requires the applicant to enter into a connection agreement*

*(s) with Irish Water to provide for a service connection to the public water supply and / or wastewater collection networks, as appropriate.”*

**6.6.1 Evaluation of Consistency**

6.18 Waterman Moylan Consulting Engineers have consulted with Irish Water and a Confirmation of Feasibility and a Confirmation of design acceptance is included with the SHD application). The letter states that Irish Water *“have reviewed your proposal for the connection(s) at the Development. Based on the information provided, which included the documents outlined in Appendix A to this letter, Irish Water has no objection to your proposal.”*

**6.7 GUIDELINES FOR PLANNING AUTHORITIES ON ‘THE PLANNING SYSTEM AND FLOOD RISK MANAGEMENT (NOVEMBER 2009)’**

6.19 The Planning System and Flood Risk Management Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Planning system and flood risk management guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

**6.7.1 Evaluation of Consistency**

6.20 With reference to the Development Plan Justification Test, the Dun Laoghaire Development Plan 2022 notes the following in relation to the District Centre:

<b>Justification Test Criteria</b>		<b>Response</b>
1.	<i>The urban settlement is targeted for growth under the National Spatial Strategy, regional planning guidelines, statutory plans or under the Planning Guidelines or Planning Directives provisions of the Planning and Development Act 2000, as amended.</i>	<i>The National Planning Framework (NPF) sets out the Government's high-level strategic vision for shaping future growth and development in Ireland up to the year 2040. The NPF states that Dublin needs to accommodate a greater proportion of the growth it generates within its Metropolitan boundary. The Regional Spatial and Economic Strategy 2019-2031 (RSES) for the Eastern and Midlands Region incorporates a Dublin Metropolitan Area Strategic Plan and the entire built up area of DLR is located within this Metropolitan boundary (see Figure 1.3 of the County Development Plan). The RSES sets out a settlement hierarchy for the Region and identifies</i>

		<i>key growth areas which will see significant development up to 2031 and beyond. The vast majority of the built-up footprint of DLR falls within or contiguous to the geographic area known as 'Dublin City and Suburbs', which comprises the first tier in the settlement hierarchy recommended in the RSES (see Figure 1.3 of the County Development Plan).</i>
2		<i>The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular</i>
2(i)	<i>Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement:</i>	<i>Stillorgan is considered a strategically important existing urban centre in the County where consolidation and growth is essential to bring about compact and sustainable growth.</i>
2(ii)	<i>Comprises significant previously developed and/or under-utilised lands:</i>	<i>Stillorgan comprises a developed urban centre in the County and incorporates under-utilised lands which are identified for regeneration and redevelopment.</i>
2(iii)	<i>Is within or adjoining the core of an established or designated urban settlement:</i>	<i>Stillorgan is a designated District Centre in the County Development Plan and is located within Dublin City and Suburbs, identified as Tier 1 in the settlement hierarchy for the Region</i>
2(iv)	<i>Will be essential in achieving compact and sustainable urban growth; and,</i>	<i>Stillorgan is a strategically located urban centre within the existing built up area of the County and has an important role in supporting compact and sustainable urban growth</i>
2(v)	<i>There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement.</i>	
<i>3 Flood Risk Considerations The site is mainly within Flood Zone C, but there is an area within Flood Zone A/B to the east of the District Centre. The Carysfort Maretime Flood Relief Scheme will include this length of watercourse, although there is no</i>		

<p><i>programme for the commencement of the scheme at present. Climate change impacts to the area are likely to be moderate to high; there is a some difference between the extents of Flood Zones A and B, particularly in relation to an overland flow path along the road. This indicates the channel capacity is limited in larger flood events. Development in and adjacent to Flood Zone A and B will have to include for the management of flooding on site, and within the scope of the site specific FRA. Use of the sequential approach, with highly vulnerable uses on first floor and above, subject to safe access and egress, and appropriate setting of ground floor finished floor levels should be presented in a masterplan. It is important that there is no loss of floodplain storage for the 1% AEP event. The impact of any changes to ground levels and storage areas should be assessed for the 0.1% AEP flood. Conveyance routes through the site also need to be maintained. The SSFRA will need to demonstrate there is no impact in flood risk outside the site boundary.</i></p>	
<p><b>Conclusion</b></p>	<p><b>Justification Test Passed for Stillorgan District Centre</b></p>

Source: Section 6.2.4 Appendix 16 SFRA

6.21 With reference to Box 5.1 of the Guidelines the following is noted:

**1. The subject lands have been zoned or otherwise designated for the particular use or form of development in an operative development plan, which has been adopted or varied taking account of these Guidelines.**

6.22 The subject lands are zoned DC District Centre. *‘To protect, provide for and or improve mixed use district centre facilities.’*

6.23 It is noted Childcare service, Community Facility, Leisure Facility, Build to Rent Residential, Residential, Open Space, Tea Room/café, and offices are permitted in principle uses. The uses proposed are consistent with the land uses under the DC zoning objective. The 2018 Stillorgan LAP, 2016 County Plan and 2022 County Plan were subject to SFRA and there fore the proposed application is in accordance with Criterion no. 1.

**2. The proposal has been subject to an appropriate flood risk assessment that demonstrates:**

6.24 We refer the Board to the Flood Risk Assessment prepared by JBA Consulting Engineers which concludes:

*“JBA consulting has undertaken a detailed flood risk assessment for the proposed site in Stillorgan. The assessment has focused on verifying and improving detailed flood mapping and the impacts of the proposed new development would have on the site and surrounding area. The FRA has subsequently demonstrated that the design can appropriately manage flood risk without increasing risk to neighbouring properties and roadways.”*

**(i) The development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk;**

6.25 The JBA Flood Risk Assessment confirms that:

*“As shown in Table 5-2 the reconfiguration and lowering of the southern side of the central attenuation area onsite, significantly increases flood storage on site for the 1%AEP flood event. This confirms that there is actually an increase, and not a decrease of any flood storage onsite as a result of the development. In the 0.1%AEP event, when the flooding mechanism changes to a conveyance across the site, the net flood storage in both the existing and design scenario is almost identical.”*

6.26 As the proposed development would not increase the flood risk elsewhere, therefore, it is considered to be in accordance with criteria 2(i).

***(ii) The development proposal includes measures to minimise flood risk to people, property, the economy and the environment as far as reasonably possible;***

6.27 Section 5 of the JBA FRA describes mitigation measures included in the design to reduce flood risk which include appropriate finished floor levels for buildings, levels at basement entrances to avoid floodrisk as well as provision of flood storage incorporated into the landscape design, to allow for flow across the site. The FRA notes:

*“The open courtyard and greenspace area maintained through the centre of the site acts as a natural storage area for high flow events and provides sufficient compensatory storage for the minor encroachment of the proposed development footprint in the fringes of Flood Zone A. Flow from the greenspace area is already connected to the Priory Stream network via gullies, controlling discharge rates into the system.”*

*“No other measurable increase in water level occurs as a result of the development. The Compensatory Storage Areas provided clearly offset any loss of floodplain within the development. There are no measurable impacts on any adjacent property and all flood storage volume is retained onsite. Any flood impact in the 0.1%AEP event is further reduced on The Hill as shown in Figure 5-5. As the primary mechanism of flood behaviour changes from floodplain storage to flow conveyance between the 1%AEP and 0.1% AEP events, there is no measurable change in water levels on or downstream of the site as a result of the proposed development. The existing flow path is retained from The Hill to the N11. There is no measurable impact on any adjacent property or the N11.”*

6.28 The mitigation measures included in the design will ensure that appropriate measures to minimise the risk to property / vehicles have been included in the design and as such the proposal is in compliance with criteria 2(ii).

***(iii) The development proposed includes measures to ensure that residual risks to the area and/or development can be managed to an acceptable level as regards the adequacy of existing flood protection measures or the design, implementation and funding of any future flood risk management measures and provisions for emergency services access; and***

- 6.29 Safe access and egress from the property is maintained by a clear access route with raised levels at basement carpark entrances. The proposed application is in accordance with criteria 2(iii).

***(iv) The development proposed addresses the above in a manner that is also compatible with the achievement of wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.***

- 6.30 The proposed development has been designed to take into account the flood risk relating to the subject site, incorporating appropriate flood mitigation and contributes to strategic objectives of consolidating a vacant site on District Centre zoned lands. The proposed development presents active and vibrant streetscapes through the incorporation of active uses along the Lower Kilmacud Road and also along the Hill, which includes some café/restaurant uses and community sports hall fronting onto the plaza area. The proposed development will result in a high quality urban environment and incorporates excellent urban design which would support and enhance the development of the area, and the District Centre zoning.
- 6.31 Having regard to the above, it is considered that the proposed development satisfies and is in accordance with criteria no. 2(iv) above.
- 6.32 The JBA Consulting Engineers Flood Risk Assessment included with the SHD application concludes:

*“A substantial green space area is being maintained through the centre of the site in order to function as flood storage and retain any overland flows in high flood events. There is a net increase in floodplain storage within the site for events up to and including the 0.1% AEP event and an unobstructed flowpath across the site to retain existing conveyance routes. The FFLs of highly vulnerable uses within the development are above the 1% AEP climate change(MRFS)and the 0.1%AEP flood levels plus a freeboard >1m. The less vulnerable commercial/retail use within Building 5 is separated from the floodplain via raised ground levels with 300mm freeboard above the 0.1% flood level. Safe access and egress from the property is maintained to all levels of each building with raised levels at basement carpark entrances preventing any ingress of water to basements. In line with the Planning Guidelines the detailed FRA has applied and passed the Justification Test. As a result, it is concluded that the site is in compliance with the core principles of the Planning System and Flood Risk Management Guidelines and has been subject to a commensurate assessment of risk.*”

**7.0 STATEMENT OF CONSISTENCY WITH DUN LAOGHAIRE DEVELOPMENT PLAN 2022-2028**

7.1 The site is located in the administrative area of Dun Laoghaire Rathdown County Council. The Dun Laoghaire Rathdown County Development Plan 2022-2028 was adopted on the 10<sup>th</sup> of March 2022 and will come into force on the 21<sup>st</sup> April 2022. As such at the date of the lodgement of this application, the 2022-2028 County Plan had been adopted but was not in force. However, when the Board come to determine the application the 2022-2028 Development Plan will be the relevant Development Plan for the purpose of assessing the application. Accordingly, the proposed development has been assessed against the policies and objectives contained in the 2022-2028 Development Plan.

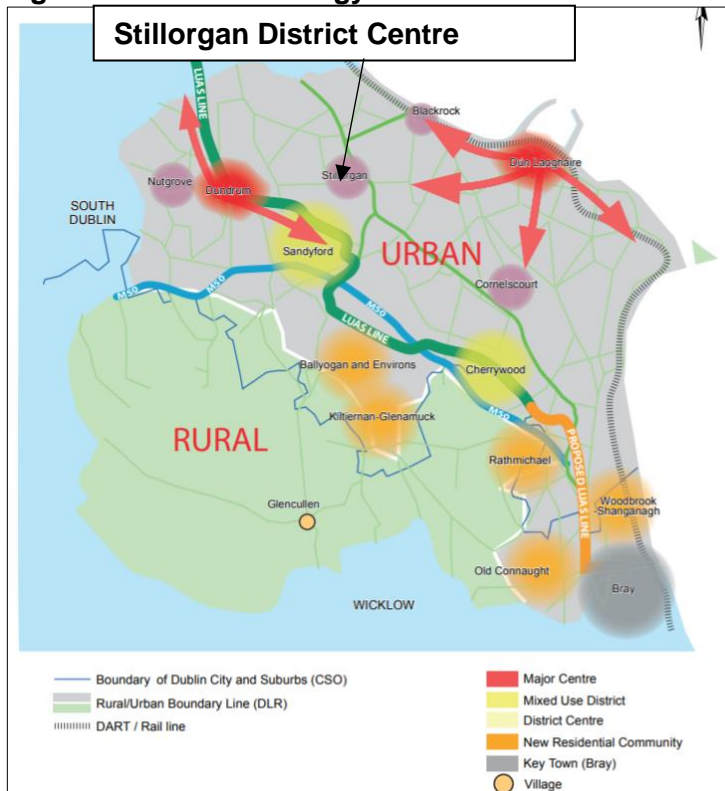
7.2 The application has also been assessed against the 2016 -2022 Development Plan which was in force at the date the application was lodged (see section 9). The Dun Laoghaire Development Plan 2022-2028 will be in operation when the Board is making its assessment on the subject application.

7.3 The sections below outline consistency with the key policies, objectives and development management standards contained within the Dún Laoghaire Rathdown County Development Plan 2022-2028.

**7.1 CORE STRATEGY/SETTLEMENT STRATEGY**

7.4 According to the Plan, the settlement strategy for the Core Strategy seeks to support the overarching Development Plan Vision and supports the transition to a low carbon and climate resilient County through the implementation of a compact growth agenda, increased integration between land-use and transportation, increased sustainable mobility and, the sustainable management of our environmental resources.

**Figure 7.1 – Core Strategy**



- 7.5 The Plan settlement strategy applies *“an asset-based approach to spatial development focusing employment and housing growth on existing and future transport corridors and aligning growth with the delivery of supporting enabling and supporting social infrastructure.”*

**Table 7.1 – Relevant Core Strategy and Climate Change Policies**

Policy	Compliance
“Policy Objective CS2 – Core Strategy It is a Policy Objective to support the delivery of the Core Strategy in accordance with the Core Strategy Map illustrated in Figure 2.9 and the Core Strategy Table detailed at Table 2.10.	The proposed development is located within the District Centre of Stillorgan and the 377 no. dwellings will underpin the delivery of the core strategy.
Policy Objective CS11 – Compact Growth It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary. (Consistent with RPO 3.2 of the RSES)	The proposed development is located within the District Centre of Stillorgan which is located within Dublin City and its suburbs.
“Policy Objective CS13 – Strategic Regeneration It is a Policy Objective to support the development and renewal of strategic regeneration sites in the County	The subject site is a vacant brownfield commercial site within a District Centre. The redevelopment and regeneration of the subject lands would be in accordance with Objectives CS13
Policy Objective CS14 - Vacancy and Regeneration It is a Policy Objective to address issues of vacancy and underutilisation of lands within the County and to encourage and facilitate the re-use and regeneration of vacant sites subject to the infrastructural carrying capacities of any area.”	The subject site is a vacant brownfield commercial site within a District Centre. The redevelopment and regeneration of the subject lands, which are underutilised, which can be accommodated within the local infrastructural capacities of the area would be in accordance with Objective CS14.
Policy Objective CA8: Sustainability in Adaptable Design It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.”	The build-to-rent development provides a sustainable model of housing for changing populations in the area by encouraging higher density living with communal amenities within an urban core of Stillorgan District Centre, providing a flexible, accessible and adaptable development.
Policy Objective CA17 It is a Policy Objective to promote urban greening - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy placemaking. Significant developments shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES)	The proposed development provides green space as part of the development along with SUDS features (including green roofs throughout c. 67% of the roof area). SuDS measures incorporated into the development include green roofs, soft landscaping in the courtyards (rain gardens) and public realm areas, infiltration trenches adjacent to footpath areas in the central landscaped area, grasscrete permeable paving systems for fire tender access, proprietary surface water treatment systems and water butts for irrigation of landscaping and planted courtyards. Please refer to Waterman Moylan Engineering report for more detail. It is noted the Green Roof Standard in Appendix 7.2 is subject to a reasonable allowance being made for the provision of services at roof level. In this regard the proposed development includes solar panels and service areas which make up the remainder of the footprint.



**7.2 LAND USE ZONING**

7.6 The subject lands are zoned ‘DC’ – ‘To protect, provide for and or improve mixed use district centre facilities.’

**Figure 7.2 – Land Use Zoning Map**



Objective DC      To protect, provide for and-or improve mixed-use district centre facilities.     

Source: Dun Laoghaire Development Plan Map no. 2

7.7 Chapter 13 of the Plan includes the following text to ‘Permitted in Principle’, Table 13.1.10 (page 307) as follows: “Residential – Build to Rent”.

7.8 It is noted Residential, Childcare service, Community Facility, Leisure Facility, Open Space, Tea Room/café, and offices are permitted in principle uses. The uses proposed are consistent with the land uses under the DC zoning objective.

7.9 It is noted the net retail area cap was reduced to 20,000 sq. m from 25,000 sq. m net retail area in the 2016-2022 Plan.

### 7.3 NEIGHBOURHOOD – PEOPLE, HOMES AND PLACES

7.10 Compliance with the relevant Neighbourhood, People and places policies of the 2022 Plan are set out below:

**Table 7.2 – Relevant Neighbourhood, People, Homes and Places Policies**

Policy	Compliance
<p>Overarching Policy Objective PHP1: That increased delivery of housing throughout the County will be subject to the Strategic Policy Objective to: Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy. Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Interim Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment. Embed the concept of neighbourhood into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities</p>	<p>The proposed development is aligned with the provisions of the NPF and the RSES, the site is zoned District Centre which is considered appropriately serviced with infrastructure (social, retail and physical) to deliver a sustainable mixed use residential development within the District Centre of Stillorgan, adjacent to public transport. In addition, the proposal also accords with the core strategy as Setout in Chapter 2 of the Plan, the Housing Strategy and the HNDA, as it provides Social housing under Part V (41 no.). The housing mix proposed is considered an appropriate approach to development mix in delivering a smaller unit to address the rationale for BTR Development. The site adjacent to a major public transport corridor (N11) is suitable for young adults and those who wish to downsize located adjacent to local facilities in Stillorgan and close to major employment locations at UCD, Sandyford, as well as St. John of God Hospital, and Smurfit Post Graduate School.</p>
<p>Policy Objective PHP2: Sustainable Neighbourhood Infrastructure It is a Policy Objective to: Protect and improve existing sustainable neighbourhood infrastructure as appropriate. Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES. Encourage the provision of multi-functional facilities, space and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure.</p>	<p>The proposal includes a Community Sports Hall of c. 933 sq. m which will be accessible to a range of users, and multifunctional in nature. In addition a creche of c. 215 sq. m is proposed.</p>
<p>Policy Objective PHP3: Planning for Sustainable Communities It is a Policy Objective to: Plan for communities in accordance with the aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’ and any amendment thereof. Ensure that an appropriate level of supporting neighbourhood infrastructure is provided or that lands are reserved for Sustainable Neighbourhood Infrastructure (SNI), in conjunction with, and as an integral component of, residential development in new residential communities as identified in the Core Strategy (see Figure 2.9, Chapter 2). Identify, provide and/or improve (as appropriate) supporting sustainable neighbourhood infrastructure in tandem with residential development in renewal/</p>	<p>The proposal includes a Community Sports Hall of c. 933 sq. m which will be accessible to a range of users, and multifunctional in nature. In addition a creche of c. 215 sq. m is proposed.</p>

Policy	Compliance
redevelopment areas and existing residential neighbourhoods. Create healthy and attractive places to live consistent with NPO 4 of the NPF and RPO 9.10 of the RSES.	
Policy Objective PHP4: Villages and Neighbourhoods It is a Policy Objective to: Implement a strategy for residential development based on a concept of sustainable urban villages. Promote and facilitate the provision of '10-minute' neighbourhoods.	The proposed development is located within a District Centre, close to existing shopping facilities (such as Stillorgan Village) and amenities, which are within walking distance and will provide a Community Sports Hall and a creche as part of the development.
Policy Objective PHP5: Community Facilities It is a Policy Objective to: Support the development, improvement and provision of a wide range of community facilities throughout the County where required	The proposal includes a childcare facility of c. 215 sq. m as well as a Community Sports Hall, which will be available to members of the public.
Policy Objective PHP6: Childcare Facilities It is a Policy Objective to: Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. Encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage	The proposal includes a childcare facility of c. 215 sq. m.
Policy Objective PHP18: It is a Policy Objective to: Promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites. Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.	The proposed development provides intensification of an infill site within a District Centre through a higher density, high quality mixed use residential development that is in line with zoning and improves the public realm and character of the area. The proposed residential density is considered an efficient and sustainable use of a key infill site adjacent to the public transport corridor along the N11. The proposal strikes a balance in respect of existing residential amenity to the south where the proposal steps down to 3 storeys to the boundary. The massing, heights and setbacks of buildings have been carefully considered to minimize impacts on residential amenity.
Policy Objective PHP20: Protection of Existing Residential Amenity. It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments	As per PHP18.
Policy Objective PHP25: It is a Policy Objective to facilitate the implementation and delivery of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) 2022 - 2028.	The proposed development will deliver much needed housing in a District Centre and accords with Housing Strategy and HNDA.
Policy Objective PHP26: It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing	The proposed mix is considered appropriate and in line with guidance for BTR development set out in S. 28 Guidance. Furthermore, there is a large provision of residential amenity space including a creche facility as part of the proposal and this provision of facilities delivers on the requirements

Policy	Compliance
Strategy and Interim Housing Need Demand Assessment (HNDA) and any future Regional HNDA	for a self-sustaining residential development, within a District Centre, close to existing services, shops etc. Under Table 12.1, the subject site is to be no more than 80% studio, one and two bedroom units. However, the subject development is a Build-to-Rent development. The plan notes in Objective PHP27 that such developments will accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2018 (and any amendment thereof). Under SPPR 8 in the Apartment Guidelines there are allowances for Build-to-Rent developments that state: Therefore, the unit mix requirements as per the Development Plan do not apply to BTR and there is no material contravention in respect of PHP26.
Policy Objective PHP27: It is a Policy Objective to facilitate the provision of Build-to-Rent and Shared Accommodation in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2018 (and any amendment thereof). Proliferation of these housing types should be avoided in any one area	The proposed development will be a purpose built 377 no. unit Built to Rent development located within a District Centre and within 10-minute walking time from high frequency public transport routes. The wider Stillorgan area is characterised predominantly by large 2 storey housing, with some apartment developments, particularly along the N11 corridor. The build-to-rent nature of the development accords with the provisions of the Sustainable Urban Housing: Design Standards for New Apartments as addressed in Section 6 of this report. In addition Appendix 3 of this report provides a justification for the provision of a BTR development and confirms that there is not a proliferation of BTR development in the area.
Policy Objective PHP29: Housing for All It is a Policy Objective to: Support housing options for older people and persons with disabilities/mental health issues consistent with NPO 30 in the NPF, RPO 9.1 and 9.12 of the RSES. Support the provision of specific purpose-built accommodation, including assisted living units and lifetime housing, and adaptation of existing properties. Promote 'aging in place' opportunities for 'downsizing' or 'right sizing' within their community	The proposal provides for studio, 1 bed, 2 bed and 3 bed apartments on a site that is within Stillorgan District Centre and public transport. The site is highly accessible and provides a suitable location for those wishing to downsize. It is therefore submitted that the proposal is appropriate for an ageing population, allowing for social mobility within the wider Stillorgan area.
Policy Objective PHP30: Provision of Social Housing It is a Policy Objective to promote the provision of social housing in accordance with the Council's Housing Strategy and Government policy as outlined in the DoHPLG 'Social Housing Strategy 2020'	The Part V units are identified on plan and schedules submitted. We refer An Bord Pleanála to the OMP Part V detail enclosed which details the location of the Part V units; the floor plans, elevations and layouts for the units; and the appropriate costings provided by the Applicant.
Policy Objective PHP34: Healthy Placemaking It is a Policy Objective to: Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES. Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013).	The design of the proposed development takes into account the overarching principles and objectives of the NPF and the RSES as they relate to good urban design and placemaking. The proposed development has been designed to comply with the Urban Design Manual (2009) as well as the Urban Design Manual for urban roads and streets in order to help develop a sense of place. The proposal has been carefully

Policy	Compliance
<p>Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.</p>	<p>considered in terms of the quality of the design proposed. In this respect, the development has had regard to the context of existing and proposed surrounding developments in relation to block formation, height and density. The layout and public realm elements (which are overlooked for passive surveillance) of the development prioritise pedestrian linkages, connectivity and amenity.</p>
<p>Policy Objective PHP35: Inclusive Design &amp; Universal Access It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES</p>	<p>The OMP Architectural design and landscape design by KFLA has been formulated in relation to providing a layout which is inclusive and can be used to the fullest extent possible by all users.</p>
<p>Policy Objective PHP36: Public Realm Design It is a Policy Objective that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.</p>	<p>The proposal provides a strong edge to the site along the N11 and the Lower Kilmacud Road, creating passive surveillance as well as providing an enhanced and high quality public realm.</p>
<p>Policy Objective PHP38: Safer Living Environment It is a Policy Objective to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County.</p>	<p>As per PHP36 above.</p>
<p>Policy Objective PHP39: Building Design &amp; Height It is a Policy Objective to: Encourage high quality design of all new development. Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).</p>	<p>The proposed development provides an appropriate height response to the subject site's location in a District Centre and has had regard to the Stillorgan LAP Framework for the site save for the benchmark heights. A response to table 5.1 of the Heights Strategy is provided below in section 7.5. If the Board considered that the proposal was a material contravention in relation to height, a justification is provided in the Material Contravention Statement.</p>
<p>Policy Objective PHP41: Design Statements It is a Policy Objective that, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as otherwise required by the Planning Authority) submit a 'Design Statement' and shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009) and incorporates adaptability of units and/or space within the scheme</p>	<p>A Design Statement, prepared by OMP Architects has been prepared and accompanies this application which sets out how the proposed development addresses or responds to the design criteria set out in the Urban Design Manual – A Best Practice Guide, including adaptability.</p>

Density

- 7.11 It is noted that section 4.3.2 of the plan states that the ‘*Sustainable Residential Development in Urban Areas Guidelines and the accompanying ‘Urban Design Manual’ include recommendations regarding appropriate densities for various types of locations. Having regard to the Guidelines and consistent with RPO 3.3 and 4.3 in the RSES as follows:*

*Where a site is located within circa 1 kilometre pedestrian catchment / 10 minute walking time of a rail station, Luas line, Core/Quality Bus Corridor and/or 500 metres / 5 minute walking time of a Bus Priority Route, and/or 1 kilometre / 10 minute walking time of a Town or **District Centre**, higher densities at a minimum of 50 units per hectare (net density) will be encouraged,*

- 7.12 In addition, the following paragraph from Section 4.3.1.1 of the Plan is noted:

*‘It should be noted that there are a number of existing bus lanes in the County which afford some localised bus priority, however following the adoption of the Bus Connects Network Redesign they are no longer part of an overall bus priority network. In this regard **higher densities can be justified along the proposed Core Bus Corridor routes (existing QBCs on N11 and Rock Road)** and the Kill Lane/Avenue Mounttown route (Bus Priority Route), which is a strategic bus link between Dún Laoghaire and the N11 and along which, sections of bus lanes are already in place. (emphasis added)*

- 7.13 The proposed development provides for a net density of 322 per hectare. It is clear there is strong policy support for higher densities along the N11 and in District Centres ‘at a minimum of 50 units per hectare’, which reflects strategic Government policy.

#### 7.4 WATER AND DRAINAGE

- 7.14 The Plan outlines the following objectives in relation to water and drainage;

**Table 7.3 – Relevant Water and Drainage Policies**

Policy	Compliance
Policy Objective EI3: Wastewater Treatment Systems It is a Policy Objective that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, either directly or indirectly. It is a Policy Objective to promote the changeover from septic tanks to collection networks where this is feasible and to strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems in order to minimise the risk of groundwater pollution.	The proposed development connects into the existing Irish Water foul network, with a separate surface water system – a Design Acceptance and Confirmation of Feasibility from Irish Water is enclosed with the SHD application. The overall approach is similar to the permitted SHD.
Policy Objective EI4: Water Drainage Systems It is a Policy Objective to require all development proposals to provide a separate foul and surface water drainage system – where practicable. (Consistent with RPO 10.12)	As per Policy Objective EI3 above.
Policy Objective EI6: Sustainable Drainage Systems It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).	The drainage strategy for the development is to drain all of the building, podium levels and internal courtyards through various SUDS measures, into the onsite private surface water drainage system before out falling to the existing storm sewer at a restricted rate.
Policy Objective EI7: Water Supply and Wastewater treatment and Appropriate Assessment It is a Policy Objective to require that	An Appropriate Assessment Screening and Natura Impact Statement are included with the application.

Policy	Compliance
all developments relating to water supply and wastewater treatment are subject to screening for Appropriate Assessment to ensure there are no likely significant effects on the integrity, defined by the structure and function, of any European sites <sup>1</sup> and that the requirements of Article 6 of the EU Habitats Directive are met. (Consistent with RPO 10.7 of the RSES).	
Policy Objective EI9: Drainage Impact Assessment It is a Policy Objective to ensure that all new development proposals include a Drainage Impact Assessment that meets the requirements of the Council’s Development Management Thresholds Information Document (see Appendix 3) and the Stormwater Management Policy (See Appendix 7.1)	The proposal includes an assessment of drainage contained in the Engineering Assessment Report by Waterman Moylan and the Stormwater Audit prepared by Punch Consulting Engineers.
Policy Objective EI13: Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling: To ensure new developments are designed and constructed in line with the Council’s Guidelines for Waste Storage Facilities (an excerpt of which is contained in Appendix 6)	The proposed development has been designed to accommodate waste storage management, which is set out in the OMP Design Statement as well as the AWN Waste Management Report.

7.15 The proposed development connects to the public sewerage system and provides separate foul and surface water drainage systems. In addition, Sustainable Drainage Systems (SuDS) have been incorporated into the development and an Appropriate Assessment Screening Report and Natura Impact Statement has been prepared by Altemar and submitted as part of this application.

7.16 A Hydrological Assessment and a construction waste management plan has been prepared by AWN Consulting and further detail is provided in the Waterman Moylan Engineering reports.

**7.5 HEIGHT**

7.17 Policy Objective PHP39: Building Design & Height states:

*“It is a Policy Objective to:  
 -Encourage high quality design of all new development.  
 - Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).”*

7.18 Appendix 5 of the Plan contains the Building Height Strategy (“the Strategy”) for the County. Section 1.4.2 of the strategy sets out the requirements of the planning authorities to consider the policies and objectives contained in the ‘Urban Development and Building Heights – Guidelines for Planning Authorities 2018 when making their draft development plans and development plans. The Guidelines put forward both an area based and a performance criteria-driven approach as opposed to generic maximum height limits. The achievement of height is linked in the guidelines to increasing densities.

7.19 Section 3.5 of the Strategy notes that *“The N11, owing to its width, strategic importance and public transport facilities, has the potential to become an attractive urban corridor enclosed by taller buildings of high quality, at locations which are also proximate to social and community infrastructure.”*

7.20 The Strategy further notes that the width of the corridor, at over 40 metres, “provides an opportunity for taller buildings to enclose this space.”

7.21 The policy approach is to “build on the principle of allowing taller buildings in town centres, district centres, areas close to high frequency public transport,” subject to performance-based criteria.

#### Blakes Esmond Motors Site

7.22 The Height Strategy identifies areas for increased height via Local Area Plans, the CDP or SDZs, and states the following in relation to the subject site:

*“Building Height: Benchmark height of five storeys across the site, with a landmark building of up to nine storeys at the corner of the N11/Lower Kilmacud Road junction. The transition between the landmark height (9 storeys ) and the benchmark height (5 storeys) must be designed to ensure that excessive massing or bulk in the overall design does not detract from the ‘landmark’ nature of the nine storey element.”*

7.23 It is noteworthy that the Height Strategy (section 4.2.3) highlights the following in relation to the Stillorgan LAP:

*“Whilst the Plan does set specific height parameters, these are set at individual site level in accordance with site strategies, developed based on specific criteria relevant to the sites in question. In accordance with the guidelines the LAP identifies locations for increased height which are sensitive to established residential amenity.*

*There may be instances however, where an argument can be made for increased height within the plan area and in those instances any such proposals would have to be assessed in accordance with any new performance criteria as set out in section 5 of this Building Heights Strategy as per SPPR 3.”*

7.24 From the above text, it is clear that subject to compliance with the performance criteria set out in section 5 of the Height Strategy, that the benchmark height of 5 storeys for the subject site is not fixed.

7.25 Section 4.4 of the Strategy states that is overall policy that all proposals for increased height and/or taller buildings:

- *“over and above the benchmarks of three to four storey in what are called residual suburban areas or*
- *in other identified areas as set out in Policy BHS1 below*
- *above what is set out in any of the Local Area Plans or*
- *above any other specified heights in this plan (SUFP)*

*must be assessed in accordance with the criteria set out in Section 5.”*

7.26 Policy Objective BHS 1- Increased Height states:

*“It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún Laoghaire and Dundrum, the District Centres of Nutgrove, **Stillorgan**, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served*



by public transport links **(i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route)** provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area. (NP0 35, SPPR 1& 3). Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the areas mentioned above. In those instances, any such proposals must be assessed in accordance with the performance based criteria set out in table 5.1 which is contained in section 5.

*The onus will be on the applicant to demonstrate compliance with the criteria. Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.*” (emphasis added).”

7.27 The Heights Strategy outlines that “for those areas proposals shall generally accord with the policies and objectives as set out in the approved Local Area Plan unless a strong justification has been provided in respect of place making.”

7.28 With reference to the N11 corridor, (where the application site is adjacent): the Strategy highlights:

*“The N11 corridor, owing to its width, strategic importance, and public transport facilities, **has the potential to become an attractive urban corridor enclosed by taller buildings of high quality.** In more recent times the N11 corridor has seen a pattern of taller schemes constructed along its route (with access from a secondary road).”* (emphasis added).

7.29 Policy Objective BHS 2 – which relates to Building Height in areas covered by an approved Local Area Plan states:

*“It is a policy objective to promote and support proposed heights as set out in any approved statutory Local Area Plans and as set out for certain areas in this draft County Development Plan (Sandyford Urban Framework Plan area, Dundrum Urban Framework Plan Area and Dun Laoghaire Urban Framework Plan area).*

*Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 **there may be instances where an argument can be made for increased height and/or taller buildings in the areas mentioned above on the basis of placemaking.** In those instances, any such proposals must be assessed in accordance with the performance-based criteria set out in table 5.1 which is contained in section 5.* (emphasis added).

*The onus will be on the applicant to demonstrate compliance with the criteria. Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.”*

7.30 In this regard, the application site is located in a District Centre and within the area covered by the Stillorgan Local Area Plan 2018. The Heights Strategy allows for increases in height in certain circumstances over and above those identified in Local Area Plans subject to compliance with Section 5 of the Heights Strategy. The proposed

scheme does not exceed the maximum height of 9 storeys for the site, although it does exceed the benchmark height of 5 storeys.

7.31 Compliance with Table 5.1 of the Heights Strategy is provided below.

7.32 Notwithstanding the compliance with necessary performance criteria, if the Board were to consider that the proposed development would give rise to a Material Contravention of the Development Plan in respect of building height a full justification in respect of this matter is set out in the Material Contravention Statement.

**Table 7.4 – Compliance with Table 5.1 of Height Strategy**

Criteria for All Such Proposals	DM Requirement	Compliance
<b>At County Level</b>		
<p>Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.</p>		<p>As set out above in Section 5.1 the proposal assists in securing a number of National Policy Objectives (NP02a, NPO3a, NPO3b, NPO4, NPO11, NPO13,NPO27, NPO33, NPO35.</p>
<p>Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.*</p>		<p>Site is located within a 5 minute walk of the Stillorgan N11 QBC, which provides an existing high capacity, high frequency service.</p>
<p>Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks.. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.</p>	<p>Landscape and visual assessment by suitably qualified practitioner. Urban Design Statement. Street Design Audit (DMURS 2019).</p>	<p>Careful consideration has been given to the successful integration of the proposal into an enhanced public realm. The proposal takes into account the topography of the site and presents an active frontage to the Lower Kilmacud Road, which is currently undergoing a transition due to the construction of taller buildings as part of the Leisureplex site and the DLR Part Library/residential site with heights of up to 8/9 storeys.</p>
<p>Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.</p>		<p>There are no protected views or prospects, and the proposed development is located along the key N11 route to the city centre. The proposal will not adversely affect the skyline as set out in the Townscape and Visual Assessment prepared by Modelworks.</p>

<p>Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan</p>		<p>Not applicable to the application site.</p>
<p>Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development</p>		<p>The proposed development includes an Energy Statement prepared by Ethos along with a Lifecycle report prepared by the Design Team. The AWN Air Quality report includes detail on carbon emissions.</p>
<p><b>At District/Neighbourhood/Street Level</b></p>		
<p>Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.</p>	<p>Proposal should demonstrate compliance with the 12 criteria as set out in “Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities” 2009. Street Design Audit (DMURS 2019).</p>	<p>The Planning Report and Statement of Consistency sets out compliance with the criteria. In addition, DMURs compliance is set out in the Waterman Moylan report.</p>
<p>Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab block</p>	<p>Design Statement</p>	<p>We refer the Board to the O’Mahony Pike drawings and the Design Statement enclosed for further details.</p>
<p>Proposal must show use of high quality, well considered materials.</p>	<p>Design Statement Lifecycle Report</p>	<p>The Design Statement prepared by OMP Architects includes details of material which are high quality. The outer / public facades of the buildings are typically faced in brick. Subtle changes in bonding patterns introduce a layer of nuance and visual interest. Additional detail is provided in the Lifecycle report included with the application</p>
<p>Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage</p>	<p>Must also meet the requirements of “The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009”</p>	<p>The application site is not located on a marine/stream frontage. It is located along the key thoroughfare of the N11 which the Heights strategy confirms is an appropriate location for taller buildings.</p> <p>We refer the Board to the enclosed Flood Risk Assessment prepared by JBA which confirms that the proposed development meets the requirements of the Flood Risk Guidelines.</p>

<p>Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.</p>		<p>The proposal includes public realm upgrades which will integrate to the public plaza area all to provide an enhanced urban space, in accordance with the Stillorgan Village Framework Plan.</p>
<p>Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area</p>	<p>Design Statement</p>	<p>The proposed development includes a range of uses comprising a Community Sports Hall, creche, office hub as well as 5 no. café/restaurant units, within a Build to Rent development, which will contribute positively to the range of dwellings in the area, and to the mix of uses in the District Centre.</p>
<p>Proposal should provide an appropriate level of enclosure of streets or spaces.</p>	<p>Design Statement</p>	<p>The proposal improves the sense of enclosure along the Lower Kilmacud Road with a strong active urban edge. In addition, the plaza area to the south is enclosed by café units and enjoys a southerly and western aspect.</p>
<p>Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.</p>		<p>The proposed development includes a series of active spaces located at ground floor/plaza level, comprising café/restaurant uses, along with the creche and the resident support/amenity facilities as well as the high quality landscaping, all of which provides interaction and contributes to a fine urban grain.</p>
<p>Proposal must make a positive contribution to the character and identity of the neighbourhood</p>		<p>The proposal includes a landmark building at the corner of the N11 and the Lower Kilmacud Road, which will make a positive contribution to the identity of the District Centre of Stillorgan, within which the proposed development is located.</p>
<p>Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.</p>		<p>The proposed development presents a strong urban edge along the Lower Kilmacud Road, to the north, which is in keeping with the emerging SHD (under construction) and the</p>

		Part 8 development while also deferring to the existing residential areas to the south where the height and massing steps down to the boundary.
<b>At site/building scale</b>		
Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing	Must address impact on adjoining properties/spaces	We refer the Board to the Sunlight/daylight report prepared by IES Consulting which assesses the impact on adjoining residences. Further detail/assessment is provided in the OMP Design Statement.
Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance “Site Layout Planning for Daylight and Sunlight” (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met		We refer the Board to the Sunlight/daylight report prepared by IES Consulting which demonstrates compliance with the BRE Guidelines.
Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing		We refer the Board to the Sunlight/daylight report prepared by IES Consulting which assesses the impact on adjoining residences. Overlooking is avoided through omission of windows on key elevations, and the height and massing steps down to the boundary to the south.
Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.		The site is not located in or adjacent to an Architectural Conservation Area, nor does the site contain a protected structure and therefore not relevant to the proposed development.
<b>County Specific Criteria</b>		
Having regard to the County’s outstanding architectural heritage which is located along	An urban design study and visual impact assessment study should be submitted and	Not relevant to the proposed development.

<p>the coast , where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.</p>	<p>should address where appropriate views from the sea and/or piers.</p>	
<p>Having regard to the high-quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive</p>	<p>An urban design study and visual impact assessment study should be submitted.</p>	<p>Relates to Mountain Landscape. Not relevant to the proposed development.</p>
<p>Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning’s stage).</p>		<p>The wide suite of documents has had regard to the pre-planning meetings and requirements of An Bord Pleanála’s opinion as well as the DM requirements of the Plan.</p>
<p>Specific assessments such as assessment of microclimatic impacts such as down draft</p>		<p>We refer the Board to the enclosed Microclimate report by Arup.</p>
<p>Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.</p>		<p>The Altemar ECIA report confirms that the proposed development will not impact on sensitive birds or bats.</p>
<p>Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.</p>		<p>We refer the Board to the enclosed Telecommunications report by ISM, which confirms no impact.</p>
<p>An assessment that the proposal maintains safe air navigation</p>		<p>We refer the Board to the email from the IAA dated 28<sup>th</sup> March 2022 (in appendix 5 of this report) which confirms no impact on safe air navigation.</p>
<p>Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.</p>		<p>The relevant information is provided in the application comprising AA screening, and Ecological Impact Assessment by Altemar and an EIA Screening (schedule 7 information) by Enviroguide.</p>

<p>Additional criteria for larger redevelopment sites with taller buildings</p>		
<p>Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.</p>		<p>The proposed development includes a series of open space areas, including a southerly facing public plaza which with adjoining café/restaurant units fronting onto the space, creating a high-quality space, which will make a positive contribution to place making. The development includes a range of heights and massing which will positively contribute to placemaking and responds to the scale of existing development to the south and emerging development to the north.</p>
<p>For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.</p>		<p>We refer the Board to the Sunlight/daylight report prepared by IES Consulting which demonstrates compliance with the BRE Guidelines and relevant EU standards.</p>



## 7.6 DESIGN STANDARDS CHAPTER 12

7.33 Chapter 12 of the Plan provides design standards for development summarised as follows:

**Table 7.5 – Relevant Design Standards**

Design Standard	Compliance															
<p>Section 12.3.5.1 Dual Aspect in Apartments. The Plan notes that as the Planning Authority considers that the entire county is classified as a suburban or intermediate location, there shall be a minimum of 50% dual aspect apartments in a single scheme.</p>	<p>Notwithstanding the subject site’s location in a centrally located area, which would allow for 33% dual aspect units (as per Apartment Guidelines) the proposed development provides 53% dual aspect units. The proposal is in compliance with the Development Plan in this regard. There is no material contravention.</p>															
<p>Section 12.3.5.2 Separation Between Blocks. A general minimum distance is required of 22m between opposing windows in the case of apartments up to 3 storeys and in taller blocks a greater separation distance may be prescribed. The CDP notes that in certain instances, depending on orientation and location in built up areas, reduced separation distances, may be acceptable.</p>	<p>The apartment blocks have in general a separation distance of c. 22m between each block reducing in some places and the CDP notes that reduced separation distances may be acceptable in certain instances. Undue overlooking between apartments is addressed through careful design of primary windows. This is considered to be in accordance with NPO13 of the NPF which promotes performance enabling alternative solutions in urban areas, for planning and related standards, that seek to achieve well-designed high-quality outcomes. If the Board considered a material contravention was relevant a justification is provided in the Material Contravention Statement</p>															
<p>Section 12.3.5.3 Internal Storage and External Storage</p> <p><i>Table 12.3: Minimum Storage Space Requirements</i></p> <table border="1" data-bbox="204 1182 587 1317"> <thead> <tr> <th>Minimum Requirements</th> </tr> </thead> <tbody> <tr> <td>One Bedroom 3 sq.m.</td> </tr> <tr> <td>Two Bedroom (3 person) 5 sq. m.</td> </tr> <tr> <td>Two Bedroom (4 person) 6 sq. m.</td> </tr> <tr> <td>Three Bedroom 9 sq.m.</td> </tr> </tbody> </table> <p>The Plan also notes that apartment schemes should provide external storage for bulky items outside individual units, in addition to minimum apartment storage requirements. Proposed Material Amendment no. 168 indicates external storage standards shall accord with or exceed the levels outlined in Table 12.3b below.</p> <p><i>Table 12.3b</i></p> <table border="1" data-bbox="204 1563 794 1675"> <thead> <tr> <th>Number of Bedrooms</th> <th>Storage area (cubic metres)</th> </tr> </thead> <tbody> <tr> <td>Studio/1 bedroom</td> <td>4m cubed</td> </tr> <tr> <td>2 bedroom (3 person)</td> <td>6m cubed</td> </tr> <tr> <td>2 bedroom (4 person)</td> <td>8m cubed</td> </tr> <tr> <td>3 bedroom</td> <td>10m cubed</td> </tr> </tbody> </table>	Minimum Requirements	One Bedroom 3 sq.m.	Two Bedroom (3 person) 5 sq. m.	Two Bedroom (4 person) 6 sq. m.	Three Bedroom 9 sq.m.	Number of Bedrooms	Storage area (cubic metres)	Studio/1 bedroom	4m cubed	2 bedroom (3 person)	6m cubed	2 bedroom (4 person)	8m cubed	3 bedroom	10m cubed	<p>All apartments are compliant with the Development Plan Internal storage requirements and the Apartment Guidelines 2020. There is no provision in the proposed development for external storage for apartments. The proposed development is a BTR development SPPR8(i) and (ii) apply. If the Board considered a material contravention was relevant a justification is provided in the Material Contravention Statement.</p>
Minimum Requirements																
One Bedroom 3 sq.m.																
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Number of Bedrooms	Storage area (cubic metres)															
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2 bedroom (3 person)	6m cubed															
2 bedroom (4 person)	8m cubed															
3 bedroom	10m cubed															
<p>Section 12.3.5.5 Minimum Apartment Areas. All apartment developments shall accord with the Apartment Guidelines 2018 (2020). footnote to the last sentence of Section 12.3.5.5 ‘Minimum Apartment Floor Areas’ (page 237) as follows: “... by a minimum of 10%* (excluding studios). *Not applicable to BTR development in accordance with SPPR 8.”</p>	<p>The proposed development complies with both the Development Plan and Apartment Guidelines 2020.</p>															
<p>Section 12.3.5.6 2.7m floor to ceiling height and maximum of 12 apartments per core.</p>	<p>The proposed development complies with both of these design requirements.</p>															

Design Standard	Compliance
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> The Plan states that “BTR accommodation must comply with all apartment standards set out in Section 12.3.5.”</p>	<p>The proposed BTR Development does not comply with all apartment standards (as it is a BTR Development) and is subject to the provisions of SPPR 7 and SPPR8. These have been set out in this table. If the Board considered a material contravention was relevant a justification is provided in the Material Contravention Statement</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> The Plan notes that all proposed BTR accommodation must comply with SPPR7 and SPPR8 of the Apartment Guidelines in relation to ownership and operation by an institutional entity for a minimum of 15 years.</p>	<p>The SHD application includes a draft legal agreement in respect of the proposed ownership in compliance with SPPR7 of the Apartment Guidelines.</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> BTR development to include resident support facilities and resident amenity spaces.</p>	<p>The proposed BTR development provides c. 1,016 sq. m of residential support facilities/resident services and amenities.</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> A derogation with regard to in-unit storage may be considered where alternative, secure storage area can be provided on-site</p>	<p>Not applicable as storage provided in units.</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> All proposed units must provide for private open space in the form of a balcony, terrace, winter garden or roof garden. A reduction in the area of private open space serving each unit will only be considered in instances where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided</p>	<p>The proposed development comprises a BTR development and includes a 50% balcony provision for the BTR units along with compensatory communal open space of some 1,024 sq. m as well as resident support and amenity facilities floorspace of c. 1,016 sq. m. The proposal provides an additional 46% compensatory open space which is substantially above the Development Plan requirement.</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> On-site car parking must comply with the requirements set out in Section 12.4.5.</p>	<p>For Zone 2 the standard parking is 1 space per 1 and 2 bedroom apartment and 2 spaces per 3 bedroom apartment. The Plan does not provide a specific car parking standard for “Residential – Build to Rent”. Nevertheless, SPRR8(iii) applies which states that “<i>There shall be a <b>default of minimal or significantly reduced car parking provision</b> on the basis of BTR development being more suitable for central locations and/or proximity to public transport services.</i>” While the proposal is in compliance with the Apartment Guidelines it is not in compliance with the Development Plan. If the Board considered a material contravention was relevant a justification is provided in the Material Contravention Statement.</p>
<p><u>Section 12.3.6 Build to Rent Accommodation.</u> In all instances, the applicant shall clearly demonstrate that the BTR development is located within a 10 minute walking time from high frequency public transport routes</p>	<p>The BTR development is located adjacent to a QBC on the N11 which is a high frequency public transport route (c. 50 no. buses at peak time).</p>

### 7.6.1 Residential Mix

- 7.34 Section 12.3.3.1 of the Plan sets out the requirements in relation to residential mix and notes that *“planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County.”*
- 7.35 Table 12.1 of the Plan sets out the mix requirements for apartment developments. For scheme of 50+ units, the Development Plan requires:
- *Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios.*
  - *Minimum 20% 3+ bedroom units*
- 7.36 It is further noted proposed material alteration no. 160 seeks to insert the following text after the first paragraph of Section 12.3.3 ‘Quantitative Standards for All Residential Development’ (page 232).
- “That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 233.”*
- 7.37 The above would result in a requirement for a minimum of 20% 3+ bedroom units in Build To Rent apartment developments and up to 80% studio, one and two bedroom units whereas the proposed Build To Rent development proposes 2.1% 3+ bedroom units and 97.9% studio, one and two bedroom apartments.
- 7.38 However, we would note that SPPR 8 of the Apartment Guidelines clearly states that there is ***“SPPR8(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise.”*** in respect of Build to Rent developments.
- 7.39 There is no provision in SPPR 8 for the mix to be modified or varied by Planning Authority's in Development Plans based on a HNDA, unlike SPPR 1 for non-Build to Rent apartment developments. The no unit mix restriction is a mandatory requirement of the SPPR8.
- 7.40 Notwithstanding this, if the Board were to consider that the proposed development would give rise to a Material Contravention of the Development Plan in respect of development mix, we have set out a full justification in respect of this matter in the Material Contravention Statement, prepared by John Spain Associates.

### 7.6.2 Car and Cycle Parking

- 7.41 The CDP outlines the standards for car parking in Table 12.6, shown below where 1 and 2 bedroom apartments are to have 1 car parking space per unit. There is a total of 119 car parking spaces for the proposed BTR development, with an additional set down space located along the Hill.

**Table 12.6 Car Parking Zones and Standards**

Land Use		Zone 1 MTC Areas and Blackrock	Zone 2 Near Public Transport	Zone 3 Remainder of County (non-rural)	Zone 4 Rural
<b>Houses:</b>	<b>Criterion</b>	<b>Maximum</b>	<b>Standard</b>	<b>Standard</b>	<b>Standard</b>
House 1 bed	unit	1	1	1	Case by case
House 2 bed	unit	1	1	1	Case by case
House 3 bed or more	unit	1	2	2	Case by case
<b>Apartments and Sheltered Housing:</b>					
Apt 1 bed	unit	1	1	1*	Case by Case
Apt 2 bed	unit	1	1	1*	Case by Case
Apt 3 bed +	unit	1	2	2*	Case by Case

7.42 Due to the subject site’s location adjacent to the N11 corridor, the site is classified as being located in Zone 2. It is noted the Plan does not provide a specific car parking standard for “Residential – Build to Rent”.

7.43 SPPR 8 of the Apartment Guidelines 2020, state that for BTR Development:

*“(iii) There shall be a **default of minimal or significantly reduced car parking provision** on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.”*

7.44 Within Zone 2, the plan states for residential uses reduced provision may be acceptable dependent on the following assessment criteria:

**Table 7.6 – Reduced Car Parking Assessment Criteria**

Assessment Criteria	Response
Proximity to public transport services and level of service and interchange available.	The site is located adjacent to the N11 public transport corridor, which is an existing high-quality frequency and capacity bus corridor. Distances to the nearest bus stops are less than 5mins walk. Travel time to St. Stephen’s Green by QBC is 25 mins. Additional services are provided along the Lower Kilmacud Road to Tallaght. A detailed summary of the weekday frequency and capacity and level of service is set out in the accompany Traffic and Transport Assessment prepared by Waterman Moylan which accompanies this application.
Walking and accessibility/permeability improvement to same. and cycling and any	The eastern flank of the subject site includes an existing cycle lane, providing access to local employment/educational locations (UCD c. 12 minute cycle to the north) as well as to Dublin City Centre (c. 26 minute cycle to St. Stephen’s green). Permeability will be improved within the layout of the scheme (east west and to the north).

Assessment Criteria	Response
The need to safeguard investment in sustainable transport and encourage a modal shift.	A substantial number of cycle spaces will be provided at basement and surface level to cater for future residents and visitors, located at convenient locations proximate to the lift/stair cores, which will promote a modal shift to cycling.
Availability of car sharing and bike / e-bike sharing facilities.	The proposal includes car sharing and 866 bicycle spaces.
Existing availability of parking and its potential for dual use.	The district centre of Stillorgan has on street car parking as well as parking associated with the Stillorgan Village Shopping Centre, which has the potential to allow for dual usage car parking.
Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).	Not applicable.
The range of services available within the area.	The subject site is located within the wider Stillorgan District Centre, close to Stillorgan Village and its wide range of retail and retail services. In addition, there is a cinema and other retail units located to the west.
Impact on traffic safety and the amenities of the area.	The proposal has been designed so as to provide an appropriate transition to the existing residences, located to the south of the proposed development. The public realm upgrades will encourage walking/pedestrian movement within the District Centre and encourage reduced speeds. In addition a Road Safety and Cycle Audit has been undertaken.
Capacity of the surrounding road network.	The TTA prepared by Waterman Moylan confirms that the proposed development can be accommodated within the capacity of the surrounding local network.
Urban design, regeneration and civic benefits including street vibrancy.	The proposal includes public realm upgrades which will integrate into the Stillorgan Movement Framework Plan. These public realm works will also integrate into the public plaza and restaurant/café units within the scheme, enhancing vibrancy and activity within the District Centre.
Robustness of Mobility Management Plan to support the development.	A robust Car Parking Strategy and Mobility Management Plan has been prepared by Waterman Moylan and accompanies this SHD application.
The availability of on street parking controls in the immediate vicinity.	On street parking controls are provided in the vicinity of the proposed development along the Hill.
Any specific sustainability measures being implemented including but not limited to: The provision of bespoke public transport services. The provision of bespoke mobility interventions.	A Mobility Management Plan is included in the SHD application which provides specific measures to encourage public transport use.

Assessment Criteria for deviation from Car Parking Standards (set out in Table 12.6)

7.45 With reference to other uses, Table 12.6 notes the following maximum standards for car parking for Zone 2 areas:

Restaurant, Café, Bar, Lounge < 100sqm (standalone) – none required.

Restaurant, Café, Bar, Lounge > 100sqm 1 space per 50 sq. m.

Gym / Sports Club 1 per 75 sq. m

Offices 1 per 150 sq. m

- 7.46 The proposed development is not providing car parking spaces for the commercial elements of the proposed development. The development will provide 119 car parking spaces for the residential units with 4% being provided for disabled users. This equates to 0.32 car parking spaces for every apartment. The 119 car parking spaces includes 5 no. spaces for GoCar and 11 no. electric charging car spaces. In addition there is 1 no. set down surface car parking space to be provided.
- 7.47 The plan also requires that it is a requirement that a Cycle Audit be submitted as part of the planning application. *The Cycle Audit must be prepared by a suitably qualified person and shall clearly demonstrate, in plan format, how all the requirements of Council's Standards for Cycle Parking and Associated Cycling Facilities for New Developments, are met within the development.*
- 7.48 The overall development has an emphasis on sustainable transport through reduced car parking provided, cycle parking provision and the location of the site in a District Centre, adjacent to the N11. Overall it is proposed to provide some 450 no. cycle spaces (for residents) and a further 185 no. cycle spaces for visitors and for the commercial areas, as set out in the TTA and Parking Rationale document prepared by Waterman Moylan.

### 7.6.3 Open Space

- 7.49 Table 12.7 outlines the categories of open space for residential development as follows:

#### *Public Open Space*

*Public open space is defined as being generally freely available and accessible to the public, and in the case of certain residential developments has, or is intended to be, 'taken-in charge' by the Local Authority. In all new residential development schemes, there should be some appropriate provision made for public open space within the site. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall.*

#### *Communal Open Space*

*Communal open space is for the use of a set group of residents within the development only and would ordinarily be maintained by a Management Company i.e. is privately owned. This would be typical of apartment - type residential developments and can be gated/ located adjacent to one/two specific apartment blocks for their exclusive semi-private use. It can also apply to some housing schemes.*

#### *Private Open Space*

*Private open space normally refers to balconies and/or private gardens, which are the responsibility of, and only accessible to, the individual resident."*

- 7.50 The Plan notes that all applications for residential schemes (including Built to Rent) should include a clear written schedule and colour coded drawing with public, private

and communal open space provision identified. This is provided in the OMP Design Statement.

- 7.51 Table 12.8 and 12.9 (and Table 12.11 replicated) detail the public and communal open space requires as part of the development plan:

**Table 12.9 Communal Open Space Standards**

Unit Type	Minimum Area per Unit
Studio	4 sq. m
One Bed	5 sq. m
Two bedrooms (3 bed)	6 sq. m
Two bedrooms (4 bed)	7 sq. m
Three bedrooms	9 sq. m
Four +	12 sq. m.

**Table 12.8 Public Open Space Requirements for residential developments**

Location:	Public Open Space Standards (minimum):
Residential Development in new residential communities as shown in the Core strategy – figure 2.9.	15% (of site area)
Residential Development in the existing built up area.	15% (of site area)

- 7.52 The Plan notes that to qualify as public open space the area must be designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and capable of being taken in charge (i.e. must accord with the Council policy on taking in charge of open spaces).
- 7.53 With reference to the 2022 Plan public open space requirement is 15% of the site, which equates to some 1,675 sq. m. The proposed development provides 10% public open space of some 1,177 sq. m which is below the 2022 Plan requirement.
- 7.54 The proposed development provides 4,111 sq. m of communal open space which is above the Apartment Guidelines requirements of 2,214 sq. m. Additional public realm improvements are also provided on the wider site (on lands under the ownership of Dun Laoghaire Rathdown County Council comprising c. 2,392 sq. m.
- 7.55 The Plan acknowledges that in apartment developments and higher density scheme that it may not be possible to provide the 15% requirement and that ***High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space.***
- 7.56 In addition the Plan states:

***“It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same.”***

7.57 It is further noted that in relation to communal open space, the Plan states:

*“In very high density schemes (in excess of 100 units per hectare), the Council may seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended, for the shortfall in communal open space provision.”*

7.58 With reference to private open space for apartments, the Plan outlines that:

*“In exceptional cases in ‘urban centres’, for reasons of maintenance of streetscape character, or the preservation of residential amenity of adjoining property, the Planning Authority **may accept the provision of communal open space in lieu of private open space.**”*

7.59 It is also outlined that the Plan states that:

*“Where a Built to Rent scheme avails of lower private amenity space based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.”*

7.60 In this regard, the applicant is happy for a condition to be attached in relation to the above.

7.61 While the Plan does allow a high degree of flexibility in respect of open space, for higher density proposals, a justification is provided in respect of open space provision in the material contravention statement.

#### **7.6.4 Build to Rent**

7.62 According to the 2022 Plan, Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. BTR accommodation will only be permitted in suitable locations in accordance with Policy Objective PHP27.

7.63 The Plan notes that applications for proposed BTR must clearly demonstrate compliance with the guidelines and include details in relation to:

*The proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential unit can be sold or rented separately for that period. A covenant or legal agreement shall be submitted and entered into in this regard.*

7.64 Response: The SHD application includes a draft covenant with the particulars.

*Proposed residential support facilities such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*

*Proposed resident services and amenities for communal recreational and other activities by residents.*

7.65 Response: The proposed development provides some 1,016 sq. m of resident support/resident amenity facilities at the ground floor of Blocks 4 and 5.



**7.7 CHAPTER 14 – SPECIFIC LOCAL OBJECTIVES**

7.66 Chapter 14 notes the following Specific Local Objectives:

*SLO 15 - To accord with the policies of the adopted Stillorgan Local Area Plan.*

7.67 With reference to the above, the proposed development complies with the policies of the adopted Stillorgan LAP, save for those identified in the Material Contravention Statement (plot ratio and height).

*SLO 21 - To support and facilitate the provision of a swimming pool, leisure facility and Library within the Stillorgan area.*

7.68 The proposed development includes a Community Sports Hall of 933 sq. m which will be available to residents and the wider public, which is a significant community gain for the area.

## 8.0 STATEMENT OF CONSISTENCY WITH STILLORGAN LOCAL AREA PLAN 2018 – 2024

- 8.1 The Stillorgan Local Area Plan (LAP) was adopted in 2018 and sets out a development strategy for the District Centre. The vision statement for the area is *“to enhance the sense of place and community within Stillorgan, improving its vitality and viability as a district centre. The plan strategy is to seek a transformative improvement in the quality of the public realm where priority movement for pedestrians, cyclists and public transport will be ensured and the creation of a high-quality age friendly environment will be a prerequisite”*.
- 8.2 The LAP seeks to consolidate Stillorgan’s position as a District Centre in the County and to provide a framework for the redevelopment and renewal of key sites in Stillorgan.
- 8.3 The key objectives of the LAP which will inform the overall planning framework for the area are:
- *“To seek a comprehensive improvement in the public realm and the pedestrian/cycle environment supporting an Age Friendly Village environment.*
  - *To encourage high quality redevelopment in the area through Site Framework Strategies for key sites in Stillorgan.*
  - *To reinforce and enhance the commercial and retail vitality of Stillorgan, reflecting its position in the planning hierarchy as a ‘District Centre’.*
  - *To improve and enhance community facilities in the area.*
  - *To improve accessibility to Stillorgan in particular by promoting the use of public transport, walking and cycling.”*
- 8.4 The subject application comprises of the redevelopment of a key site within the LAP area including the comprehensive improvement of the public realm at the interface of Lower Kilmacud Road and The Hill, and further along the Hill having regard to the Stillorgan Village Area Movement Framework Plan and LAP. The proposal provides for complementary café/restaurant/office and community uses (Community Sports Hall and creche) to support and enhance the commercial and retail vitality of Stillorgan in its role as a District Centre.
- 8.5 As such, the proposed development is in compliance with all of the key objectives which have been set out in the LAP.

### 8.1 PUBLIC REALM

- 8.6 There is a large emphasis on public realm improvements within the LAP due to a number of factors including lack of cycle lanes, car dominance and a lack of connectivity.
- 8.7 The LAP states that it is important to create an environment that will promote and sustain a rich and vibrant village where people living and working in Stillorgan can walk, cycle and access public transport via a network of safe, pleasant and well-connected streets, civic spaces, green links and benefit from a much-enhanced environment around the village core.
- 8.8 The following is relevant from the LAP:

*“PR1 It is an objective of the Council to implement the ‘Stillorgan Village Area Movement Framework Plan’.*

- 8.9 The proposed development has had regard to the Stillorgan Village Area Movement Framework plan and has incorporated the relevant objectives into the overall design, particularly in the north western part of the site which includes public realm improvements which will integrate with the proposed public plaza and landscaping.

**Figure 8.1 – Diagram of public realm areas**



Source: OMP

*PR2 It is an objective of the Council to ensure that pedestrian, cycle, public transport, car and delivery vehicle networks are designed to maximise connectivity, permeability and ease of movement for soft modes.*

- 8.10 The proposed development provides for new pedestrian and cycle links within the development from the village centre to the site and the Lower Kilmacud Road as well as a main pedestrian thoroughfare through the site from the Hill linking to the N11.

*PR3 It is an objective of the Council to create multifunctional streets that balance ‘movement’ and ‘place’ and safety for all users, within a traffic calmed environment.”*

- 8.11 The proposed development seeks to enhance the pedestrian and cycle movements on the site by providing for new cycle link an improved public realm and new footpath areas along the Lower Kilmacud road and the Hill.

*PR4 It is an objective of the Council to promote high quality urban design with particular reference to the ‘12 Criteria’ outlined in the ‘Urban Design Manual - A best practice guide’ (2009)”*

- 8.12 As discussed in earlier sections of this report, the proposed development has been assessed in respect of the 12 no. urban design criteria.

## 8.2 MOVEMENT

- 8.13 Relevant movement objectives of the Stillorgan LAP and commentary on the proposed development are as follows:

*“MV2 It is an objective of the Council to promote sustainable transport forms such as walking, cycling and public transport as set out in the Government’s ‘Smarter Travel, A Sustainable transport Future 2009- 2020’.*

**Figure 8.2 – Connectivity through the site**



Source: OMP

*MV3 It is an objective of the Council to provide for high quality pedestrian and cycle network within the LAP Area with high levels of permeability, passive surveillance and supervision where feasible and to ensure that this network will provide attractive, legible and direct links to the District Centre, Bus Stops, Stillorgan Luas Stop and the wider area outside the Plan Boundary.*

*MV4 It is an objective of the Council to provide for safe and secure cycle parking at appropriate locations within the LAP Area and in particular close to recreational or community facilities, residential units, transport nodes, shops and services.”*

- 8.14 The proposed development seeks to provide increased cycle movements and activities within the development and the surrounding area. The proposed development provides for enhanced cycle parking and services within the development to encourage the use of more sustainable modes of transport.
- 8.15 In addition, the proposed development provides for a reduced number of car parking spaces to further encourage the use of bicycles and the quality public transport services adjoining the site.

### 8.3 RETAIL/COMMERCIAL

8.16 Section 4.3 of the LAP contains objectives on Retail/ Commercial which primarily aim to maintain and enhance the presence of these uses within the Stillorgan area.

8.17 In relation to retail/ commercial, the County Development Plan's objectives which relate to the proposed development are as follows:

*"R1 It is an objective of the Council to strengthen the role of Stillorgan as a District Centre as identified in the Retail Strategy for the GDA 2008-2016 and the County Development Plan 2010-2016, at a scale appropriate to this designation and to promote it as the primary retail location in the wider Stillorgan area."*

*"R2 It is an objective of the Council to limit the net retail sales area within Stillorgan District Centre to 25,000 square metres in accordance with the Dún Laoghaire-Rathdown County Development Plan."*

*R3 It is an objective of the Council to encourage a broad mix of uses within Stillorgan that contribute to the creation of a sustainable and vibrant District Centre that is the focus for social and business interaction. New development shall be required to demonstrate how it complements or enhances the existing mix of uses"*

*"R5 It is an objective of the Council to require a high quality of design and finish for new shopfronts and signage in Stillorgan that enhances the local streetscape and public realm"*

8.18 Section 4.3.3 of the LAP notes that the level of commercial office floorspace is lower than other District Centres and notes that some commercial office development may be acceptable as part of the redevelopment of the larger regeneration sites in Stillorgan. The proposed development seeks to provide some 2,184 sq. m of commercial floorspace comprising, 5 no. café/ restaurant units (841 sq. m), Community Sports Hall (933 sq. m), Office use (195 sq. m) and a creche (215 sq. m). The proposed development seeks to complement the existing uses within the shopping centre and provide for supplementary services.

8.19 The mix of uses (including a creche) create a sustainable and vibrant village core with emphasis both on the shopping centre and the surrounding sites within the overall district centre. The proposed development seeks to attract more local businesses within the smaller units, extending the attraction for such uses down the Hill thus complementing the existing well-established businesses at this location. The proposal will not increase the net retail sales area of the District Centre.

### 8.4 KEY DEVELOPMENT SITES

8.20 The Stillorgan LAP identifies 6 no. key development sites. The subject site is identified as one of these locations. The LAP notes that the cumulative effect of the redevelopment of the key sites could result in a profound change for the village and therefore general policy guidance is provided in relation to development across all of the key sites in the area.

*KDS1 It is an objective of the Council to encourage a rich mix of uses to create vitality.*

*KDS2 It is an objective of the Council to encourage specific uses at appropriate locations which respect their context.*

*KDS3 It is an objective of the Council to encourage the cooperation between adjoining landowner/ developers in such a way that sites can realise their full potential and support the overall strategic objectives for the area.*

*KDS4 It is an objective of the Council to improve public realm through the promotion of high-quality architecture, urban design and an open, pedestrian friendly environment.*

*KDS5 It is an objective of the Council to provide a mix of public spaces with high quality landscaping and street furniture.*

*KDS6 It is an objective of the Council to promote design of buildings that respect and have regard to their context and neighbouring amenity.*

*KDS7 It is an objective of the Council that, when considering the cumulative redevelopment potential of District Centre lands, that net retail sales area in Stillorgan District Centre zoned lands continue to be capped at 25,000 sq.m*

*KDS8 It is an objective of the Council to consider the cumulative effects of the provision of parking in relation to the key development sites within the Stillorgan LAP boundary and its future effects on traffic flows within Stillorgan.*

- 8.21 With reference to KSD1 and 2, the proposed development includes a range of uses (residential, café/restaurant, creche, community sports hall and office). The location of the café units has been carefully considered to address the public realm and plaza areas. The subject lands include 2 ownerships, comprising Cairn Homes and Dun Laoghaire Rathdown which illustrates co-operation (KSD3). The proposal improves the public realm (as per KDS4), and with refence to KDS6, the proposed heights and massing reduces towards the existing development to the south (similar to permitted at boundary). In relation to KSD7, the proposal does not increase the retail net sales area, and parking is restricted in compliance with SPPR8 of the Apartment Guidelines which will have the effect of reducing cumulative traffic flows below what they would be if the scheme adopted Development Plan Standards.

## **8.5 RESIDENTIAL DEVELOPMENT**

- 8.22 The LAP states that the primary function of Stillorgan will continue to be as a retail and commercial centre, however it is an objective of the LAP to redevelop key sites which incorporate a residential element.

- 8.23 It is proposed that residential scheme in these sites should include a range of housing types, particularly apartments.

- 8.24 The following are the relevant residential development objectives contained within the LAP:

*“RS1 To promote high quality homes and quality residential choices for a range of household needs including housing choice for older people who may want to downsize.*

*RS2 To promote sustainable higher densities and quality innovative housing designs.*

*RS3 It is an objective of the Council that sites with opportunity for new residential development identified in Chapter 4 shall be designed and developed in accordance with the principles of the Site Framework Strategies.*

*RS5 The Planning Authority will promote the provision of 'Lifetime Homes', applying universal design guidelines to provide a more seamless and appropriate continuum of housing choice and options for older people."*

- 8.25 The proposed built to rent development provides for a total of 377 no. residential units on site. The mix of unit size and tenure (41 no. Part V units) comprising of 21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments, & 8 no. 3 bedroom apartments provide for a variety of accommodation for all stages of the lifecycle.
- 8.26 The proposed density at 267 units per hectare gross (322 uph net excluding public realm) is considered to be sustainable higher density development that incorporates quality and innovative housing designs.
- 8.27 The overall proposed development is therefore considered to be compliant with the relevant residential objectives as set out in the LAP.

## **8.6 SITE DEVELOPMENT FRAMEWORK- BLAKES AND ESMONDE MOTORS**

- 8.28 Dun Laoghaire-Rathdown County Council have identified the subject site as having future redevelopment potential for a mixed-use development within the Stillorgan Local Area Plan.
- 8.29 The following sections outline compliance with the Site Development Framework for the Blakes and Esmonde Motors site as set out in the Stillorgan LAP.

## **8.7 ZONING**

*Zoning Objective 'DC' 'To protect, provide for and/or improve mixed-use district centre facilities.*

- 8.30 The proposal provides for a mixed use BTR residential and café/restaurant/creche/office/ community sports hall development.

**Figure 8.3 – Extract from LAP for subject site**

## 8.8 REDEVELOPMENT OBJECTIVES

*Redevelopment should include a mix of uses – commercial, retail and community at the 'Retail core' and predominantly residential on the balance of the site.*

- 8.31 The proposed development provides for a cluster of café/ restaurant spaces at the junction of the Hill and the Lower Kilmacud Road as well as community floorspace and office floorspace. The concentration of the commercial uses and community floorspace at this location provides for a complementary role to the remainder of the retail core and encourage movement and expansion of the existing village core. The remainder of the site is utilised for residential purposed in accordance with the LAP.
- 8.32 Stillorgan is designated as a Level 3 District Centre in both the Greater Dublin Area and Dun Laoghaire Rathdown County retail hierarchies. The core retail area for Stillorgan District Centre focuses on Stillorgan Village Shopping Centre. According to the Stillorgan LAP there are 150 no. retail units in Stillorgan, comprising a cumulative 20,000sq.m of gross floor area.
- 8.33 The majority of the SHD application site is located outside the core retail area of Stillorgan as identified within the Stillorgan LAP 2018-2024.



**Figure 8.4 – Stillorgan LAP Retail Core****Strategy map for Stillorgan, Extract from Stillorgan LAP**

- 8.34 The Greater Dublin Area Retail Strategy recommends that Stillorgan, in common with many other similar-sized retail centres, be rejuvenated and enhanced to bring it more in line with modern retailing needs and to avoid any potential deterioration. It should be noted that Stillorgan Village Shopping Centre represents the completion of a major refurbishment under Reg. Ref.: D12A/0289, subsequently amended by a number of permissions. The permitted SHD to the north at Leisureplex provides a further 1,049 sq. m (GFA) of retail floorspace.

Create a building line that enhances a vital street frontage onto The Hill/Lower Kilmacud Road.

- 8.35 The proposed building line along the Lower Kilmacud road provides for a strong edge and enhancement to the street frontage at this location. The main access points to the development as well as the ancillary uses such as the Restaurant/Café uses are all located along this boundary; providing animation and activity. The provision of a creche and residential amenity floorspace at ground floor level along the Hill also provides a significant element of active frontage that is currently absent in the existing scenario.
- 8.36 The proposed building frontage at this location is carefully modulated and designed to provide for variety and interest into the streetscape. The proposed design is therefore considered to be consistent with the LAP objectives.

Facilitate pedestrian permeability through the site.

- 8.37 The proposed development provides for a number of linkages from the Lower Kilmacud Road into the subject site. In addition, a new east west route is provided through the site to the N11 for pedestrian and cycle movements.

Any application for redevelopment to submit a Flood Risk Management Plan.

- 8.38 A site-specific flood risk assessment has been prepared and is submitted with the SHD application. Please see JBA report for more details. The flood risk design strategy for the proposed development is similar to the previously permitted SHD on the subject lands.

Provide a publicly accessible community room.

- 8.39 The proposed development provides for a Community Sports Hall of 933 sq.m. this facility will serve the wider community as well as the future residents. The use of this space will be for community purposes such as meeting and events as well as actives and sports facilities.

## **8.9 DESIGN GUIDELINES**

Create a building line that enhances a vital street frontage onto The Hill/Lower Kilmacud Road.

- 8.40 The proposed development has been designed to specifically address the key street frontages along the Hill and the Lower Kilmacud Road. Along the Lower Kilmacud Road, the proposed development seeks to provide 3 no. café / Restaurant units, and the internal residential amenity. The activity generated from these uses will significantly enhance the vitality and quality of the streetscape.
- 8.41 Along the Hill the development further provides a creche and a Community Sports Hall. In addition a civic plaza is provided to encourage passive recreation and outdoor activities in this area which is currently underutilised. This area is framed by 2 no. Café / Restaurant units.
- 8.42 The line of activity is further drawn down the Hill through the creation of entrances into the residential development and the provision of a playground area within the public open space.
- 8.43 Furthermore, the provision of a new pedestrian link through the site connecting The Hill with the N11 also adds to the activity along the key street frontages creating a new hub to the east of the site with further areas for seating and use by member of the public.

Provide for pedestrian/cycle permeability through the site.

- 8.44 As previously mentioned, the proposed development provides for a new east west link through the site linking the Hill with the N11 junction. In addition, a number of pedestrian routes are provided from the Lower Kilmacud Road into the site providing a key link to the wider Stillorgan Village Centre and Leisureplex sites.

High quality design/placemaking.

- 8.45 The overall development has been designed to a high standard and significantly improves the quality and character of the area. The development provides for a new landmark feature into the district centre creating a gateway into the new improved Stillorgan village centre. The use of materials and scale of the development encloses the village core providing for a sense of place and arrival at the destination.

*Protect residential amenity of adjacent residents at The Hill.*

- 8.46 The proposed height and scale of the development has been carefully modulated as to not impact on the existing properties along the Hill. The majority of these properties are single or 2 storey cottages historic to the area. the scale of the development as it directly relates to the Hill has been reduced to create a more human scale and appropriate transition from the 2 no. storey properties to the 6-7 storeys development.
- 8.47 Use of high quality, robust materials, which is particularly important of the more prominent taller buildings where maintenance and weathering must be considered
- 8.48 The proposed development largely comprises of brick. A coloured render has also been introduced to break up the facades and provide for variation and modulation to the elevations. The provision of balconies also provides for a further introduction of additional materials complementary to the brick and render facades. Full details are set out in the Architectural Design Statement prepared by OMP.

**8.10 BUILDING HEIGHT / PLOT RATIO**

*Benchmark height of five storeys across the site, with a landmark building of up to nine storeys at the corner of the N11/Lower Kilmacud Road junction.*

- 8.49 The proposed development provides for a general building height of between 3-9 no. storeys within the development. The proposed height and scale of the buildings have been considered having regard to a number of site characterises which complement the provision of additional height, including the site topography and significant change in levels, the location of the site adjacent to the N11, the previously permitted height and context on the site and the emerging height of the surrounding developments particularly the Leisureplex site to the north.
- 8.50 In addition, the proposed height has been assessed in the context of the policies and objectives as set out in the Urban Development and Building Height Guidelines which encourage increased heights and densities in appropriate locations well served by public transport. The proposed development is located adjacent to one of the best high frequency quality bus corridors in the city with a number of different bus routes serving both the city centre and the wider suburbs. The site is also in close proximity to the Luas stops at Stillorgan and Sandyford and major employment centres such as UCD and Sandyford Industrial Estate. The location of the site and the availability of quality high frequency public transport makes it highly appropriate for a high-density development as proposed.

*The transition between the landmark height (9 storeys) and the benchmark height (5 storeys) must be designed to ensure that excessive massing or bulk in the overall design does not detract from the 'landmark' nature of the nine-storey element.*

- 8.51 The proposed development provides for a transition in height along the Lower Kilmacud Road of 5/6 storeys (building 06), 6/7 storeys (building 05), 7 storeys (building 04) and rising to 9 storeys for the landmark building at the junction of the N11 and the Lower Kilmacud Road.

**Figure 8.5 – Building Heights**

- 8.52 The variation in height and modulation of the building along the Lower Kilmacud Road ensures that the overall design of the building is not excessively bulky. The transition in height also allows for the landmark feature to stand out as a gateway into the village centre.

Indicative Plot Ratio of 1:2.5

- 8.53 The proposed development provides for a plot ratio of 1:2.7 (gross) which is marginally higher than the LAP plot ratio of 1:2.5. However, it is noted the plot ratio in the LAP is indicated as being “indicative”. Also having regard to the proximity to high quality public transport and the location of the site in the district centre, it is considered that a higher plot ratio can be accommodated. The net (ownership) plot ratio is 1:3.2 (based on site of 1.17 hectares). While noted as being indicative, plot ratio is addressed in the Material Contravention Statement.
- 8.54 The proposed plot ratio is 2.7 for the subject site. The site coverage amounts to 47.6% of the total site area of 1.41 hectares.

### 8.11 BUILDING HEIGHT

- 8.55 The LAP has developed its building height objectives based on the Building Height Strategy, included as an Appendix 9 of the Dun Laoghaire-Rathdown County Development Plan. The site has a height range provided comprising a benchmark height of 5 storeys and a 9-storey landmark at the corner of the N11 and the Lower Kilmacud Road.
- 8.56 In relation to the provision of taller buildings along the N11, the Strategy states that *“the N11 owing its width, strategic importance, and public transport facilities, has the potential to become an attractive urban corridor enclosed by taller buildings of high quality, at locations which are also proximate to social and community infrastructure”*.

8.57 A case for upward modifiers of the height guidelines in the BH Strategy may be applied to development when:

- “(i) a development would enclose a main street or mark a major crossroads and/or transport interchange to the benefit of its legibility, appearance, or
- (ii) if the development would contribute to the promotion of higher densities in areas with exceptional public transport accessibility.”

8.58 The subject site is located at the junction of the N11 and the Lower Kilmacud Road and is therefore considered a location where the provision of upward modifiers may be applied. In addition, the subject development at a density of 267 would provide for the critical mass to support the exceptional high quality public transport corridor along the N11 and also help support the nearby Luas services.

8.59 Furthermore, the LAP states that *“The Building Heights Strategy states in relation to Landmark Buildings that “a landmark building is a single outstanding building which is either taller or of a more notable design than its neighbours. Generally, landmark buildings are higher than their surroundings, but they may be created through means other than height, such as quality building or public space design. The identification of sites for landmark buildings will only be conducted through the Local Area Plan/Strategic Development Zone/Urban Framework Plan/Development Plan Variation process”.*

8.60 It is therefore considered that the provision of upward modified can be applied to the subject site. In this regard the increase in height from the benchmark of 5 no. storeys to 3-9 no. storeys is considered appropriate in the context of the building height criteria.

8.61 The Council’s objectives on Building Height are set out below, followed by a brief commentary on how the scheme is compliant these objectives.

*“BH1 It is an objective of the Council promote higher densities and allow for increased building heights around public transport nodes and centres of activity. Guidelines for appropriate building heights will be set out in the ‘Site Framework Strategies’ for the Key Development Sites. To aid assessment, a design statement will be required for applications for taller buildings (any development where building heights exceed six storeys) in the Plan area. The design statement shall address development context, development objectives, urban design principles, scale and massing, density, materials, details, lighting (day and night time) existing and proposed land and building uses, ground floor uses, treatment of roof top/crown, ground floor treatment and public realm strategy.*

8.62 The design statement prepared by OMP and submitted with the application sets out a building height strategy for the proposed development in the context of the surrounding developments and the wider permitted building heights in the area. It is considered that due to the topography of the site, the permitted building heights, the quality of the design and the location adjacent to the N11 that the scheme is compliant with the relevant objectives of the LAP and is consistent with the overall design approach for the Stillorgan Village area.

*“BH2 An impact assessment study will also be required to illustrate the impact on the context, especially on residential amenities and significant views. This should be done through accurate visual modelling of proposals – photomontages or three-dimensional computer models (buildings fully rendered) – from relevant assessment points defined*

*by the Council. Proposals should be shown in daylight and nightlight conditions. The micro-climate impact of the development on the surrounding environment (streets, public spaces and existing development) should also be tested in regard to wind funnelling, overshadowing and sun-reflection. Daylight, sunlight and overshadowing analysis will also be a requirement.”*

8.63 A series of views have been prepared from various locations surrounding the site by Modelworks and are submitted with this SHD application. The CGIs clearly demonstrate that the proposed development fits comfortably within the emerging pattern of development in the areas and provides for a high-quality urban design structure and landmark building at this gateway into the village centre. In addition, a daylight / sunlight report has been prepared by IES and is submitted with the application. The report concludes that the proposed development will not generate any significant increase in overshadowing of the surrounding properties.

8.64 A microclimate/wind assessment (prepared by Arup) has also been prepared to assess the impact of the development within the site. The design and landscape treatment have been modified to ensure that the proposed use of the surrounding spaces is appropriate for their intended use and that:

*“Overall, the proposed development is expected to provide a suitable environment for pedestrians and occupants to carry out a wide variety of ‘sitting’, ‘standing’ and ‘strolling’ activities. • Wind mitigation measures, have been adopted throughout the design to reduce the windiness across the site and to keep the wind conditions within acceptable limits. Mitigations include alterations to the building design and the landscaping plan.”*

*BH3 Consideration will be given to the application of upward or downward modifiers in relation to building heights, with reference to site characteristics and the protection of residential amenity”.*

8.65 The LAP sets out a landmark building height of 9 no. storeys and a benchmark of 5 no. storeys for the subject site. Having regard to the criteria listed above for the application of upward modifiers, it is considered that the subject site is an appropriate location for the implementation of this policy. In this regard to increase in height to 6/7 and 8 no. storeys for the benchmark is considered appropriate within the subject development. The proposal includes a 9-storey building at the junction of the N11 and the Lower Kilmacud Road.

## **8.12 PUBLIC REALM**

*Provides a high-quality public plaza/civic space at the corner of The Hill/Lower Kilmacud Road.*

8.66 The proposed development provides for a civic plaza / civic space at the corner of the Hill and Lower Kilmacud Road. In addition, a further civic space is located further along the Hill which provides for ancillary services and recreation associated with the Café/ Restaurant units.

*High quality design/placemaking.*

8.67 The proposed development as previously mentioned provides for a high-quality design and enhancement of the sense of place in the area. The materials and finishes proposed emphasise the quality and character of the area. The civic spaces and new

public realm areas provides for a new quality environment in the area and enhances the overall vitality and activity in the area.

Tree planting at Lower Kilmacud Road.

- 8.68 The proposed development significantly improves the overall quality of the public realm in the area. The proposed development incorporates hard and soft landscaping along the boundary of the site with new trees and planting incorporated into the landscape design response. Please see landscape plan for further details.

Consideration should be given to how any new development supports the achievement of an 'Age Friendly' environment providing safe, accessible and walkable spaces

- 8.69 The proposed development provides for a mix of unit's types and sizes for a variety of life cycles. The development provides for safe and easily accessible routes through and surrounding the site.

**Figure 8.6 – View of proposed civic space along the Hill**



**8.13 MOVEMENT**

Remove the left-hand slip from Lower Kilmacud Road to The Hill.

- 8.70 The left-hand slip from the Lower Kilmacud Road to the Hill has been removed and the lands have been incorporated into the civic plaza in accordance with the LAP objective.

Rationalisation of road cross-sections at both Lower Kilmacud Road and the Hill adjacent to the site.

- 8.71 The proposed development seeks to upgrade and update the overall road layout along the Lower Kilmacud Road and the Hill. Please refer to Waterman Moylan Transportation Department for full details.

*Provision of cycle tracks on Lower Kilmacud Road adjacent to site*

- 8.72 The proposed development has been adequately set back to ensure that there is sufficient space to accommodate the Stillorgan Village Framework Movement Plan. See Waterman Moylan Traffic and Transport Report for full details.

#### **8.14 CONSTRAINTS**

*Flood Zones 'A' and 'B' are indicated on the lands.*

- 8.73 A site-specific flood risk assessment has been prepared and is submitted with the application. The FRA notes that the subject development passes the justification test, and the proposed development is therefore considered acceptable.

*Wayleaves relating to underground services exist at the north-eastern corner of the site*

- 8.74 The proposed layout has taken account of the wayleave on the site.
- 8.75 Overall the proposed development is considered to generally comply with all of the objectives of the LAP, notwithstanding the increase in height. The proposed development is considered an appropriate form of development in this regard.

#### **8.15 STILLORGAN MOVEMENT FRAMEWORK PLAN (APPENDIX 1 LAP)**

- 8.76 The Stillorgan Movement Framework Plan has been prepared by Dun Laoghaire Rathdown County Council which aims to provide improvements to the Public Realm, which when combined with the redevelopment of the key sites identified within the LAP, such as the subject application site, will provide and sustain a rich and vibrant Stillorgan Village Centre and will provide for an increase in walking, cycling and safe access to public transport. The Stillorgan Movement Framework Plan is a non-statutory plan.

- 8.77 The movement plan builds on information contained in the Stillorgan LAP in accordance with the objectives of the County Plan 2016-2022. The movement framework plan includes the following objectives:

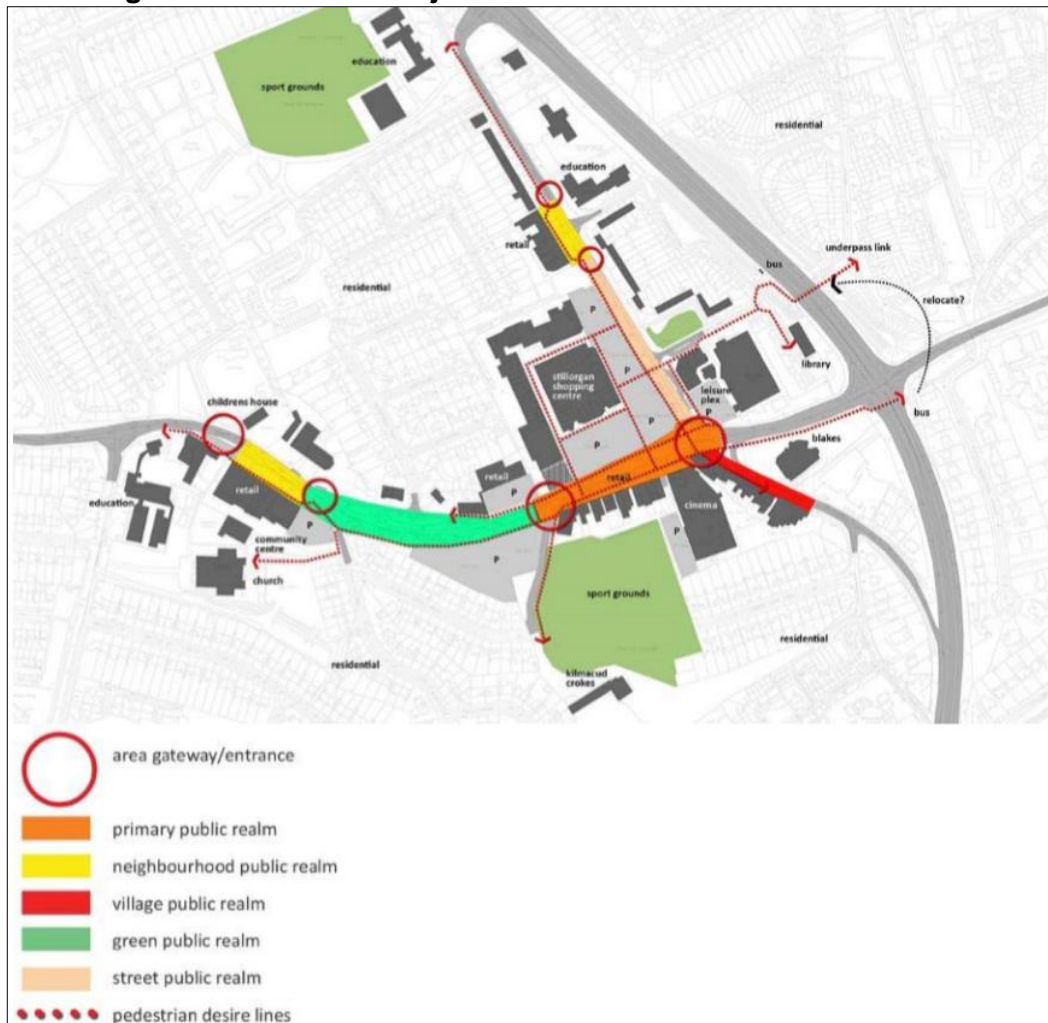
- *To advance measures / initiatives in line with the objectives of Stillorgan Local Area Plan;*
- *To facilitate the future growth and success of Stillorgan Village;*
- *To protect and enhance the role of Stillorgan Village as a District Centre focusing on public realm improvements to create a safe and attractive environment for visitors;*
- *To assess movements around and through the Stillorgan village Area and optimise accessibility within the village;*
- *Modal shift through improved access to public transport and better connectivity for pedestrians and cyclists;*
- *Pedestrian, cycle, public transport, car and delivery vehicle networks to be designed to maximise connectivity, permeability and ease of movement for soft modes;*



- To create multi-functional streets that balance “movement” and “place” and safety for all users within a traffic calmed environment;
- To improve access to and legibility of short stay car parking.

8.78 Proposed changes to the Village as part of the movement plan include modification to the junction of the Hill and the Lower Kilmacud Road and the narrowing and surface treatment of Lower Kilmacud Road west of the junction, narrowing of the Hill, and the removal of the left slip turn from Lower Kilmacud Road to the Hill. Restricted access will be controlled by bollards.

**Figure 8.7 – Extract from the Stillorgan Village Framework Movement Plan indicating the medium term objectives**



8.79 The key medium-term objectives for the Village Core as set out in the Village Framework Plan include:

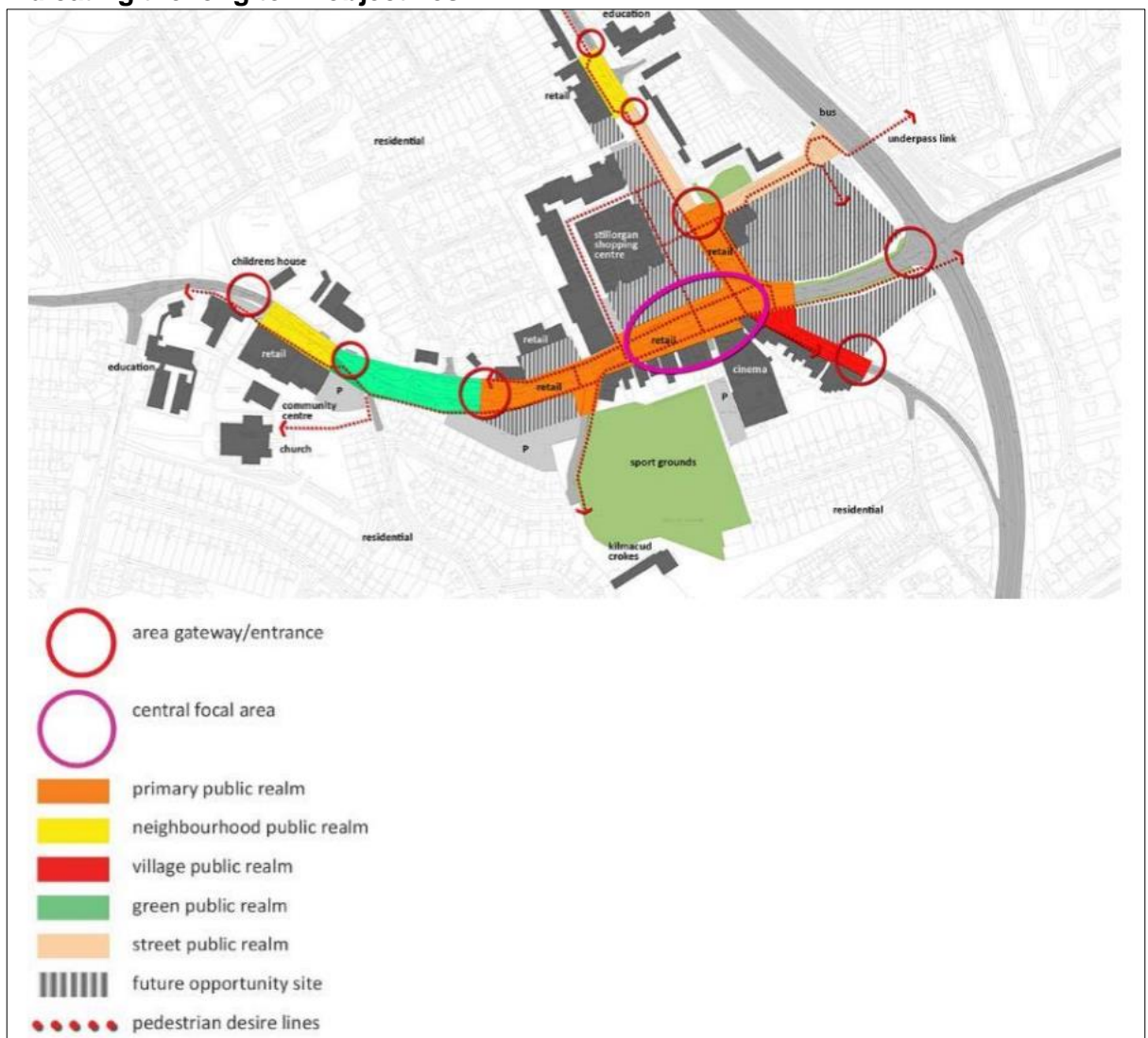
- Improved pedestrian connection between key urban spaces with potential to expand to future re-generation sites;
- Re-balancing of the roadways to cater for pedestrians, cyclists and vehicles as appropriate; enhanced public realm treatments, including materials, lighting, planting and street furniture, to reinforce the identity of the village core and to decrease impression of car priority;
- Improved safety for pedestrians and cyclists, including for crossings where demand identified;

- Rationalising parking access points and proposing screening landscaping to boundaries.

8.80 The key long-term objectives for the Village Core as set out in the Stillorgan Village Movement Framework Plan include:

- Further improvement and expansion of pedestrian connection between key urban spaces and re-generation site;
- Re- balancing of the roadways around re-generation site to cater for pedestrians, cyclists and vehicles as appropriate;
- Further improvement of public realm treatments around the core area, which is expanded and consolidated, with significant additional built frontage onto the streets;
- Enhanced safety for pedestrians and cyclists around re-generation sites;
- Further rationalisation of car parks layouts, typologies, locations and access points in conjunction with regeneration opportunity lands.

**Figure 8.8 – Extract from the Stillorgan Village Framework Movement Plan indicating the long term objectives**



8.81 In addition, the key interventions relating to the subject site are as follows:

- *Re-align Lower Kilmacud Road/ Old Dublin Road junction to tighten corners and increase pavement/ public space to facilitate the establishment of focal public space as re-generation opportunities are implemented.*
  - *Enhanced pedestrian crossings at junction to cater for pedestrian movement and also to signal transition to pedestrian / urban environment and passively manage driver behaviour.*
  - *Locate local bus stop at junction.*
  - *Move shopping centre access northwards and change to left-in only, with all movements accommodated at northern gateway. This will reduce traffic queuing in proximity to junction in both directions and improve pedestrian safety.*
  - *Modify carriageway to single lane in each direction, with a median incorporating right turns and/or landscape as required.*
  - *Focus usage of link to N11 for vehicular usage, incorporating cycle facilities. Establish strong pedestrian link along upgraded streetscape from shopping centre eastwards directly to QBC bus stop on N11.*
  - *Enhance steps and ramps leading to bus stop.*
  - *Re-location of southbound N11 bus stop northwards to be opposite the northbound bus stop and incorporating an at-grade pedestrian crossing as an alternative to the underpass.*
- 8.82 The proposed development will provide for significant improvements to the existing public realm by enhancing the pedestrian activity along both the Lower Kilmacud Road and The Hill creating a safe and pedestrian friendly environment within the village.
- 8.83 The proposed development also includes the provision of a civic plaza at the junction of the Lower Kilmacud Road and the Hill and an additional civic recreation space further south along the Hill providing for a new gateway area in accordance with the long-term objectives.
- 8.84 The proposed development will improve the junction at The Hill and the Lower Kilmacud Road in accordance with the provisions set out in the Stillorgan Village Movement Framework Plan as set out in the Waterman Moylan Traffic and Transport Assessment.
- 8.85 The proposed development will provide for cycle facilities at surface level increasing the provision of cycle parking and encouraging the use of alternative modes of transport within the Village.
- 8.86 The proposed development has taken into account the objectives of the movement framework plan and will deliver the removal of the left turn slip road from the Lower Kilmacud Road to the Hill and will support the future delivery of the other objectives.



*or planned public transport networks and where residents will be within walking distance of supporting social and community infrastructure – including shops, services, employment opportunities, schools and leisure facilities’.*

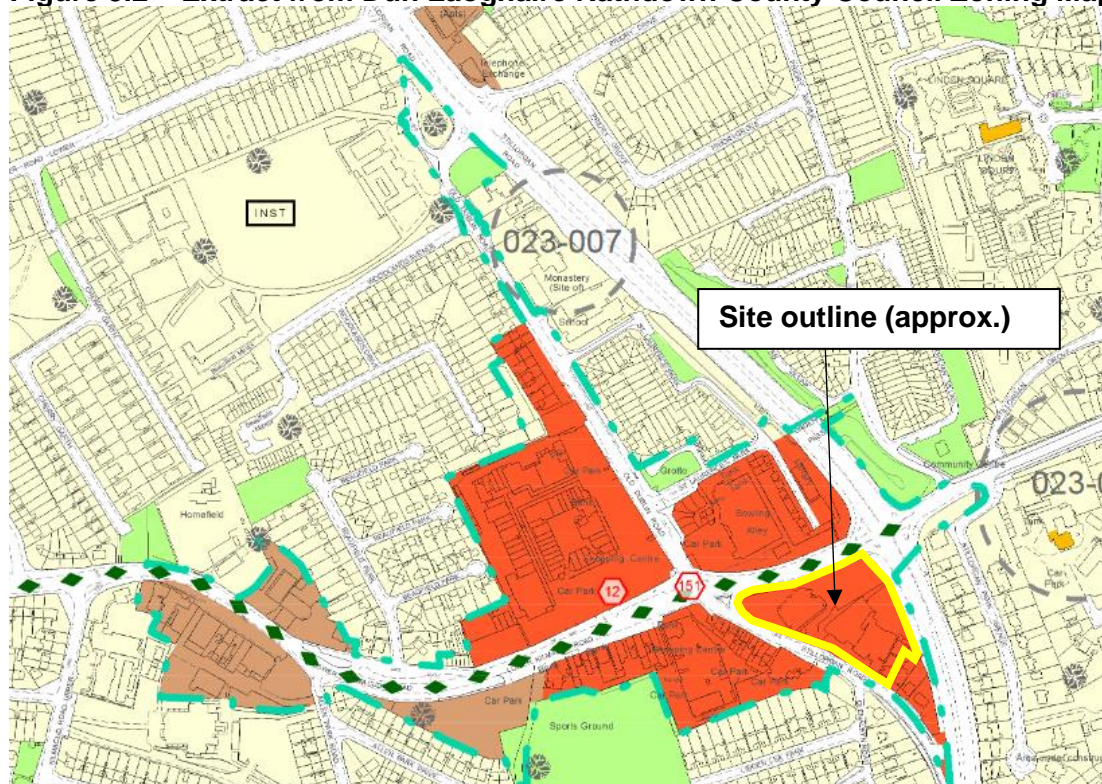
- 9.6 The Sustainable Communities Strategy notes that one of the two models to be used to accommodate future growth will be *‘The creation of new residential/mixed-use sustainable communities at already identified greenfield growth nodes proximate to planned strategic public transport corridors.’*
- 9.7 The proposed mix use development provides for 377 no. residential apartment units in close proximity to high quality public transport infrastructure, and providing an appropriate mix of unit sizes, quality public and communal open space and community facilities and is therefore considered to be consistent with the vision and strategies outlined above.

## 9.2 ZONING AND SITE-SPECIFIC OBJECTIVES

- 9.8 The subject site is zoned objective ‘DC’ in the Dun Laoghaire Rathdown County Development Plan 2016-2022. The objective for this zone is *“to protect, provide for and or improve mixed use district centre facilities”*.
- 9.9 Uses permitted in principle in this zone include:

*Advertisements and Advertising Structures, Assisted Living Accommodation, Betting Office, Carpark, **Community Facility**, Craft Centre/ Craft Shop, **Childcare Service**, Cultural Use, Doctor/ Dentist etc. , Education, Enterprise Centre, Funeral Home, Garden Centre / Plant Nursery, Guest House, Health Centre / Healthcare Facility, Home Based Economic Activities, Hospital, Hotel/ Motel, Household Fuel Depot, Industry – Light, Leisure Facility, Motor Sales Outlet, Nightclub, Off- License, Office Based Industry, **Offices less than 1000 sq. m.**, **Open Space**, Petrol Station, Public House, Place of Public Worship, Public Services, **Residential**, Residential Institution, **Restaurant**, Service Garage, Shop – Major Convenience, Shop- Specialist, Shop – Neighbourhood, Shop – District, **Sports Facility**, **Tea Room/ Café**, Veterinary Surgery.*

- 9.10 Residential land use is permitted in principle under the zoning of the subject site. Uses such as café/restaurant, creche, offices, open space, sports facility and community use are also permitted in principle on the site.
- 9.11 The proposed development includes 5.7% of the overall floor area (c. 2,184 sq. m) dedicated to commercial uses including café, restaurant, Community Sports Hall and office use, and the creche. This element of the development comprises of the majority of the floor space accessible off-street level. The frontages along the Lower Kilmacud Road and The Hill in the north and north west of the site all comprise of commercial uses, therefore animating and activating the street level.

**Figure 9.2 – Extract from Dun Laoghaire Rathdown County Council Zoning Map**

- 9.12 The quantum of commercial uses provided at ground floor level are considered appropriate having regard to the recently granted permissions in the area, particularly the Leisureplex site, and the existing quantum of commercial premises including smaller establishments along the Hill, the retail centre at Lidl, the restaurant and café uses along the Lower Kilmacud Road and the well-established shopping centre all surrounding the site.
- 9.13 The proposed 5 no. café/restaurant units and creche facility provide for ancillary and complementary uses to the main retail core of the area, the Stillorgan Shopping Centre. The proposed development seeks to provide ancillary services while at the same time adding focus and purpose to this location in line with the LAP objectives attracting further movements through the village and forming an extension of the retail core.
- 9.14 It is therefore considered that the proposed development is compliant with the land use zoning objective of the area to provide for mixed use district centre facilities.
- 9.15 Objective 151 of the Development Plan seeks *“to support and facilitate the provision of a swimming pool and leisure facility within the Stillorgan area”*. The provision of a Community Sports Hall within the development complies with this objective. The proposed Community Sports Hall will be approximately 933 sq.m. and will be accessible from the new civic plaza located along the Hill. The proposed community facility will cater for a wide range of activities serving both the future and existing residents in the area. The provision of the community hall will integrate the proposed new development into the existing and established community in the area enhancing the activity and quality of the proposed scheme.
- 9.16 The proposed development is therefore considered to comply with the relevant objectives for the area.

### 9.3 SUSTAINABLE RESIDENTIAL COMMUNITIES POLICIES & STANDARDS

9.17 The following policies are noted in Chapter 2 of the 2016-2022 County Plan:

**Table 9.1 – Compliance with Sustainable Residential Communities Polices**

Policy	Compliance
<p>Policy RES3 It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines: • 'Sustainable Residential Development in Urban Areas' (DoEHLG 2009). • 'Urban Design Manual - A Best Practice Guide' (DoEHLG 2009). • 'Quality Housing for Sustainable Communities' (DoEHLG 2007). • 'Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013). • 'National Climate Change Adaptation Framework - Building Resilience to Climate Change' (DoECLG, 2013).</p>	<p>The proposed density of 267 units per ha gross (322 uph net excluding public realm) is appropriate for this district centre location adjacent to existing high quality public transport and services and complies with Policy RES3. It is noted the density of the permitted Leisureplex site was 294 units per hectare.</p>
<p>Policy RES7 It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy</p>	<p>The provision of a BTR mixed apartment scheme will further improve the mix of residential types in the District Centre of Stillorgan and within the County in accordance with Policy RES7.</p>
<p>Policy RES8 It is Council policy to promote the provision of social housing in accordance with the projects outlined in the Council's Interim Housing Strategy and Government policy as outlined in the DoECLG 'Social Housing Strategy 2020'</p>	<p>The proposed development will provide 41 no. Part V dwellings in accordance with relevant Part V requirements and will be agreed with the Planning Authority. A letter from Dun Laoghaire Rathdown County Council in relation to the Part V proposal is contained with the application.</p>
<p>Policy RES9 It is Council policy to support the concept of independent and/or assisted living for older people and people with disabilities/mental health issues. In this regard the Council will support the provision of specific purpose-built accommodation, or adaptation of existing properties, and will promote opportunities for elderly householders to avail of the option of 'downsizing' within their community.</p>	<p>The range of apartment types in the development can provide a viable housing option for older people and those that wish to downsize within their community in accordance with Policy RES9.</p>
<p>Policy RES14 It is Council policy to plan for communities in accordance with the aims, objectives and principles of 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual – A Best Practice Guide'. In all new development growth areas, and in existing residential communities it is policy to ensure that proper community and neighbourhood facilities are</p>	<p>The proposed development will provide community facilities in the form of a Community Sports Hall and a creche, in conjunction with the proposed BTR residential development all to provide a sustainable community through a high-quality design that will prioritise cycling, walking and public transport; layout that ensures high levels of amenity, security and</p>

Policy	Compliance
provided in conjunction with, and as an integral component of, major new residential developments and proposed renewal/redevelopment areas, in accordance with the concept of sustainable urban villages outlined under Policy RES15	convenience with open spaces all within easy walking distance to access to services provided within Stillorgan District Centre.
Policy RES15 In new development growth nodes and in major areas in need of renewal/regeneration it is Council policy to implement a strategy for residential development based on a concept of sustainable urban villages	As Per RES14.
Policy ST2: Integration of Land Use and Transportation Policies It is Council policy to actively support sustainable modes of transport and ensure that land use and zoning are fully integrated with the provision and development of high public quality transportation systems.	The proposed development will actively support sustainable modes of transport through a reduced level of car parking, (0.32 spaces per apartment), along with 866 no. cycle spaces, located adjacent to an existing high frequency high quality QBC.
Policy ST20: Travel Plans It is Council policy to require the submission of Travel Plans for developments that generate significant trip demand. Plans should seek to reduce reliance on car-based travel and encourage more sustainable modes of transportation over the lifetime of a development	We refer the Board to the Mobility Management Plan prepared by Waterman Moylan Consulting Engineers enclosed with the SHD application which seeks to encourage more sustainable modes of transportation over the lifetime of a development.
Policy ST21: Electric Vehicles It is Council policy to support the Government's Electric Transport Programme by facilitating the roll-out of Electric Powered Vehicle Recharging Parking Bays for electric vehicles across the County through the planning system and on public roads.	The proposed development will include EV Points in the basement.
Policy ST23: Car Clubs It is Council policy to support the set up and operation of Car Club schemes to facilitate an overall reduction in car journeys and car-parking requirements	The proposed development will include Car Club sharing spaces within the layout.
Policy ST28: Traffic Noise It is Council policy to ensure that traffic noise levels are considered as part of new developments along major roads/rail lines in accordance with best practice guidelines.	We refer the Board to the enclosed Noise report prepared by AWN Consulting.

#### 9.4 DISTRICT CENTRES

- 9.18 With reference to the Stillorgan District Centre, Table 3.2.1 of the Development Plan states that the overall strategy for Stillorgan is to:

*“Encourage potential redevelopment as higher density, urban mixed-use centre in accordance with general provisions of the adopted Local Area Plan. Limited expansion of convenience and comparison retail floorspace.”*

- 9.19 Policy RET9: Seeks to:

*“It is Council policy to control the provision of non-retail uses at ground floor level in the principal shopping streets of Major Town Centres and District Centres and also within the shopping parades of Mixed-Use Neighbourhood Centres.”*



- 9.20 With reference to the above the majority of the subject lands are located outside the retail core area of Stillorgan (as set out in the **Strategy map for Stillorgan** contained in the Stillorgan LAP, reproduced below in Figure 8.4), which confirms that the subject lands are predominantly residential. So as to compliment the remainder of the retail core located to the north, the proposed development includes active (café/restaurant) uses along the Lower Kilmacud Road in conjunction with the residential amenity areas. In addition along the “Hill”, it is proposed to provide activity in the form of the creche, entrance to the Community Sports Hall and a further 2 no. café/restaurant units fronting onto the open space and public realm.
- 9.21 The proposed development provides a higher density development contributing to the range of uses in the District Centre (café/restaurant/creche c. 1,343 sq. m) along with a Community Sports Hall of c. 933 sq. m. It is further noted that Table 3.2.1 envisages only a limited expansion of convenience and comparison retail floorspace. In this regard, c. 1,049 sq. m of retail floorspace was permitted under the Leisureplex SHD (305176-19). Having regard to the location of the site (predominantly outside the core retail area), it is considered that the range of uses is appropriate to the District Centre.
- 9.4.1 Specific Objectives include SLO 12 “To implement and develop the lands at Stillorgan in accordance with the Stillorgan LAP.” & SLO 151 “To support and facilitate the provision of a swimming pool and leisure facility within the Stillorgan area.”**
- 9.22 (i) Stillorgan District Centre
- ***To promote the future redevelopment of Stillorgan as a multi-faceted, mixed-use sustainable District Centre having regard to the broad objectives of the adopted Stillorgan Local Area Plan.***
- 9.23 The proposed development will provide a range of uses comprising residential, café/restaurant, creche, office as well as a Community Sports Hall.
- ***The regeneration and redevelopment of Stillorgan District Centre should create an urban context in respect of scale, design and layout.***
- 9.24 The proposed development of 377 no. apartments in a high-quality scheme is an appropriate proposal that contributes to the regeneration and redevelopment of a site within the Stillorgan District Centre and constitutes a scale of development (of between 3-9 storeys) which can be accommodated on the subject lands.
- ***Good quality residential development shall be encouraged to ensure vitality and animation both day and night.***
- 9.25 The mix of uses including a Community Sports Hall and café/restaurant uses will encourage activity throughout the day and night, as well as weekends.
- ***The creation of quality spaces and enhanced public realm will be a prerequisite.***
- 9.26 The open spaces including public realm improvement works will create a series of high-quality spaces and enhanced public realm.
- ***Priority movement for pedestrians, cyclists and public transport should be ensured. The influence and impact of the private car on the environs of the District Centre to be moderated.***

9.27 The proposed development will prioritise movement for pedestrians and cyclists and being located adjacent to a high frequency QBC along with limited parking (0.32 spaces per unit), and 866 no. cycle spaces will ensure that the influence and impact of the private car will be moderated.

**• The residential amenity of established residential areas on the fringes of the District Centre to be protected and, where possible, enhanced.**

9.28 The proposed development steps down to existing residences located to the south. The construction of a high-quality residential scheme on the brownfield site will enhance the environs through the inclusion of an improved public realm and a series of buildings appropriate to consolidate the District Centre adjacent to public transport.

**• Net retail sales area1 in Stillorgan District Centre zoned lands to be capped at 25,000 sq.m.**

9.29 Additional retail floorspace is not provided and will not result in a breach of the net 25,000 sq. m cap for District Centres. It is further noted that the 25,000 sq. m indicated is a cap and not a target, which is consistent with the Greater Dublin Area Retail Strategy 2008 which indicates a range of net retail floorspace of between 10,000 to 25,000 sq. m.

**9.5 OPEN SPACE, COMMUNITY**

9.30 The following policies are noted in relation to open space and community in respect of the 2016-2022 County Plan:

**Table 9.2 – Compliance with Open Space and Community Policies**

Policy	Compliance
<p>Policy OSR5: Public Open Space Standards It is Council policy to promote public open space standards generally in accordance with overarching Government guidance documents ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’ (2009) and the accompanying ‘Urban Design Manual - A Best Practice Guide’.</p>	<p>The Sustainable Residential Development in Urban Areas (2009) recommends 10% Public Open space “such as large infill sites or brownfield sites public open space should generally be provided at a minimum rate of 10% of the total site area.”</p> <p>The proposed development provides 5,288 sq. m of open space (public and communal) on the net 11,770 site (44.9% of the site) Additional public realm improvements are also provided on the wider site (on lands under the ownership of Dun Laoghaire Rathdown County Council of some 2,392 sq. m. Further detail is also provided in relation to Section 8.2.8.2 of the Plan below.</p>
<p>Policy SIC6: Community Facilities It is Council policy to support the development, improvement and provision of a wide range of community facilities distributed in an equitable manner throughout the County</p>	<p>The proposed development includes a Community Sports Hall of c. 933 sq. m along with a creche of c. 215 sq. m. The Community Audit prepared by John Spain Associates sets out the wide range of existing social infrastructure in close proximity to the subject site.</p>
<p>Policy SIC11: Childcare Facilities It is Council policy to encourage the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general at least one</p>	<p>The proposal includes a creche of c. 215 sq. m located along the western side of the development with easy access provided.</p>

Policy	Compliance
<p>childcare facility should be provided for all new residential developments subject to demographic and geographic needs. The Council will encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.</p>	

**9.6 PRINCIPLES OF DEVELOPMENT**

9.31 The following policies are noted in respect of the 2016-2022 County Plan:

**Table 9.3 – Compliance with Principles of Development**

Policy	Compliance
<p>Policy UD1: “It is Council policy to ensure that all development is of high-quality design that assists in promoting a ‘sense of place’. The Council will promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.”</p>	<p>As set out above, and demonstrated in the OMP Design Statement, the proposed development has been guided by the principles within ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013).</p>
<p>Policy UD2 It is Council policy that, for all medium-to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as required by the Planning Authority) a ‘Design Statement’ shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the ‘Urban Design Manual - A Best Practice Guide’ (DoEHLG, 2009).</p>	<p>Please refer to the Design Statement prepared by OMP. Section 6.1 above also sets out compliance with the Urban Design Manual 2009.</p>
<p>Policy UD3 “It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.”</p>	<p>The proposed development provides for a significant improvement to the public realm of the area (some 2,392 sq. m) comprising landscaping which will tie into the scheme, together with improved pedestrian links to the existing retail core and surrounding area. The proposed development would be a significant improvement to the existing vacant brown field site and will create a residential hub within the existing district centre adjacent to the public transport corridor which will create an overall community gain to the area through the provision of the public plaza and provision of café / restaurant use and Community Sports Hall.</p>
<p>Policy UD6: Building Height Strategy It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County.</p>	<p>The proposed development includes heights that are above the benchmark heights outlined in the LAP. The Statement of Material Contravention included with the application provides a justification of why the</p>

Policy	Compliance
	proposed development should be granted permission, notwithstanding the material contravention.
Policy UD7: Urban Tree Planting It is Council policy to promote urban tree planting throughout the County in accordance with the provisions of 'dlr TREES: A Tree Strategy for Dún Laoghaire-Rathdown 2011 – 2015' and to preserve existing trees where possible and appropriate.	The proposed development includes tree planting as part of the public and communal open spaces. The only trees on the subject site relate to the eastern boundary. A strategy has been agreed with DLR Parks Department to replace the trees with more appropriate mix, and to retain some trees. The Tree File Limited also completed an Arboricultural Report, Tree Impact and Tree Protection Plan which are included with this application. This proposal aims to retain as many existing trees on site as practical as well as providing additional trees throughout the development.

## 9.7 SUSTAINABLE TRAVEL AND TRANSPORT

- 9.32 Section 16.10 of the 2016 Development Plan sets out Council policy on sustainable travel and transport including the requirement to submit a Mobility Management Plan (MMP) and Traffic Impact Assessment (TIA) for significant developments. Accordingly, this planning application is accompanied by a Traffic and Transportation Assessment and Mobility Management Framework which outlines how all relevant matters have been addressed.
- 9.33 The justification for car and cycle parking spaces in the context of Development Plan standards and the 2020 Apartment Guidelines is set out in the separate document 'Car Parking Rationale', prepared by Waterman Moylan. Given the proximity of the subject site to QBC, it is considered that there will be significant opportunities for future residents to use sustainable transport modes.
- 9.34 With regard to the design of parking bays, vehicular entrances, hardstanding areas, underground car parks and emergency access, the Engineering Services Report and drawings prepared by Waterman Moylan have been prepared to ensure that the proposed development is consistent with Development Plan requirements and best practice generally.

## 9.8 BUILDING HEIGHT STRATEGY – APPENDIX 9

- 9.35 The Dun Laoghaire Rathdown Development Plan 2016-2022 Height Strategy sets out that the appropriate vehicle for setting out appropriate building height in key centres of the Development Plan area are local policy frameworks, including Local Area Plans. The Height Strategy refers to the 2007 Stillorgan Local Area Plan, which has subsequently been replaced with the 2018 LAP since the adoption of the County Development Plan.
- 9.36 The Height Strategy allows for an increase in building height in the form of upward modifiers where not already covered by a height framework such as an LAP. It is submitted that notwithstanding the LAP being in place, the criteria are of relevance in terms of qualitative standards for justifying the height of development. This is recognised in the Stillorgan Local Area Plan 2018 Policy Building Height Objective BH3:

*“Consideration will be given to the application of upward or downward modifiers in relation to building heights, with reference to site characteristics and the protection of residential amenity”*

- 9.37 Section 4.8.1 of the height strategy states that additional height by means of upward modifiers may be accepted in exceptional circumstances in significant commercial or employment zones (such as a District Centre) subject to stated criteria which are addressed below.
- 9.38 The height strategy also notes that developments of 3 to 7 no. storeys have been permitted along the N11 transport corridor which is an area capable of achieving increased building heights. It is an objective of the height strategy *“to encourage higher densities and also to allow for increase building height at appropriate locations along public transport corridors”*.
- 9.39 It is also noted that Chapter 5 (General principles) of the CDP Height Strategy states:
- “Higher densities and mixed use development should be promoted along strategic public transport corridors in order to support sustainable development patterns. Increased building height at key locations, particularly junctions along major transport corridors, helps the legibility of the County”*.
- 9.40 The subject site is located along the N11 at a key location, (in Stillorgan District Centre) which the Strategy notes *“The N11, owing to its width, strategic importance, and public transport facilities, has the potential to become an attractive urban corridor enclosed by taller buildings of high quality, at locations which are also proximate to social and community infrastructure”*. The scale of the N11 enables it to be an appropriate location to encourage higher densities, and increased heights in accordance with sustainable development patterns (in a District Centre close to social, community and retail facilities. As such it is considered that the proposed development ranging from 3 no. to 9 no. storeys is appropriate in this context and is consistent with the Building Height Strategy as set out in the County Development Plan. The nine storey element contributes to the urban character along the Lower Kilmacud Road, signalling arrival to the District Centre.

#### Response to Upward and Downward Modifier Criteria

- 9.41 This section addresses the upward and downward modifiers contained in Sections 4.81 and 4.82 of the Height Strategy:
- “The development would create urban design benefits, for example:*
- *It would enclose main public or green spaces to their benefit,*
  - *It would enclose a main street or mark a major cross-roads and/or transport interchange to the benefit of the legibility, appearance or character of the area,*
  - *It would beneficially frame an important view”*
- 9.42 The proposal would provide for a strong urban edge to the Lower Kilmacud Road and N11 which is currently characterised by a vacant brownfield site which does not address either road in a designated District Centre. The proposal provides for a significant improvement in this respect in conjunction with the significant public realm upgrades.
- “The development would provide major planning gain, such as:*
- *Significant improvements to the public realm,*
  - *The provision or significant enhancement of a public transport interchange,*

- *The provision of new or improved transport infrastructure.”*

9.43 The proposal provides for significant public realm upgrades in the form of high quality landscaping, as set out in this application, which are to be delivered in a cohesive design proposal as part of the wider improvements to Stillorgan.

*“The development would have civic, social or cultural importance, for example:*

- *It would provide new facilities or enhance existing facilities in such fields as culture, education, leisure or health,*
- *It would provide or enhance public space or social facilities especially in areas where such facilities are deficient,*
- *It would enable important cultural, historic or archaeological sites, landscape and natural features or trees to be retained and enhanced.”*

9.44 The proposed plaza in conjunction with the public realm improvements allows for the use of the space for a variety of social and cultural events and will be a significant social facility in the area, supported by the activity of the proposed Community Sports Hall, restaurant and café provision and occupants of the development.

*“The built environment or topography would permit higher development without damaging the appearance or character of the area, for example:*

- *In an area where the location or scale of existing buildings would allow the recommended height to be exceeded with little or no demonstrable impact on its surroundings,*
- *In a dip or hollow, behind a rise, or near a large tree screen, where the impact of a higher building would have little or no additional impact on its surroundings”*
- The proposed plaza in conjunction with the public realm improvements (c. 2,392 sq. m) surrounded a variety of community and café/restaurant uses (as well as a creche) in conjunction with the activity provided by the ground level uses and increased population in the area arising from the proposed development;
- There are level changes across the site and the proposal responds to these changes to integrate with the wider context provided for by the LAP
- The proposal is on an existing high capacity/frequency QBC and future BusConnects route;
- The site is identified as a key development site in the LAP within a District Centre
- The proposal does not cause any significant impact on the amenities of the surrounding area.

9.45 It is submitted that the proposed development is consistent with all of the criteria for upward modifiers listed above in the current statutory Development Plan and therefore it is considered that a higher building height at this location above the stated benchmark of 5 no. storeys is appropriate in this regard.

9.46 There are significant level changes across the site as set out in the Architectural Design Rationale by OMP. The proposed heights respond to these changes and integrate with the wider context.

*“A development would contribute to the promotion of higher densities in area with exceptional public transport accessibility, whilst retaining and enhancing high quality residential environments (areas with exceptional public transport accessibility are defined as areas within 500m walkband on either side of the Luas corridor, a 500m walkband around the DART stations, a 500m walkband either side of the N11 and 100m walkband on either side of a QBC). Densities should be higher adjacent to these*

*corridors and nodes and grade down towards neighbouring areas so that they are lower in close proximity to residential areas”*

- 9.47 The proposal is located on an existing QBC within a 500m walkband of the N11, which is also proposed as part of the forthcoming BusConnects network.

*“The size of a site, e.g. 0.5ha or more, could set its own context for development and may have potential for greater building height away from boundaries with existing residential development.”*

- 9.48 The site is in excess of 0.5 hectares and forms part of a wider Key Development Site under the LAP. The site also forms the southerly flank of the lands within the District Centre and in providing for a strong urban design, proposes heights consistent with permitted development (Leisureplex) and Part 8 Library and residential scheme by DLR, whilst stepping down to existing development to the south. The proposal is therefore compatible with the existing and future context envisaged for Stillorgan.

- 9.49 There is also provision for downward modifiers, which are addressed in turn:

*“Residential living conditions through overlooking, overshadowing or excessive bulk and scale”*

- 9.50 The proposal is justified in terms of the performance criteria set of the Urban Development and Building Heights Guidelines further in this report and has been subject to a number of assessments to determine any impact on external amenities to the subject site including a sunlight and daylight access analysis and visual impact assessment.

- 9.51 The proposed southerly interface is similar at the boundary to the permitted Student Accommodation SHD on the subject lands, in this regard.

*“An Architectural Conservation Area (or candidate ACA) or the setting of a protected structure”*

- 9.52 The subject site is not located within an Architectural Conservation Area (or Candidate ACA) or within the setting of a protected structure. The application is accompanied by a visual impact assessment by Modelworks.

*“Strategic protected views and prospects”*

- 9.53 The subject site is not located within such a view or prospect. The application is accompanied by a visual impact assessment by Modelworks.

*“A planning or social objective, such as the need to provide particular types of housing, employment or social facility in an area”*

- 9.54 There is no such objective on the subject site however it is noted that DLR are to develop the adjoining lands for a new public library and social housing to the north. The proposed development does include a Community Sports Hall, which will benefit the wider area.

*“An area of particular character. These include: Coastal Fringe; Mountain Foothills”.*

- 9.55 The subject site is not located in such an area.

- 9.56 While it is considered that the site meets the criteria above in relation to upward modifiers, a justification is provided in the Material Contravention Statement.

## 9.9 DEVELOPMENT MANAGEMENT STANDARDS

### 9.9.1 Quality Residential Design

- 9.57 Section 8.2.3.1 of the CDP states that *“it is Council policy to promote high quality design and layout in new residential development. A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of schemes. In considering applications for new developments the Planning Authority will refer to Government guidelines for ‘Sustainable Residential Development in Urban Areas’, its companion document ‘Urban Design Manual’, the ‘Design Manual for Urban Roads and Streets’ (DMURS) and the ‘Sustainable Urban Housing (Design Standards for Apartments)’ - along with the ‘Green City Guidelines’ published by UCD in conjunction with Dún Laoghaire-Rathdown and Fingal County Councils. Regard will also be had to the Green Infrastructure Strategy for the County contained in Appendix 14 of this Plan, where appropriate. The objective of Dún Laoghaire-Rathdown County Council is to achieve high standards of design and layout to create and foster high quality, secure and attractive areas for living. The following criteria will be taken into account when assessing applications:*

*Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone/Local Area Plan/Urban Framework Plan/ non-statutory planning guidance adopted by the Council.*

- 9.58 The proposed development is zoned District Centre to provide for a mix of uses within the existing village core. The proposed development seeks to provide for a predominantly residential scheme with ancillary café / restaurant services to serve the development and the wider locality.

*Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.*

- 9.59 The proposed development provides of the density of 267 units per hectare gross on the site. The proposed higher density development is considered acceptable having regard to the location within an established district centre, the high frequency public transport corridor adjoining the site to the east and the proximity to a number of employments generating areas such as Sandyford Industrial Estate, UCD and St. John of God’s Hospital, as well as the Beacon Hospital.

*Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a ‘sense of place’ and community, utilising existing site features, tree coverage and an appropriate landscape structure.*

- 9.60 The proposed design quality and layout of the development has been carefully considered to create a new quarter to the existing village centre. It is proposed to provide for a range of uses such as cafés/ restaurants as well as office floorspace and a creche which will add to the overall enhancement of the village centre and attract pedestrians to the site utilising the existing businesses along the Hill.



- 9.61 The provision of public open space through the site, creche, community centre and new civic plaza will add to the sense of place of the area, creating a new neighbourhood and quality environment for both the future and existing community. With regard to trees, while not of any particular high quality, some are proposed for retention.

Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.

- 9.62 The proposed buildings have been designed as to ensure appropriate separation distances are maintained and units do not overlook other units within the scheme. A daylight / sunlight analysis has been carried out to assess both the external and internal amenity of the overall development. In general, the majority of the windows tested within the scheme are in line with the BRE recommendations. The open space areas also meet the recommended BRE standard of at least 50% of the spaces received 2 hours of sunshine a day on the 21<sup>st</sup> of March.

- 9.63 Furthermore, the proposed development provides for internal amenity spaces at ground floor level of block 3 and 4. These spaces are designed to enhance the overall quality of the development and provide for additional amenity spaces that would not typically be provided in standard residential accommodation.

- 9.64 It is therefore considered that overall the proposed development provides for a high level of amenity to the future occupants of the buildings.

Quality of linkage and permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces.

- 9.65 The proposed development seeks to significantly improve the permeability and connectivity through the site. A number of entrance points to the development are provided along the Lower Kilmacud Road which link into the open space and civic areas of the development, Furthermore, a new pedestrian and cycle route is proposed in an east/ west direction linking the Hill with the N11. This new (controlled) route will increase the permeability in the area and will enhance movement throughout the village core.

Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.

- 9.66 The proposed development has been assessed in relation to the impact on traffic and transport. For further details please refer to Waterman Moylan traffic and transport report. The proposal is located adjacent to an existing public transport corridor.

Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.

- 9.67 The quantitative standards are further set out below and in respect of the Apartment Guidelines which supersede the development plan for apartment developments.

Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied. A safety audit may be required.

- 9.68 The civic plazas and public realm areas surrounding the development will be overlooked by a number of apartment units and commercial developments. The open space areas within the development will similarly be overlooked by a number of different apartment units. The proposed development is considered to provide for a high level of passive surveillance in this regard.

*Quality of proposed public, private and communal open spaces and recreational facilities.*

- 9.69 The proposed development for both private, communal (external and internal) and public open spaces. The private amenity space is provided in the form of balconies or terraces to serve the individual units. Approximately 50% of the units provided contain an area of private open space. For those units without a private amenity space, the size of the apartments is generous and additional external and internal communal amenity space is provided to offset against the loss of balconies and terraces, as per the Apartment Guidelines 2020.
- 9.70 The internal amenity spaces could provide for a range of different activities. In addition, a concierge, management suite and quiet areas are also provided. The proposed residential amenity floorspace for residents occupies ground floor and first floor of building 3. The provision of this space at this location creates active frontages and a sense of community within the development.
- 9.71 The communal amenity space provides is set out in three main courtyard areas which are secure access to resident only. The remainder of the communal spaces is set within the public open space area. It was considered that due to the site layout, distribution of open space and the flood levels within the development that it was not possible to enclose all of the communal open space area. In this regard a portion of communal open space is set within the 10% public open space area. This space will be available to residents and members of the public (as a through route) during daylight hours, c. 8am – 8pm after which can be utilised for the sole use of the residents.
- 9.72 The development also provides for enhanced civic spaces and public realm surrounding the site. It is proposed to provide for a number of civic spaces associated with the café / restaurant and community sports hall areas. These spaces will be comfortable and attractive areas to sit and enjoy the ancillary commercial offering within the development.

*Compliance with National Housing Policy as set out in the 'Housing Policy Statement' 2011 (e.g. lifecycle provision, size, tenure, mix, etc.)*

- 9.73 The Apartment Guidelines 2020 have superseded the national housing policy. An assessment of compliance with these standards is set out in this report.

*Compliance with social and community infrastructure (e.g. childcare facilities, schools, local shops, facilities for the elderly etc.).*

- 9.74 The subject application is accompanied by a community audit which demonstrates the areas in the community which are in need of support. In general, the overall area provides for high quality community facilities. However, the proposed development incorporates a new creche facility of 215 sq.m. to accommodate c. 57 no. childcare spaces and a community sport hall of 933 sq.m. to serve both the residents and the wider community on a bookable basis. The Community Audit prepared by JSA, included with the SHD application outlines the local school provision and having regard

to the nature of the proposal (BTR) that the demand for additional places in local schools is not considered to be material.

*Quality of the pre-existing environmental sound environment.*

- 9.75 A noise report has been prepared and is submitted with the application. The noise report identified areas surrounding the development that have sensitive noise environments. High quality design measures are proposed to mitigate against any future noise impacts on the future residents.

*Context - having regard to the setting of the site and the surrounding character and streetscape."*

- 9.76 The proposed development has been carefully considered having regard to the existing context and immediately surrounding sites, in particular the former Leisureplex site which was granted permission for 8 no. storeys (is currently under construction). The Part 8 scheme has height of up to 9 storeys.
- 9.77 The proposed development fits comfortably within the existing context and character of the area and has been designed taking account of both the new and existing scales of developments in the area.
- 9.78 An urban design rationale is set out in the OMP Design Statement which accompanies this application.
- 9.79 It is considered that the proposed development is on suitably zoned land and accords with the density requirements of the CDP. The design evolution and urban design rationale is discussed in greater detail in the Design Statement prepared by OMP Architects and the Landscape Design Statement prepared by KFLA Landscape Architects.

### **9.9.2 Quantitative Apartment Standards**

- 9.80 Section 8.2.3.3 of the DLRC County Development Plan 2016-2022 provides recommendations with regard to the provision of dual aspect apartments and also unit mix and sizes for apartments.
- 9.81 It is highlighted that the 2016 Plan includes an Advisory Note, which states that the standards and specifications in respect of apartment development as set out in section 8.2.3.3. (i), (ii), (v), (vii) and (viii) have been superseded by the Apartment Guidelines, including the mandatory SPPRs within same. The SPPRs of the Apartment Guidelines take precedence over the development plan standards and specifications as set out in Section 8.2.3.3.
- 9.82 With reference to the proposed mixed use development which includes a Build to Rent residential development SPPR8 requires:

*"Specific Planning Policy Requirement 8*

*For proposals that qualify as specific BTR development in accordance with SPPR 7:*

*(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;*

*(ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix*

1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;

(iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.

(iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;

(v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.”

**Table 9.4 – Design Standards**

Design Standard	Comments
8.2.3.3 (i) Design Standards. All apartment developments shall accord with or exceed all aspects of Government Guidelines in relation to residential development best practice, including ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2007) and ‘Sustainable Residential Development in Urban Areas’ (2009).	<p>The Apartment Guidelines 2020 are applicable to the design standards in the Development Plan. We refer the Board to the Housing Quality Assessment prepared by OMP Architects which outlines how the proposed BTR development is in accordance with relevant quantitative standards.</p> <p>It is noted that SPPR8 of the Apartment Guidelines allows for the relaxation of quantitative standards in respect of BTR developments. There is no material contravention, in this regard.</p>
8.2.3.3 (ii) Dual Aspect. Apartment developments are expected to provide a minimum of 70% of units as dual aspect apartments.	53% of the BTR apartments are dual aspect, while contrary to the Development Plan Standard is nevertheless in accordance with the Section 28 Apartment Guidelines which require 33% Dual aspect apartments on sites classified as Central/Accessible Areas. The advisory note attached to the DLRCC development plan states that all housing standards in the development plan are superseded by the most up to date standards and specifications in the “Specific Planning Policy Requirements” (SPPR). There is no material contravention, in this regard. There is no material contravention, in this regard.
8.2.3.3 (iii) Mix of Units Apartment developments should provide a mix of units to cater for different size households, such that larger schemes over 30 units should generally comprise of no more than 20% 1-bed units and a minimum of 20% of units over 80 sq.m.	<p>The proposal comprises 377 no. BTR Apartments consisting of:</p> <p>21 no. studio apartments (5.6%)  189 no. 1 bedroom apartments (50.1%)  159 no. 2 bedroom apartments (42.2%)  8 no. 3 bedroom apartments (2.1%).</p>

Design Standard	Comments								
	<p>There are 55.7% studio and 1-bedroom apartments.</p> <p>SPPR 8 of the Apartment Guidelines clearly states that there is "SPPR8(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise." in respect of Build to Rent developments but contrary to the Development Plan standard. There is no material contravention, in this regard.</p>								
<p>Policy RES7 It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy</p>	<p>The provision of a mixed use apartment scheme will further improve the mix of residential types in the District Centre of Stillorgan and the county in accordance with Policy RES7. There is no material contravention.</p>								
<p>8.2.3.3 (iv) Separation between Blocks. The minimum clearance distance of circa 22 metres between opposing windows will normally apply in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable</p>	<p>The apartment blocks have in general a separation distance of c. 22m between each block reducing in some places below the standard. Undue overlooking between apartments is addressed through careful design of primary windows. This is considered to be in accordance with NPO13 of the NPF which promotes performance enabling alternative solutions in urban areas, for planning and related standards, that seek to achieve well-designed high-quality outcomes. If the Board considered a material contravention was relevant a justification is provided in the Material Contravention Statement.</p>								
<p>(vii) Minimum Apartment Floor Areas. All apartment developments shall accord with or exceed the prescribed National Guidelines for minimum overall apartment floor areas, as set out in the Table 8.2.2.</p> <table border="1" data-bbox="288 1496 783 1688"> <thead> <tr> <th colspan="2" data-bbox="288 1496 783 1570"><b>Table 8.2.2: Minimum Overall Apartment Floor Areas</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="288 1576 539 1608"><b>One Bedroom</b></td> <td data-bbox="544 1576 783 1608">55 sq.m.</td> </tr> <tr> <td data-bbox="288 1615 539 1646"><b>Two Bedroom</b></td> <td data-bbox="544 1615 783 1646">85 - 90 sq.m.</td> </tr> <tr> <td data-bbox="288 1653 539 1684"><b>Three Bedroom</b></td> <td data-bbox="544 1653 783 1684">100 sq.m.</td> </tr> </tbody> </table>	<b>Table 8.2.2: Minimum Overall Apartment Floor Areas</b>		<b>One Bedroom</b>	55 sq.m.	<b>Two Bedroom</b>	85 - 90 sq.m.	<b>Three Bedroom</b>	100 sq.m.	<p>The proposed development accords with the minimum apartment floor areas as set out in the Apartment Guidelines 2020 (45 sq. m for 1 bed units, 73 sq. m for 2 bed units and 90 sq. m for 3 bed units but not the Development Plan standards. However there is no material contravention as per advisory note in the CDP and SPPR8.</p>
<b>Table 8.2.2: Minimum Overall Apartment Floor Areas</b>									
<b>One Bedroom</b>	55 sq.m.								
<b>Two Bedroom</b>	85 - 90 sq.m.								
<b>Three Bedroom</b>	100 sq.m.								
<p>(viii) Apartments - Public, Communal and Private Open Spaces – Standards. Each apartment shall have direct (balcony) access to its own minimum area of private open space in the form of a balcony or patio area. Requirements for balconies are detailed in Table 8.2.5 in Section 8.2.8.4 (iv) Private Open Space for Apartment Developments. S.8.2.8.4 Table 8.25 Balconies Minimum Private Open Space Requirements.</p>	<p>The proposed development comprises a BTR development and includes a 50% balcony provision for the BTR units along with compensatory communal open space. The proposal contravenes the Development Plan but not the Apartment Guidelines 2020. SPPR8(ii) allows flexibility in relation to the provision of all of the communal amenity spaces as set out in Appendix 1 of the Apartment</p>								

Design Standard		Comments
<b>Table 8.2.5: Balconies / Winter Gardens: Minimum Private Open Space Standards</b>		Guidelines. There is no material contravention, in this regard.
<b>No. of bedrooms</b>	<b>Minimum square metres</b>	
One	6 sq.m.	
Two	8 sq.m.	
Three	10 sq.m.	
Four +	12 sq.m.	
The minimum depth of balconies for all or most of their length should normally be 1.5m and be accessed from living rooms. Larger balconies should be assessed in terms of overshadowing of other units and other visual impacts. Above ground floor units shall also have access to semi-private/communal and other open amenity spaces. No balconies shall overhang the public footpath		

**9.9.3 Open Space (Public / Communal Open Space – Quantity Section 8.2.8.2)**

9.83 Section 8.2.8.2 - Public/Communal Open Space Quantity of the Dun Laoghaire County Development Plan 2016-2022 states:

*“(i) Residential / Housing Developments Open Space: For all developments with a residential component – 5+ units - the requirement of 15 sq.m- 20 sq.m. of Open Space per person shall apply based on the number of residential/housing units. For calculation purposes, open space requirements shall be based on a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. A lower quantity of open space (below 20 sq.m per person) will only be considered acceptable in instances where exceptionally high-quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2 (iii) below. The Planning Authority shall require an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of the occupancy parameters set out in the previous paragraph.”*

9.84 It is noted Section 8.2.8.2 of the Development Plan also states that:

*“For the purposes of this section, **‘Public’ open space refers to all areas of open space within a new development (be that public (taken in charge), communal, semi private or otherwise) that is accessible by all residents/ employees of the development and in certain cases may be accessible by the wider general public.** ‘Public’ open space within new developments may not necessarily be taken in charge or be publicly owned/controlled by the Council.” (page 205 emphasis added.)*

9.85 The Planning Authority will require public<sup>1</sup> and/or communal open space to be provided within new residential and large-scale commercial developments. An absolute default

<sup>1</sup> For the purposes of this section, ‘Public’ open space refers to all areas of open space within a new development (be that public (taken in charge), communal, semi private or otherwise) that is accessible by all residents/ employees of the development and in certain cases may be accessible by the wider general public. ‘Public’ open space within new developments may not necessarily be taken in charge or be publicly owned/controlled by the Council. (page 205)

minimum of 10% of the overall site area for all residential developments shall be required to be reserved for use as Public Open and/or Communal Space.

- 9.86 The requirement of 15 sq.m- 20 sq.m. of Open Space per person requirements would potentially result in a requirement of between 8,722 sq.m and 11,630 sq. m of open space. According to the Plan, *“a lower quantity of open space (below 20 sq.m per person) will only be considered acceptable in instances where exceptionally high quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2 (iii).”*
- 9.87 The proposed open space within the development consists of 5,288 sq.m of public open space and communal open space (44.9% of the core residential site of 11,769 sq. m) which is below the 15sq. m-20 sq. m standard, per person. However, the open space provision significantly exceeds the minimum of 10% of the overall site area for all residential developments required to be reserved for use as Public Open and/or Communal Space. The figures above exclude the landscaping works proposed to the public realm.
- 9.88 The open space provided within the scheme is of a very high standard in terms of design, usability, materials etc. as set out in the KFLA drawings and specifications. Therefore, it is considered that the quantity of open space is in accordance with the provisions of the development plan. Furthermore the proposed development is in compliance with the Apartment Guidelines 2020 in respect of communal open space (even though it is a BTR development).
- 9.89 The proposed development comfortably meets the requirement that 10% of the overall site area for open space but below the higher 15sq. m-20 sq. m per person standard and a justification is provided in the Material Contravention Statement, if it were considered by the Board to constitute a material contravention.

#### Communal Open Space – Build to Rent Development

- 9.90 The Development Plan states that the Sustainable Urban Housing: Design Standards for New Apartments Guidelines 2020 supersede the development plan in terms of open space. The apartment guidelines require communal and private open space to be provided for residential developments.
- 9.91 Based on the number of units provided the overall requirement of communal open space to serve the development as per Appendix 1 of the Apartment Guidelines 2020 is 2,214 sq.m (see calculations below). The proposed residential element of the development provides for 4,111 sq.m. of communal open space in accordance with the apartment guidelines which state the following requirements:

Communal Space	Open	Apartment Guidelines 2020	No. of Units	Communal Open Space
Studio		4 sq. m	59	84
1 bed		5 sq.m.	129	945
2 bed		7 sq.m.	128	1,113
3 bed		9 sq.m.	2	72
				2,214 sq. m

- 9.92 It should also be noted that SPPR8(i) states that *(ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of*

*alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;*

- 9.93 It is noted a total of c 1,601 sq.m. of balcony compensatory communal open space has also been incorporated into the overall open space provision on the site. This takes account of the c. 50% of units within the scheme that do not contain private open space. It is therefore considered that the additional external space provided acts as a compensatory measure for the loss of private open space in this regard. For compliance with private open space standards for the houses and apartments please refer to the Housing Quality Assessment and relevant layout and floor plans.
- 9.94 It is further noted an additional 1,016 sq. m of residential amenity floorspace is provided at ground floor of Building 03. The Community Sports Hall of c. 933 sq. m would also be available to residents of the scheme.

#### **9.9.4 Sustainable Travel and Transport**

- 9.95 Section 16.10 of the Development Plan sets out Council policy on sustainable travel and transport including the requirement to submit a Mobility Management Plan (MMP) and Traffic Impact Assessment (TIA) for significant developments. Accordingly, this SHD submission is accompanied by a Traffic and Transport Statement as well as Mobility Management Plan prepared by Waterman Moylan Consulting Engineers.
- 9.96 The scheme provides for 119 no. basement car parking spaces (with 1 no. drop off space on the Hill).
- 9.97 The proposed number of car and cycle parking spaces are below the required standard as set out in the development plan. However, due to the location of the development adjacent to the quality public transport corridor, it is considered that the proposed development provides for a sustainable number of car parking spaces.
- 9.98 5 no. Go Car spaces will be provided at basement level as an alternative car parking facility. Go Car is a car share facility that avoids the need to own a private car. It is considered that the provision of this facility therefore reduces the number of car parking spaces required by means of shared availability of a vehicle within the scheme itself.
- 9.99 The proposed development scheme makes provision for 866 cycle spaces within the basements of the development (and surface level) for the residents and for visitor spaces/commercial uses.
- 9.100 It is considered that the level of car parking and bicycle parking proposed is appropriate given the location of the development within the existing district centre and existing quality public transport corridor.

#### **9.9.5 Environmental Management and Environmental Impacts**

- 9.101 Section 16.11 of the Development Plan provides guidance in relation to air, noise and light pollution as well as hours of construction, while Section 16.12 relates to the Environmental Impacts of New Development.
- 9.102 This planning application is accompanied by an Environmental Impact Assessment Screening Report, Appropriate Assessment Screening Report and Natura Impact



Statement and Hydrological Assessment Report which concludes that the proposed development will not give rise to any significant impacts on the environment.

- 9.103 In relation to the requirement for construction management plans (CMPs) for planning applications for more than three residential units, it should be noted that a CMP has been prepared by Waterman Moylan Consulting Engineers and submitted with this planning application. A Waste Management Plan (WMP) has also been prepared for the proposed development by AWN and accompanies this submission.

### 9.9.6 Development Management Thresholds

- 9.104 The DLRCC Development Plan includes a Development Management Thresholds document as a guideline to assist applicants of larger development proposals, such as residential developments over 200 units. Prior to the preparation of the documentation submitted with this planning application, a thorough review of this document was carried out to assess what documents would require to be submitted.
- 9.105 Based on the Key Thresholds in the document this planning application is accompanied by the consultant reports set out in the cover letter included with the SHD application.
- 9.106 The comprehensive list of documents ensures that the relevant policies and objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022 outlined in the previous sections have been fully addressed by the proposed development.

### 9.9.7 Car Parking

- 9.107 Section 8.2.4.5 of the DLRCC County Development Plan 2016-2022 sets out the Car Parking Standards. Table 8.2.3 provides the Residential Land Use – Car Parking Standards. It is noted that the requirements set out in this table are considered “*standard*” parking provision and not minimum or maximum requirements.

Land use	Standards
Residential Dwelling	1 space per 1-bed unit and per 2-bed unit 2 spaces per 3-bed unit+ (depending on design and location).
Apartments, Flats, Sheltered housing	1 space per 1-bed unit 1.5 spaces per 2-bed unit 2 spaces per 3-bed unit+ (depending on design and location)

- 9.108 It is submitted that the “*standard*” provision needs to be read in conjunction with the associated text set out in Section 8.2.4.5 of the County Plan where, it is recognised that *the “principal objective of the application of car parking standards is to ensure that, in assessing development proposals, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of Smarter Travel, the Government policy aimed at promoting modal shift to more sustainable forms of transport.”*
- 9.109 This section of the Development Plan also outlines that:

*“Reduced car parking standards for any development (residential and non-residential) may be acceptable dependant on:*

- *The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/ business areas.*
- *The proximity of the proposed development to public transport.*
- *The precise nature and characteristics of the proposed development.*
- *Appropriate mix of land uses within and surrounding the proposed development. - The availability of on-street parking controls in the immediate area.*
- *The implementation of a Travel Plan for the proposed development where a significant modal shift towards sustainable travel modes can be achieved.*
- *Other agreed special circumstances where it can be justified on sustainability grounds.*

9.110 With reference to the above, the proposed development is located within a District Centre, directly adjacent to an existing QBC, the nature of the development which comprises a BTR Apartment Development (which typically have reduced car parking), is located within an area with on-street parking controls in the immediate area, and the MMP included with the SHD application will encourage the use of public transport.

9.111 The County Plan also notes that:

*“In very limited circumstances, the Council may also consider the development of car-free housing on suitable small-scale sites which have with high levels of public transport accessibility, have convenient and safe access to local shops and community facilities and/or are located very close to Town Centres.”*

9.112 Having regard to the above, while the proposal provides a lower car parking standard, it is not an absolute requirement insofar as some flexibility is allowable for a reduced provision depending on location.

9.113 With reference to the commercial elements of the proposed development Table 8.2.4 sets out the requirements for commercial development, which are noted as maximum standards are as follows:

*Café/Restaurant – 1 per 15 sq.m GFA  
 Childcare Services – 1 space per 1 staff member (including set down)  
 Sports Club/Recreation Centre/Gymnasium – 1 space per 20 sq. m GFA  
 1 space per 100 sq.m. gross floor area to include parking for visitors*

9.114 Having regard to the location of the site within a District Centre with complementary uses it is considered appropriate that no parking is provided for the commercial uses. The rationale is further expanded in the Waterman Moylan Travel Plan and Parking Rationale.

9.115 While it is considered that there is flexibility in the provision in car parking, a justification is provided in the Material Contravention Statement.

## **10.0 PART V**

10.1 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 22<sup>nd</sup> of March which notes that the proposed 41 no. units can form the basis of further compliance discussions.

- 10.2 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 as it was purchased after 1st September 2015, that element of the site qualifies for a 10% in Part V requirements.
- 10.3 The remainder of the development site (currently being acquired) provides the full 20% of the development on that area for Part V. It is noted contracts were exchanges on the 14<sup>th</sup> of March 2022.
- 10.4 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:

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

- 10.5 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.
- 10.6 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.
- 10.7 Please refer to the accompanying drawings, schedule of accommodation and costings for full details.

## **11.0 RECOMMENDED PLANNING CONDITIONS**

- 11.1 The applicant respectfully requests that consideration of appropriate conditions as set out below are reviewed and included in a grant of planning permission.

### **11.1 TAKING IN CHARGE**

- 11.2 The applicant has invited a condition in the following form:

*“(a) The development, including all roads, footpaths, cycle paths, verges, public lighting, open spaces, surface water drains, attenuation infrastructure and all other services, as permitted under this order, and as amended by the conditions of this permission, shall be carried out and completed in accordance with the “taking-in-charge” standards of the planning authority. The areas to be taken in charge, upon completion of the development, shall be in accordance with the areas shown on drawing number 1702A-OMP-00-ZZ-DR-A-0005, unless otherwise agreed with the local authority.*

*“(b) The areas not to be taken in charge, as defined by this condition, shall be maintained by a properly constituted private management company, details of which shall be agreed in writing with the planning authority.*

*“(c) All of the areas of public open space to be taken in charge shall be maintained by the developer until such time as the development is taken in charge by the local authority.”*

### **11.2 FINISHES**

- 11.3 Carin Homes are suggesting the following condition as appropriate:

*“Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.”*

### **11.3 CAR PARKING MANAGEMENT**

- 11.4 Carin Homes are suggesting the following condition as appropriate:

*“Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall provide for the permanent retention of the designated residential parking spaces and shall indicate how these and other spaces within the development shall be assigned and managed.”*

## 12.0 CONCLUSIONS

12.1 This statement of consistency addresses the requirement of the prescribed application form which requires:

*(A) A statement that, in the prospective applicant's opinion, the proposed strategic housing development is consistent with relevant guidelines issued by the Minister under section 28 of the Planning and Development Act 2000.*

*(B) A statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the relevant development plan.*

12.2 Additionally, this statement also demonstrates that the proposed development is consistent with the relevant national, regional and local planning policy context.

12.3 This statement has demonstrated consistency with the following ministerial guidelines:

- Urban Development and Building Height Guidelines 2018;
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Sustainable Urban Housing: Design Standards for New Apartments (2020);
- Design Manual for Urban Roads and Streets (2019)
- Guidelines for Planning Authorities on Childcare Facilities (2001);
- The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009);
- Appropriate Assessment of Plans and Projects (2009);

12.4 Where any material contravention of Development Plan requirements has been identified above or where, adopting a conservative approach, the view might be taken that there was a material contravention of particular Development Plan provision, such contraventions have been addressed in the context of the Material Contravention Statement accompanying this application.

12.5 Additionally, although not specifically required to be addressed in the context of a Statement of Consistency, the proposed development was also found to be consistent with the following policy and guidance, referred to above:

- National Planning Framework 2040;
- Rebuilding Ireland – Action Plan for Housing and Homelessness; (2016);
- Housing for All, A New Housing Plan for Ireland (2021);
- Regional Spatial and Economic Strategies – Eastern and Midlands Regional Assembly 2018;

12.6 It is respectfully submitted that the proposed development will provide an appropriate form of high-quality residential development for this site. This consistency statement accompanying this planning application demonstrates that the proposed development is consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this under-utilised site which is highly accessible and well served by high capacity high frequency public transport.

12.7 In conclusion, it is respectfully submitted that the proposed development is consistent with and in accordance with the proper planning and sustainable development of the area, and complies with all relevant national, regional and local planning policies and guidelines and that the proposal as presented is in accordance with the proper planning and sustainable development of the area.

**APPENDIX 1 PRE-APPLICATION DISCUSSIONS (UNDER S. 247 OF ACT)****S. 247 Meeting Dun Laoghaire Rathdown County Council**

Formal Section 247 pre-application meeting took place with the planning authority prior to lodgement.

**Pre-Application Meeting No. 1. 15<sup>th</sup> April 2020**

The main items discussed were as follows:

**Public Realm Strategy**

DLR noted that the proposal would need to comply with the LAP in terms of the public realm objectives and that the overall quality and give back to the public realm should be carefully considered.

**Communal Open Space**

DLR welcomed the inclusion of internal amenity at ground floor to serve the residential development and noted that the overall communal open space strategy should be clearly set out for the site.

**Height**

DLR noted that the height and density of the development would need to be justified as a material contravention to the development plan

**Design Standards**

The overall quality of the design needs to be demonstrated in relation to daylight / sunlight, noise etc.

**Zoning**

The overall quantum of commercial space should be justified in respect of the mixed-use zoning objective on the site.

**Landscape**

The pallet of materials and finishes should be in line with the DLR requirements.

## APPENDIX 2 PLANNING HISTORY

### Subject Lands

#### Reg. Ref: D02A/1069 / An Bord Pleanála Ref: PL 06D 201758 (Subject Lands)

Planning permission was sought for a mixed use development comprising the demolition of all existing structures on site, the construction of a pedestrian bridge over the N11 (Stillorgan Bypass) and four blocks varying in height from five storeys to twelve storeys, to accommodate 67 no. student accommodation units and associated facilities, circa 7,130 sq. m. of office floorspace, 2 no. restaurants, a public house/nightclub, and basement car parking at upper and lower basement levels (267 no. spaces), together with associated facilities such as bicycle parking, hard and soft landscaping, a new public square/plaza.

Following a first party appeal against the Notification of Decision of Dun Laoghaire Rathdown County Council to refuse permission, in June 2003 An Bord Pleanála issued a split decision, refusing planning permission for the office block and associated basement car park, and granting permission for the remainder of the development.

#### Reg. Ref: D04A/0674 / An Bord Pleanála Ref: PL06D.210848 (Subject Lands)

A planning application on the Blake's site, by the applicant Eltissey Limited, for a mixed-use development varying in height from six to twelve storeys was subject to a notification of decision to grant permission by Dun Laoghaire Rathdown County Council on 26<sup>th</sup> January 2005. The permission was subsequently granted by An Bord Pleanála in September 2005 following first- and third-party appeals.

The development as originally proposed consisted of the following elements:

- 215 Residential Units;
- 2 restaurants;
- 2 retail units;
- a public house;
- crèche;
- Gymnasium.
- Construction of a pedestrian bridge over the N11.

The proposed development was amended at further information stage, as follows:

- The number of apartments was reduced to 187.
- The pedestrian bridge was redesigned.
- The western and northern elevations incorporated a two-storey corner entrance and more glazing to shop units with omission of ramp.
- Live work units were introduced to first floor to be occupied by small businesses/professional service outlets, and smaller retail units were configured on ground floor.

#### Reg. Ref: D04A/0674/E1 (Subject Lands)

Eltissey Limited applied for an extension of duration of permission to the Planning Authority on the 15<sup>th</sup> of September 2010. Dun Laoghaire Rathdown County Council refused the extension of duration of permission on the 9<sup>th</sup> of November 2010.

The reason for the County Council deciding not to grant the extension of duration was as follows:

*“Having regard to Section 42(1)(a)(ii)(II) and (III) of the Planning and Development Act 2000-2010, it is considered that the development, subject of this application, would no longer be consistent with the proper planning and sustainable development of the area as it does not comply with standards set out within ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ 2007, strategic objectives as set out in the Stillorgan Local Area Plan, 2007 and Section 16.3.3: ‘Apartment Development’ of the Dun Laoghaire Rathdown County Development Plan, 2010-2016. The proposal would, therefore, be contrary to Section 42 of the Planning and Development Act 2000-2010”.*

**Reg. Ref. D06A/1859 / An Bord Pleanála Ref: PL06D.222395 (Subject Lands)**

Esmonde Motors Limited applied for planning permission for a mixed-use development comprising of the demolition of all existing structures on site and construction of mixed-use development ranging from 3 to 11 no. storeys in height. The development consists of a total of 141 no. residential apartments, a 38-no. one bedroom Aparthotel, restaurant, public house, 3 no. retail units, crèche, 335 no. car parking spaces on the Esmonde Motors Site, Old Stillorgan Road, Stillorgan, Co. Dublin.

Dun Laoghaire County Council issued a decision to grant permission on 15<sup>th</sup> February 2007. However, following a third-party appeal, permission was refused by An Bord Pleanála.

**Reg. Ref: D11A/0175 (Former Blakes Site)**

On the 10<sup>th</sup> of August 2011, Dun Laoghaire Rathdown County Council granted planning permission for amendments to the existing building on the site to provide a convenience food store (to include off-license use) development at ground floor level, with a gross floor area of 1,088 sq. metres (net retail area 845 sq. metres) and a restaurant at first floor level with a gross floor area of 220 sq. metres, which includes the kitchen and toilets at first floor level. The new proposed glazed access to the building has a gross floor area of 67 sq. metres at ground and first levels. This permission has now expired.

**D21A/0904 (lands to north)**

On the 6<sup>th</sup> of December 2021, Dun Laoghaire Rathdown County Council refused permission for the demolition of the existing retail unit and the construction of a part 4/5 storey mixed use development comprising 4 no. apartments and a retail unit at ground and mezzanine floor levels, located adjacent to the Leisureplex site, Old Dublin Road, Stillorgan.



## APPENDIX 3 – BUILD TO RENT PROVISION REPORT

### Introduction

This section responds to section “12.3.3.1 Residential Size and Mix” of the Plan which requires details of existing and permitted unit types within a 10-minute walk of the proposed development as well as Policy PHP27 which states:

*“Policy Objective PHP27: It is a Policy Objective to facilitate the provision of Build-to-Rent and Shared Accommodation in suitable locations across the County and accord with the provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments’, 2018 (and any amendment thereof). Proliferation of these housing types should be avoided in any one area.”*

This section provides a supporting rationale for the provision of no. 377 BTR units as part of the current proposal presented to An Bord Pleanála for this Strategic Housing Development planning application. This report should be read in conjunction with other plans and particulars submitted with this application.

The residential component of the development consists of 377 no. Build to Rent apartment units comprising 21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments and 8 no. 3 bedroom apartments.

The overall mix is as follows:

**Table 1 Overall Dwelling Mix**

	Studio Apartments	1 bedroom	2 bedroom	3 bedroom	Overall
No.	21	189	159	8	377
%	5.6%	50.1%	42.2%	2.1%	

Source: OMP Schedule of Areas

In relation to the needs of older people/ and or persons with a disability, the OMP Design Statement and Technical report sets out detail and a Statement how the scheme has been designed for Universal Access and provides smaller housing units suitable for older people.

### National Policy in Support of BTR

The National Planning Framework highlights a core principle in the delivery of future housing as “*allowing for choice in housing location, type, tenure and accommodation in responding to need.*”

The National Planning Framework recognises that “*currently, 7 out of 10 households in the State consist of three people or less, with an average household size of 2.75 people. This is expected to decline to around 2.5 people per household by 2040. Yet, the stock of housing in Ireland is largely comprised of detached and semi-detached houses with three to four bedrooms.*”

It is important to note that the Apartment Guidelines 2020 recognise the key role which BTR development can play in accelerating Residential Delivery at ‘*significantly greater scale than at present*’ and when constructed ‘*the overall scheme is available to the rental sector over a much shorter timescale on completion and the investment model is therefore capable of delivering a much higher volume of housing than traditional models*’.

The Apartment Guidelines outline that “A key aspect of the BTR is its potential to accelerate the delivery of new housing at a significantly greater scale than at present. For traditional housing, the pace of development is largely determined by the rate at which individual homes, including apartments, can be sold. With BTR, once constructed, the overall scheme is available to the rental sector over a much shorter timescale on completion and the investment model is therefore capable of delivering a much higher volume of housing than traditional models.”

In addition the Apartment Guidelines recognise the potential for BTR to accelerate housing construction stating that “BTR can make a significant contribution to the required increase in housing supply nationally, identified by Rebuilding Ireland, and the scale of increased urban housing provision envisaged by the National Planning Framework. The potential to augment existing housing delivery models by attracting new investment into the sector will assist in achieving additional housing output.”

Pillar Three of the Rebuilding Ireland Initiative promotes the construction of more homes. The proposed BTR development underpins Pillar 3 of Rebuilding Ireland, specifically by way of the delivery of 377 no. BTR units at a key location adjacent to the N11 QBC and within a District Centre. The proposal for Build-to-Rent accommodation will provide alternative, affordable residential accommodation in key location proximate to local employment and third level universities.

In addition, Pillar 4 of Rebuilding Ireland places an emphasis on the delivery of rental units in Ireland. The overall vision of Pillar 4 is as follows: *“Government housing policy aims to ensure that, to the greatest extent possible, every household can access secure, good quality and affordable housing suited to its needs and located within sustainable communities. Within that, our vision is for a strong, viable and attractive rental sector supported by a policy and regulatory framework that delivers long term affordable and high-quality accommodation solutions meet diverse tenant needs, and a secure, predictable investment environment for landlords and accommodation providers.”*

Rebuilding Ireland further notes that securing the vision will require *“a comprehensive set of measures based around strategic objectives over short, medium and long term horizons. The primary focus must be on addressing the root cause of the current difficulties, which centres around a lack of supply, particularly in the middle to lower segment of the market. A very significant proportion of the Rebuilding Ireland target of delivering 25,000 units of housing supply per annum will need to be provided for in the rental sector. The traditional dominance of the build to sell model must evolve to provide for increased deliver of housing intended specifically for rental purposes. Our perception of the section as a short – term tenure option must also evolve. (emphasis added)*

### **Rationale for BTR**

BTR is the only viable form of apartment development in many areas of Dublin at present due to high construction costs. The alternative in most cases is no development proceeding and a net loss to the Dun Laoghaire Rathdown’s new housing supply, with knock on impacts such as increased shortage of available rental accommodation, leading to increased rents and prices throughout the county. Clearly this is not desirable.

Recently published figures by the property sales website daft.ie indicate, at the time of writing this submission, that the current stock of rental properties available in Dublin is less than a quarter of the typical average over the past twenty years, at a period when, since the 2016 census, population has likely continued to increase in the capital. Given the clear demand for rental properties in the capital and the well-publicised difficulties in obtaining suitable rental properties, it is submitted that adding restrictions to BTR units which provide properties

guaranteed for rental would amount to a step backwards and would further allow the current shortfalls in rental properties to continue.

The Parliamentary Budget Office published a Snapshot of the Housing Market in 2021, (6<sup>th</sup> December 2021) which gives an overview of recent trends in supply etc., and highlights:

*“Since 2011, national house prices have risen by over 85%, while rents have doubled in price.*

*20,535 properties were built in 2020, less than a quarter of what was constructed during the height of the housing boom in 2006.*

*The National Planning Framework estimates that structural demand for new housing, based on demographics, is between 25,000 - 35,000 per year.*

*Rebuilding Ireland failed to meet its annual target every year since it was implemented and was 41,000 units below its overall target.*

*Cumulative annual deficits in new dwelling completions have amplified trends in rents, house prices, and homelessness.*

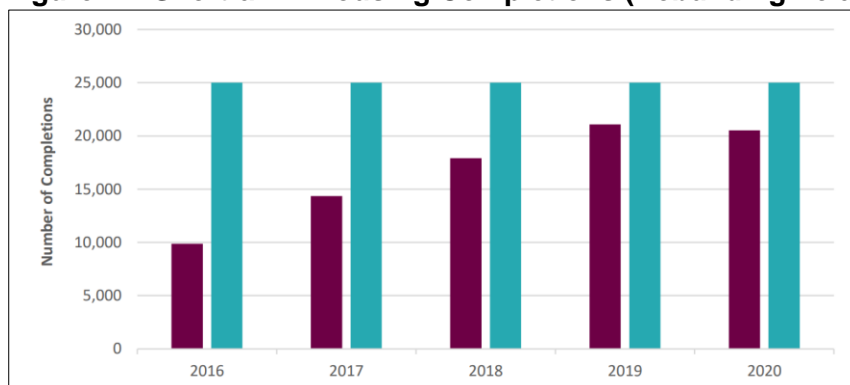
*Supply side constraints include skilled labour shortages, rising costs of construction, and excessive lead times are limiting the affordability of new dwellings.”*

Rebuilding Ireland was a €6 billion action plan, which aimed to increase the overall supply of new homes to 25,000 per annum by 2020. It aimed to deliver an additional 50,000 social housing units in the period to 2021; and meet the housing needs of an additional 87,000 households through the Housing Assistance Payment (HAP) scheme and the Rental Accommodation Scheme.

Rebuilding Ireland failed to reach its annual target every year since it was implemented, while national house prices continued to rise by over 35% between 2015 and 2020 and the figures below shows the collective shortfall of 41,000 in new dwellings completed compared to Rebuilding Ireland targets.

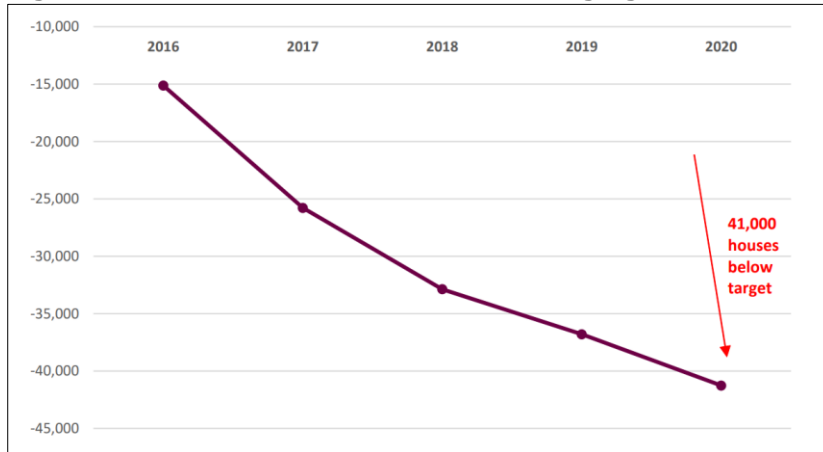
It is also noted that significant numbers of private landlords are leaving the private rented market.

**Figure 1 – Shortfall in Housing Completions (Rebuilding Ireland)**



Source: Snapshot of the Housing Market in 2021

**Figure 2 – Cumulative Shortfall of Housing against Rebuilding Ireland Targets**



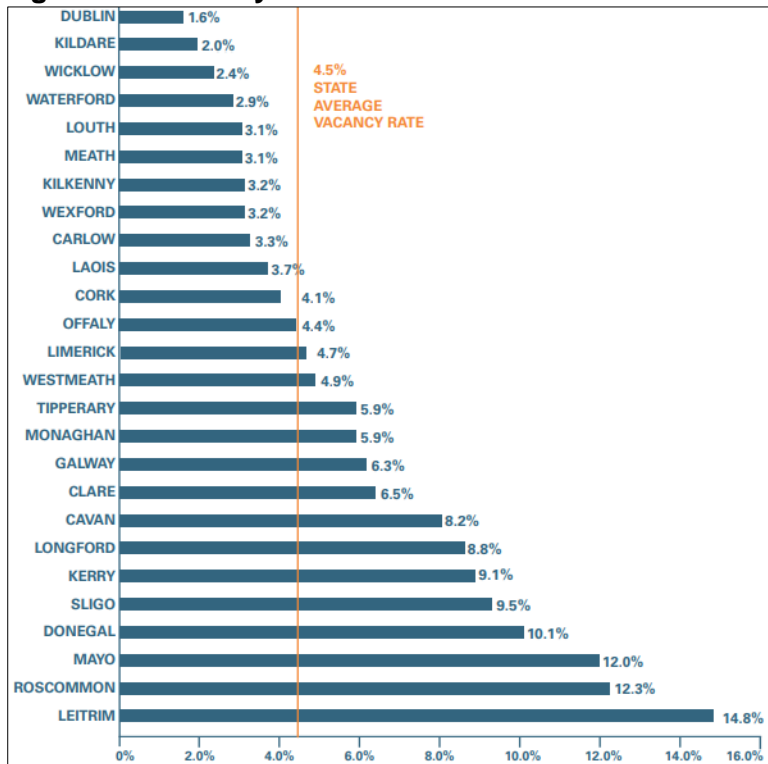
Source: Snapshot of the Housing Market in 2021

The figures above demonstrate that the cumulative shortfall in delivery over the period 2016 is contributing to a lack of supply of dwellings and this shortfall is likely to be even greater as the modest target of 25,000 units per annum is considered an under-estimation. Before the COVID-19 outbreak, real housing demand in Ireland was estimated to range between 32,000 (European Commission (2020) *Housing affordability in Ireland*) and 50,000 units per year (Lyons, R. (2018) *Is there any hope for Rent Pressure Zones?*).

**Vacancy Rates and Stock of Apartments 2021**

According to the GeoView Residential Buildings Report, 2021, there were 92,135 vacant residential properties in the State in June 2021, resulting in a national average vacancy rate of 4.5%. This figure remains unchanged from the corresponding period in 2020.

**Figure 2 – Vacancy Rates**



Source: GeoDirectory 2021

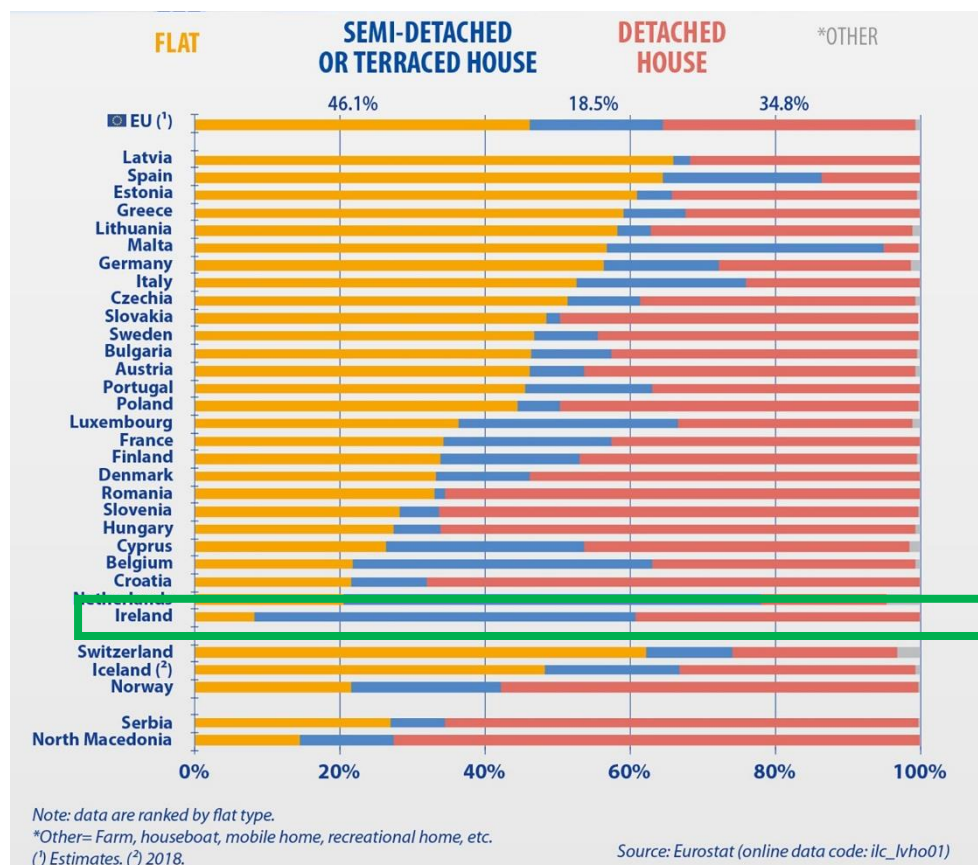
In total, 16 of the 26 counties recorded a decline in residential vacancy rates in the twelve months to June 2021. Dublin, at 1.6%, had the lowest vacancy rate in the country despite a slight year-on-year increase of 0.3 percentage points. Neighbouring counties Kildare (2.0%) and Wicklow (2.4%) also recorded significantly low vacancy rates.

The average vacancy rate (excluding buildings under construction) across the State remained unchanged at 4.5% in June 2021, when compared to the corresponding rate a year ago. The total number of vacant homes was 92,135.

Dublin continued to have the lowest vacancy rate at 1.6% in June 2021, followed by Kildare (2.0%) and Wicklow (2.4%).

The BTR format of urban living will contribute to the national and regional objectives of compact growth and the delivery of much needed housing in a District Centre well served by public transport and a range of facilities and employment centres. It is considered relevant to review Ireland’s position in the context of the EU in this regard, with the below table demonstrating this comparison.

**Figure 2 – Where Do You Live?**

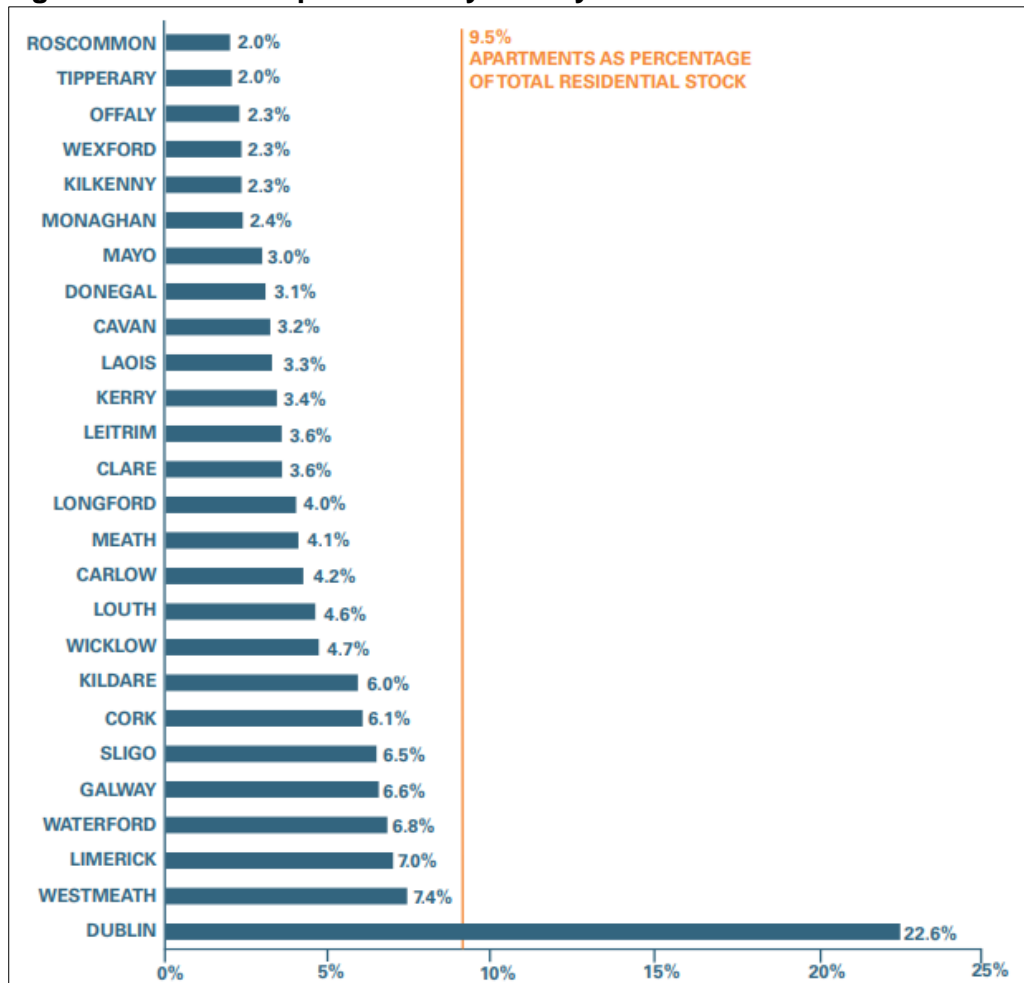


(Source: [www.ec.europa.eu/eurostat](http://www.ec.europa.eu/eurostat))

It can be clearly seen on an international level, Ireland possesses the lowest percentage of apartment dwellers in the EU, with less than 10% of the total housing stock comprising apartments. Latvia and Spain top the charts with 66% and 65% of all people living in flats/apartments respectively. It is clear that Ireland has significant ground to make up in a

European context, with increased apartment development at city level key to the creation of more sustainable communities.

**Figure 4 – Stock of Apartments by County**



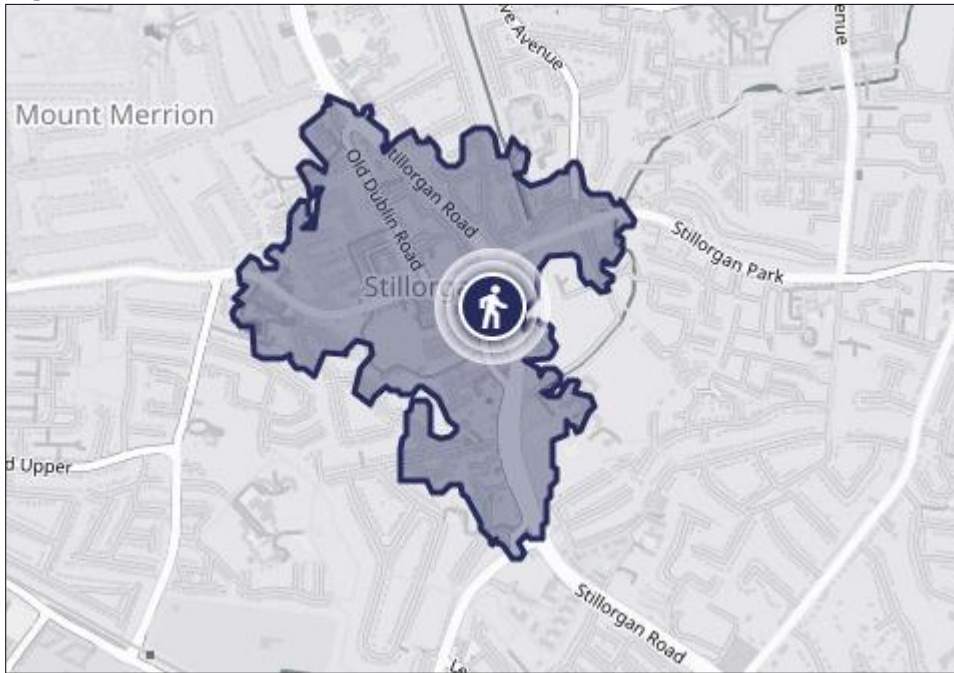
Source: GeoDirectory 2021

It is noted the 10- minute walk band from the subject site encompasses the entire District Centre zoning including eastwards towards Stillorgan Grove, north towards Woodlands Avenue, west towards St. Raphaela’s Road, and south towards Galloping Green north. The area provides a mix of traditional 2 storey housing with some apartment developments (Woodview Court, Dunstaffnage Hall).

Within the District Centre, the Leisureplex site (under construction) will provide 232 no. BTR Apartments. It is submitted that the Stillorgan District Centre is particularly suited to apartment and BTR development given the location of existing shopping and social services, and sporting facilities (as outlined in the Community Assessment) which are located in the Stillorgan area.

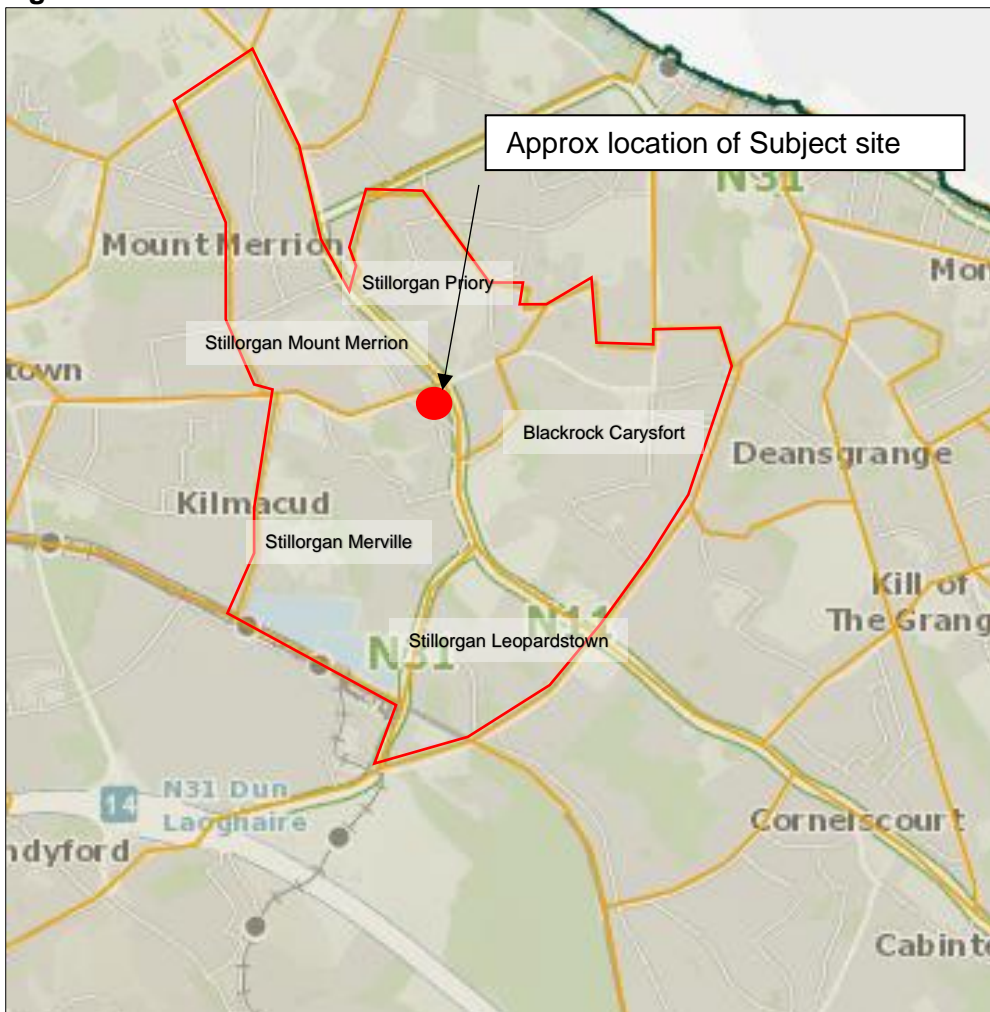
Further to the south (c. 700m) at the Grange, Brewery Road, it is noted 305345-19 permission was granted on the 18<sup>th</sup> of December 2019 for 287 no. Build to Rent apartments. Adjacent to that development an SHD for 102 no. Build to rent apartments was lodged with the Board on the 12<sup>th</sup> of January 2022 (and a decision is due on the 3<sup>rd</sup> of May 2022).

**Figure 5 – 10 Minute Walk Band**



<https://app.traveltime.com/search>

**Figure 5 – Census 2016 Electoral Divisions**



Source: Census 2016

**Table 1 – Type of Accommodation Census 2016**

Type of Accommodation	Stillorgan Priors	Stillorgan Merville	Stillorgan Mount Merrion	Blackrock Carysfort	Stillorgan Leopardstown	Total	%
House/Bungalow	599	863	789	1,750	661	4,662	77.4%
Flat/Apartment	235	240	15	443	410	1,343	22.3%
Bed-sit	0	1	0	0	0	1	0.0%
Caravan/Mobile Home	0	0	0	0	0	0	0.0%
Not stated	1	5	5	2	4	17	0.3%
<b>Total</b>	<b>835</b>	<b>1,109</b>	<b>809</b>	<b>2,195</b>	<b>1,075</b>	<b>6,023</b>	

Source: Census 2016

The subject site is located within the Electoral Division (ED) of Stillorgan Merville. The overall proportion of houses/bungalows in the 5 no. Eds (within a 5-10 minute walkband from the site) is 77.4% with flats/apartments making up just c. 22.3%. This is similar to Stillorgan Merville ED where c. 21.6% of the dwellings were apartments.

Taking into account the proposed development of some 377 no. units, the Leisureplex site (232 no.) there are c. 609 no. permitted or under construction BTR units which is considered appropriate for the District Centre. It is noted further to the south the Brewery Road development (would contribute a future 287 no. BTR units).

Having regard to the mix of dwellings in the general area, which comprise mostly of houses, given the strategic public transport OBC which runs through the area, it is submitted the opportunity to provide BTR development within the District Centre of Stillorgan, located on the existing high frequency, high capacity QBC, is required to redress the overall imbalance of dwelling types in the area, which currently comprise houses.

### Justification and Conclusions

In response to strategic government policy (NPF and S. 28 Apartment Guidelines 2020), the District Centre of Stillorgan is an appropriate location for a BTR apartment development.

The proposal will provide a more mixed community compared to a predominantly suburban housing development in the wider area which is beneficial to the wider community as typically apartment developments are less likely to place pressure on local childcare, schools and are less traffic intensive. In addition, the proposal provides more choice of housing for all age groups, suitable for persons trading down who are at different stages of the life cycle, and also catering for less mobile persons who are catered for at ground floor level, in particular.

The proposed mix of apartment sizes/types has been designed to directly respond to the demand for BTR apartment. Also, the apartment mix is designed to act as a balance to the wider suburban housing in the environs of the District Centre. While the Leisureplex site includes a BTR development, there is still a requirement to provide BTR apartments to cater for demand, which is driven by the location of the subject site, proximate to significant employment locations such as Sandyford Industrial Estate, Hospitals such as St. John of God Hospital, Blackrock Clinic, Beacon Clinic, St. Vincent's University Hospital. Significant educational locations such as UCD, UCD Smurfit Graduate Business School, and Dun Laoghaire Institute of Art and Design. In addition, the District Centre of Stillorgan provides



retail and retail services employment and is located between Blackrock District Centre and Dundrum Major Town Centre.

The overall development provides a wide range of unit types in a sustainable mix which will ensure a wide variety of tenures for a cross section of society. Overall it is submitted the development provides a good variety of unit types, reflecting demographic needs and also taking into account market demands/unit provision elsewhere in the environs of Stillorgan where typical suburban developments are available.

The proposed BTR apartment development is therefore appropriate and consistent with strategic government policies which seek to provide for more apartment living, in suitable locations, proximate to local transport facilities and shops and services, including education, such as the subject site.

It is considered that the proposed mix presented provides for an appropriate and sustainable mix which will allow for a broad range of household formation. The objective of the design team has been to include for a range of dwelling and tenure types for a cross section of society.

Given the justification provided above, including support in strategic Government policy, it is submitted that the application site is appropriate for BTR development.

## APPENDIX 4 LIST OF RELEVANT OBJECTIVES

### Dun Laoghaire Development Plan 2022-2028

Policy Objective CS2 – Core Strategy It is a Policy Objective to support the delivery of the Core Strategy in accordance with the Core Strategy Map illustrated in Figure 2.9 and the Core Strategy Table detailed at Table 2.10.

Policy Objective CS11 – Compact Growth It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary. (Consistent with RPO 3.2 of the RSES)

Policy Objective CS13 – Strategic Regeneration It is a Policy Objective to support the development and renewal of strategic regeneration sites in the County

Policy Objective CS14 - Vacancy and Regeneration It is a Policy Objective to address issues of vacancy and underutilisation of lands within the County and to encourage and facilitate the re-use and regeneration of vacant sites subject to the infrastructural carrying capacities of any area.

Policy Objective CA8: Sustainability in Adaptable Design It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.

Policy Objective CA17 It is a Policy Objective to promote urban greening - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy placemaking. Significant developments shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES)

Overarching Policy Objective PHP1: That increased delivery of housing throughout the County will be subject to the Strategic Policy Objective to: Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy. Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Interim Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment. Embed the concept of neighbourhood into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities

Policy Objective PHP2: Sustainable Neighbourhood Infrastructure It is a Policy Objective to: Protect and improve existing sustainable neighbourhood infrastructure as appropriate. Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES. Encourage the provision of multi-functional facilities, space and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure.

Policy Objective PHP3: Planning for Sustainable Communities It is a Policy Objective to: Plan for communities in accordance with the aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’ and any amendment thereof. Ensure that an appropriate level of supporting neighbourhood infrastructure is provided or that lands are reserved for Sustainable Neighbourhood Infrastructure (SNI), in conjunction with, and as an integral component of, residential development in new residential communities as identified in the Core Strategy (see Figure 2.9, Chapter 2). Identify, provide and/or improve (as appropriate) supporting sustainable neighbourhood infrastructure in tandem with residential development in renewal/ redevelopment areas and existing residential neighbourhoods. Create healthy and attractive places to live consistent with NPO 4 of the NPF and RPO 9.10 of the RSES.

Policy Objective PHP4: Villages and Neighbourhoods It is a Policy Objective to: Implement a strategy for residential development based on a concept of sustainable urban villages. Promote and facilitate the provision of ‘10-minute’ neighbourhoods.

Policy Objective PHP5: Community Facilities It is a Policy Objective to: Support the development, improvement and provision of a wide range of community facilities throughout the County where required

Policy Objective PHP6: Childcare Facilities It is a Policy Objective to: Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. Encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.

Policy Objective PHP18: It is a Policy Objective to: Promote compact urban growth through the consolidation and re-intensification of infill/ brownfield sites. Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy Objective PHP20: Protection of Existing Residential Amenity. It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

Policy Objective PHP25: It is a Policy Objective to facilitate the implementation and delivery of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) 2022 - 2028.

Policy Objective PHP26: It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) and any future Regional HNDA.

Policy Objective PHP27: It is a Policy Objective to facilitate the provision of Build-to-Rent and Shared Accommodation in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2018 (and any amendment thereof). Proliferation of these housing types should be avoided in any one area.

Policy Objective PHP29: Housing for All It is a Policy Objective to: M Support housing options for older people and persons with disabilities/mental health issues consistent with NPO 30 in the NPF, RPO 9.1 and 9.12 of the RSES.

Policy Objective PHP30: Provision of Social Housing It is a Policy Objective to promote the provision of social housing in accordance with the Council's Housing Strategy and Government policy as outlined in the DoHPLG 'Social Housing Strategy 2020'

Policy Objective PHP34: Healthy Placemaking It is a Policy Objective to: Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES. Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013). Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

Policy Objective PHP35: Inclusive Design & Universal Access It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES

Policy Objective PHP36: Public Realm Design It is a Policy Objective that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.

Policy Objective PHP38: Safer Living Environment It is a Policy Objective to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County.

Policy Objective PHP39: Building Design & Height It is a Policy Objective to: Encourage high quality design of all new development. Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).

Policy Objective PHP41: Design Statements It is a Policy Objective that, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as otherwise required by the Planning Authority) submit a 'Design Statement' and shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009) and incorporates adaptability of units and/or space within the scheme.

Policy Objective EI3: Wastewater Treatment Systems It is a Policy Objective that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, either directly or indirectly. It is a Policy Objective to promote the changeover from septic tanks to collection networks where this is feasible and to strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems in order to minimise the risk of groundwater pollution.

Policy Objective EI4: Water Drainage Systems It is a Policy Objective to require all development proposals to provide a separate foul and surface water drainage system – where practicable. (Consistent with RPO 10.12)

Policy Objective EI6: Sustainable Drainage Systems It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).

Policy Objective EI7: Water Supply and Wastewater treatment and Appropriate Assessment It is a Policy Objective to require that all developments relating to water supply and wastewater treatment are subject to screening for Appropriate Assessment to ensure there are no likely significant effects on the integrity, defined by the structure and function, of any European sites<sup>1</sup> and that the requirements of Article 6 of the EU Habitats Directive are met. (Consistent with RPO 10.7 of the RSES).

Policy Objective EI9: Drainage Impact Assessment It is a Policy Objective to ensure that all new development proposals include a Drainage Impact Assessment that meets the requirements of the Council's Development Management Thresholds Information Document (see Appendix 3) and the Stormwater Management Policy (See Appendix 7.1)

Policy Objective EI13: Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling: To ensure new developments are designed and constructed in line with the Council's Guidelines for Waste Storage Facilities (an excerpt of which is contained in Appendix 6)

Policy Objective PHP39: Building Design & Height It is a Policy Objective to: Encourage high quality design of all new development. Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).

Policy Objective BHS 1- Increased Height states:

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

SLO 15 - To accord with the policies of the adopted Stillorgan Local Area Plan.

SLO 21 - To support and facilitate the provision of a swimming pool, leisure facility and Library within the Stillorgan area.

### **Stillorgan LAP**

PR2 It is an objective of the Council to ensure that pedestrian, cycle, public transport, car and delivery vehicle networks are designed to maximise connectivity, permeability and ease of movement for soft modes.

PR3 It is an objective of the Council to create multifunctional streets that balance 'movement' and 'place' and safety for all users, within a traffic calmed environment."

PR4 It is an objective of the Council to promote high quality urban design with particular reference to the '12 Criteria' outlined in the 'Urban Design Manual - A best practice guide' (2009)

MV2 It is an objective of the Council to promote sustainable transport forms such as walking, cycling and public transport as set out in the Government's 'Smarter Travel, A Sustainable transport Future 2009- 2020'.

MV3 It is an objective of the Council to provide for high quality pedestrian and cycle network within the LAP Area with high levels of permeability, passive surveillance and supervision where feasible and to ensure that this network will provide attractive, legible and direct links to the District Centre, Bus Stops, Stillorgan Luas Stop and the wider area outside the Plan Boundary.

MV4 It is an objective of the Council to provide for safe and secure cycle parking at appropriate locations within the LAP Area and in particular close to recreational or community facilities, residential units, transport nodes, shops and services."

MV6 It is an objective of the Council to ensure that all new cycling infrastructure be provided in accordance with the standards set out in the National Cycle Manual (2012) published by the NTA, where practicable, recognising the challenges in retrofitting infrastructure within the existing road network.

R1 It is an objective of the Council to strengthen the role of Stillorgan as a District Centre as identified in the Retail Strategy for the GDA 2008-2016 and the County Development Plan 2010-2016, at a scale appropriate to this designation and to promote it as the primary retail location in the wider Stillorgan area.

R2 It is an objective of the Council to limit the net retail sales area within Stillorgan District Centre to 25,000 square metres in accordance with the Dún Laoghaire-Rathdown County Development Plan.

R3 It is an objective of the Council to encourage a broad mix of uses within Stillorgan that contribute to the creation of a sustainable and vibrant District Centre that is the focus for social and business interaction. New development shall be required to demonstrate how it complements or enhances the existing mix of uses

R5 It is an objective of the Council to require a high quality of design and finish for new shopfronts and signage in Stillorgan that enhances the local streetscape and public realm

KDS1 It is an objective of the Council to encourage a rich mix of uses to create vitality.

KDS2 It is an objective of the Council to encourage specific uses at appropriate locations which respect their context.

KDS3 It is an objective of the Council to encourage the cooperation between adjoining landowner/ developers in such a way that sites can realise their full potential and support the overall strategic objectives for the area.

KDS4 It is an objective of the Council to improve public realm through the promotion of high-quality architecture, urban design and an open, pedestrian friendly environment.

KDS5 It is an objective of the Council to provide a mix of public spaces with high quality landscaping and street furniture.

KDS6 It is an objective of the Council to promote design of buildings that respect and have regard to their context and neighbouring amenity.

KDS7 It is an objective of the Council that, when considering the cumulative redevelopment potential of District Centre lands, that net retail sales area in Stillorgan District Centre zoned lands continue to be capped at 25,000 sq.m

KDS8 It is an objective of the Council to consider the cumulative effects of the provision of parking in relation to the key development sites within the Stillorgan LAP boundary and its future effects on traffic flows within Stillorgan.

RS1 To promote high quality homes and quality residential choices for a range of household needs including housing choice for older people who may want to downsize.

RS2 To promote sustainable higher densities and quality innovative housing designs.

RS3 It is an objective of the Council that sites with opportunity for new residential development identified in Chapter 4 shall be designed and developed in accordance with the principles of the Site Framework Strategies.

RS5 The Planning Authority will promote the provision of 'Lifetime Homes', applying universal design guidelines to provide a more seamless and appropriate continuum of housing choice and options for older people.

"BH1 It is an objective of the Council promote higher densities and allow for increased building heights around public transport nodes and centres of activity. Guidelines for appropriate building heights will be set out in the 'Site Framework Strategies' for the Key Development Sites. To aid assessment, a design statement will be required for applications for taller buildings (any development where building heights exceed six storeys) in the Plan area. The design statement shall address development context, development objectives, urban design principles, scale and massing, density, materials, details, lighting (day and night time) existing and proposed land and building uses, ground floor uses, treatment of roof top/crown, ground floor treatment and public realm strategy.

"BH2 An impact assessment study will also be required to illustrate the impact on the context, especially on residential amenities and significant views. This should be done through accurate visual modelling of proposals – photomontages or three-dimensional computer models (buildings fully rendered) – from relevant assessment points defined by the Council. Proposals should be shown in daylight and nightlight conditions. The micro-climate impact of the development on the surrounding environment (streets, public spaces and existing development) should also be tested in regard to wind funnelling, overshadowing and sun-reflection. Daylight, sunlight and overshadowing analysis will also be a requirement.

BH3 Consideration will be given to the application of upward or downward modifiers in relation to building heights, with reference to site characteristics and the protection of residential amenity".

### **Dun Laoghaire Development Plan 2016-2022**

Policy RES3 It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines: • 'Sustainable Residential Development in Urban Areas' (DoEHLG 2009). • 'Urban Design Manual - A Best Practice Guide' (DoEHLG 2009). • 'Quality Housing for Sustainable Communities' (DoEHLG 2007). • 'Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013). • 'National Climate Change Adaptation Framework - Building Resilience to Climate Change' (DoECLG, 2013).

Policy RES7 It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy

Policy RES8 It is Council policy to promote the provision of social housing in accordance with the projects outlined in the Council's Interim Housing Strategy and Government policy as outlined in the DoECLG 'Social Housing Strategy 2020'

Policy RES9 It is Council policy to support the concept of independent and/or assisted living for older people and people with disabilities/mental health issues. In this regard the Council will support the provision of specific purpose-built accommodation, or adaptation of existing properties, and will promote opportunities for elderly householders to avail of the option of 'downsizing' within their community.

Policy RES14 It is Council policy to plan for communities in accordance with the aims, objectives and principles of 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual – A Best Practice Guide'. In all new development growth areas, and in existing residential communities it is policy to ensure that proper community and neighbourhood facilities are provided in conjunction with, and as an integral component of, major new residential developments and proposed renewal/redevelopment areas, in accordance with the concept of sustainable urban villages outlined under Policy RES15

Policy RES15 In new development growth nodes and in major areas in need of renewal/regeneration it is Council policy to implement a strategy for residential development based on a concept of sustainable urban villages

Policy ST2: Integration of Land Use and Transportation Policies It is Council policy to actively support sustainable modes of transport and ensure that land use and zoning are fully integrated with the provision and development of high public quality transportation systems.

Policy ST20: Travel Plans\* It is Council policy to require the submission of Travel Plans for developments that generate significant trip demand. Plans should seek to reduce reliance on car-based travel and encourage more sustainable modes of transportation over the lifetime of a development

Policy ST21: Electric Vehicles\* It is Council policy to support the Government's Electric Transport Programme by facilitating the roll-out of Electric Powered Vehicle Recharging Parking Bays for electric vehicles across the County through the planning system and on public roads.

Policy ST23: Car Clubs\* It is Council policy to support the set up and operation of Car Club schemes to facilitate an overall reduction in car journeys and car-parking requirements

Policy ST28: Traffic Noise It is Council policy to ensure that traffic noise levels are considered as part of new developments along major roads/rail lines in accordance with best practice guidelines.

Policy RET9: It is Council policy to control the provision of non-retail uses at ground floor level in the principal shopping streets of Major Town Centres and District Centres and also within the shopping parades of Mixed-Use Neighbourhood Centres."

Policy OSR5: Public Open Space Standards It is Council policy to promote public open space standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' (2009) and the accompanying 'Urban Design Manual - A Best Practice Guide'.

Policy SIC6: Community Facilities It is Council policy to support the development, improvement and provision of a wide range of community facilities distributed in an equitable manner throughout the County

Policy SIC11: Childcare Facilities It is Council policy to encourage the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. The Council will encourage the provision

of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.

Policy UD1: It is Council policy to ensure that all development is of high-quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

Policy UD2 It is Council policy that, for all medium-to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as required by the Planning Authority) a 'Design Statement' shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009).

Policy UD3 It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.

Policy UD6: Building Height Strategy It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County.

Policy UD7: Urban Tree Planting It is Council policy to promote urban tree planting throughout the County in accordance with the provisions of 'dlr TREES: A Tree Strategy for Dún Laoghaire-Rathdown 2011 – 2015' and to preserve existing trees where possible and appropriate.

## APPENDIX 5 IAA CORRESPONDENCE

### Rory Kunz

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**From:** MACCRIOSTAIL Cathal <Cathal.MacCriostail@IAA.ie>  
**Sent:** Monday 28 March 2022 11:16  
**To:** Rory Kunz  
**Cc:** Paul Cumiskey; Gary Mackin  
**Subject:** 220328 Lands at Stillorgan  
**Attachments:** Elevation.pdf

Dear Rory,

Thanks for the email.

The guide safeguarding elevation we apply for your proposed site is 223m Above Mean Sea Level (AMSL). Taking account of the elevations indicated in the attached and allowing for craneage, there is no concern of possible impacts on Dublin Airport Instrument Flight Procedures(IFPs).

I'm copying daa colleagues for information and I'm positive that this location is not of concern for the surfaces they safeguard (Obstacle Limitations Surfaces).

Kind regards,

Cathal

**Cathal Mac Criostail**

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