

**Proposal for an SHD Development at City Block 9 -
ABP Ref. 306158-19**

City Block Rollout Agreement

Prepared for:

**Waterside Block 9
Developments Limited**

Prepared by:

Tom Phillips + Associates
80 Harcourt Street
Dublin 2
D02 F449

t: 01 478 6055
e: info@tpa.ie
w: www.tpa.ie

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The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Thursday, 28 January 2021

[By Hand]

Dear Sir / Madam

RE: **WATERFRONT SOUTH CENTRAL (RESIDENTIAL) – CITY BLOCK ROLLOUT AGREEMENT – CITY BLOCK 9**

1.0 INTRODUCTION

1.1 Application for Permission for Development

Waterside Block 9 Developments Ltd¹ has retained Tom Phillips + Associates² (TPA) and a wider Design Team led by Henry J Lyons Architects³ (HJL) to apply for permission for development at a site of c. 1.1 hectares, located at City Block 9, North Wall Quay, Dublin 1. (See Figure 1.1, below.) (Further details are set out in Section 1.2 below.)

The Subject Site is located within the North Lotts and Grand Canal Dock Strategic Development Zone (SDZ).

1.1.1 Two Parallel Applications Submitted for City Block 9

Concurrently, the Applicant is also applying to Dublin City Council (DCC) for a complementary commercial development on the balance of the City Block 9 lands of 0.921 ha (including some 0.071 ha of lands to facilitate the temporary provision of a pocket park at ground level). (See Figure 1.2, below.)

Both sites are owned by the same owner with the same Applicant for both schemes.

Whilst ABP has no jurisdiction to determine the S.34 Application, as a courtesy and to facilitate cross-referencing, details are outlined here for information purposes.



Figure 1.1: Aerial photo showing the indicative boundary of the Subject Site outlined in red, with the balance of the City Block 9 outlined in blue. Source: Bing. Cropped and annotated by TPA, January 2021.

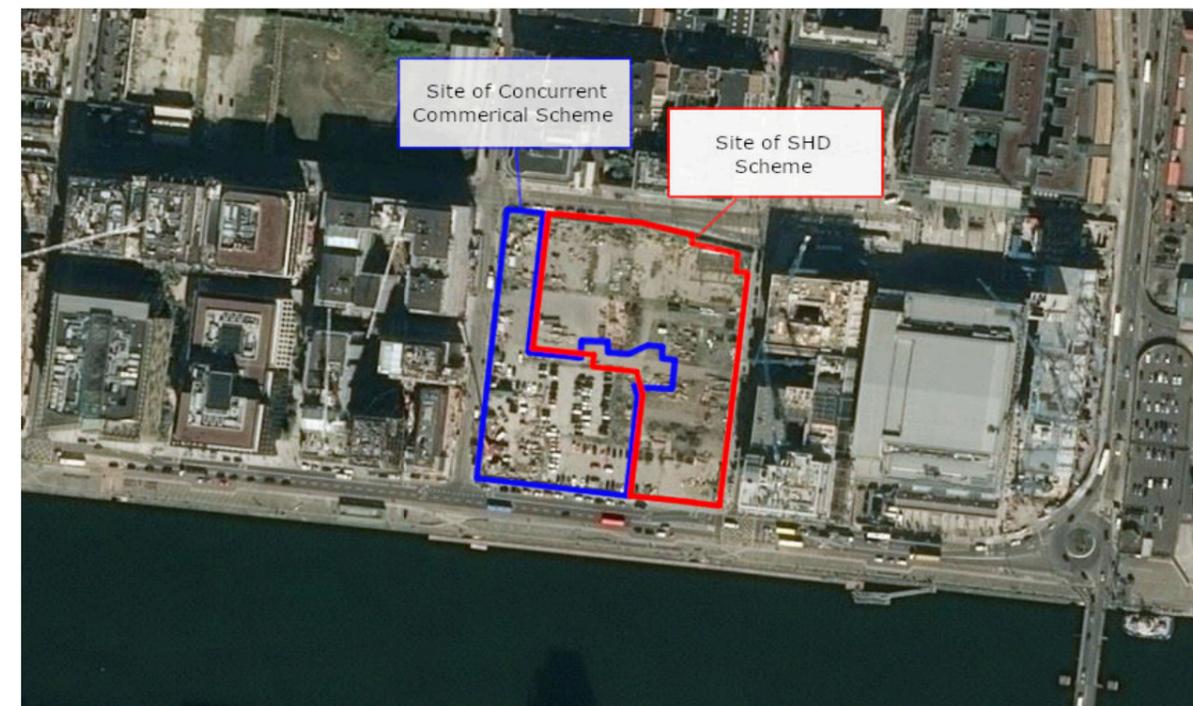


Figure 1.2: Aerial photo showing the indicative boundary of the Subject Site outlined in red, with the balance of the City Block 9 outlined in blue. Source: Bing. Cropped and annotated by TPA, January 2021.

¹ Units 15 / 16 The Courtyard, Carmanhall Road, Sandyford, Dublin 18, D18 YD27.

² 80 Harcourt Street, Dublin 2, D02 F449.

³ 51-54 Pearse St, Dublin 2, D02 KA66.

The Subject Site of 1.1 ha includes some 0.071 ha of lands to facilitate the temporary provision of a pocket park at ground level pending redevelopment of the residual City Block 9 lands. (See Figure 1.3, below.) This is in the interest of fulfilling the public realm objectives for City Block 9, which includes the provision of an internal pocket park.

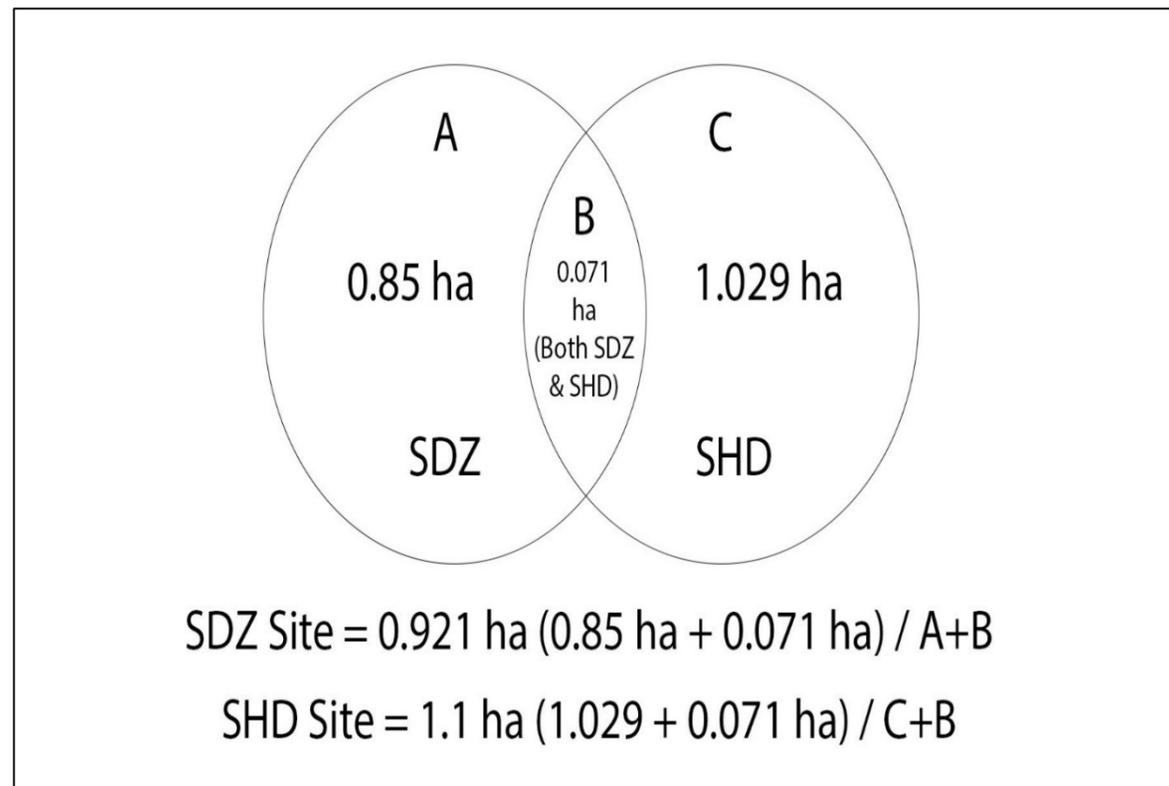


Figure 1.3: Venn Diagram showing the relationship between the two overlapping sites at City Block 9, in hectares. Source: TPA, January 2021

Dublin City Council facilitated a similar scenario for the concurrent application in 2017. (See Section 4.5 of this *City Block Rollout Agreement* for more details.)

It is intended that the development of City Block 9 will occur concurrently. However, in the event that the full development of City Block 9 is delayed temporarily, an option for the interim provision of the internal pocket park has been provided by the Applicant.

Figure 1.4 is taken from the Composite Map provided as Annexure 1 to Eversheds Sutherland's *Title Summary* report, dated Wednesday, 20 January 2021. It illustrates the composition of City Block 9, folio-by-folio. It shows, *inter alia*, that part of the North Wall Avenue forms part of the overall landholding.

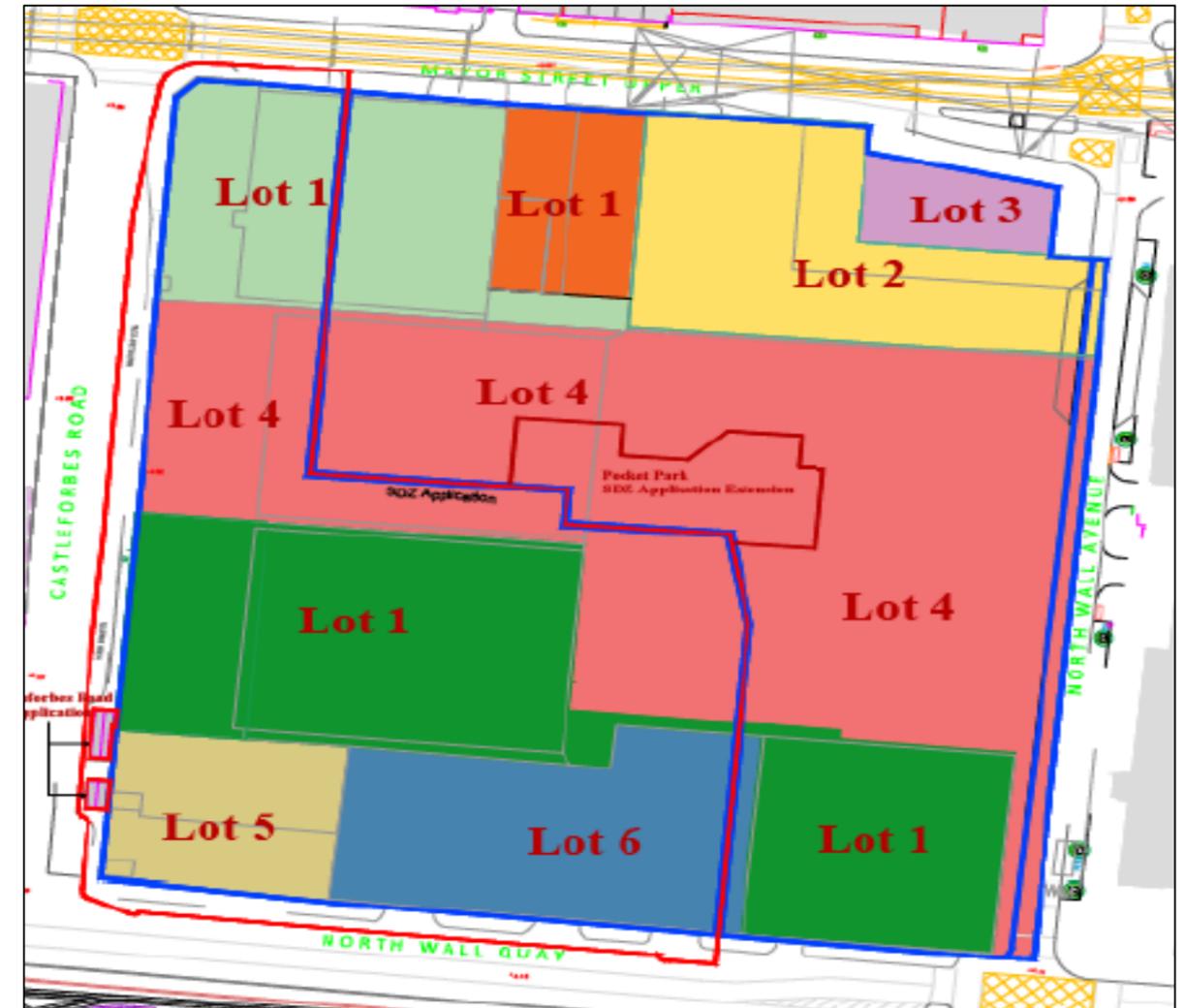


Figure 1.4: Extract of Composite Map, showing the composition of City Block 9 folio by folio. Source: HJL. Cropped and annotated by TPA, January 2021.

A fundamental element of both schemes is that they can be assessed and built independently.

1.1.2 Securing the Delivery of a Mix of Uses and Infrastructure – Rational for the City Block Rollout Agreement

The Subject Site is located within the North Lotts and Grand Canal Dock Strategic Development Zone (SDZ).

Section 6.1.2 of the *North Lotts and Grand Canal Dock Planning Scheme, 2014* (the ‘*Planning Scheme*’) states that:

“Prior to the submission of a planning application for development within a City Block, a City Block Roll-out Agreement (CBRA) shall be entered into between developers / owner(s) and the SDZ Agency in order to secure the co-ordinated delivery of the mix of uses and supporting infrastructure necessary to deliver the objectives of the Scheme within each City Block”.

As part of this Application, the Applicant is providing a *City Block Rollout Agreement* in respect of the overall development of City Block 9.

Notwithstanding a single / common ownership, the *City Block Rollout Agreement* is intended as a mechanism to ensure the coordinated delivery of the mix of uses and supporting infrastructure necessary to deliver the objectives of the *Planning Scheme*.

We note that in 2017 Brady Shipman Martin, on behalf of Crossman Properties ((in receivership) acting through the Statutory Receiver David Carson, Deloitte, Deloitte & Touche House, Earlsfort Terrace, Dublin 2), did not submit a *City Block Rollout Agreement* for the two concurrent 2017 commercial / residential applications relating to lands at City Block 9 (Reg. Refs. DSDZ3779/17 and DSDZ3780/17, respectively).

The following justification for not submitting a *City Block Rollout Agreement* was given in the Planning Reports provided with each application:

“In this instance, it is submitted that the two concurrent planning applications address all relevant matters relating to compliance with the Planning Scheme and a City Block Rollout Agreement is not required. These planning applications and the delivery of Block 9 is in accordance with an agreed Masterplan for the overall City Block, which accompanies this application.”

[Page 5, *Planning Application Report for City Block 9A & C, North Wall Quay & Upper Mayor St, Dublin 1.*, prepared by Brady Shipman Martin and submitted as part of Planning Application DCC Reg. Ref. DSDZ3779/17.]

This argument was accepted by DCC at the time, and the Planning Authority granted permission for both developments.



Figure 1.5: Extract of Dwg. No. 1622-OMP-00-00-DR-A-XX-11200, ‘*Masterplan*’, prepared by O’Mahony Pike Architects and submitted as part of Applications Reg. Ref. DSDZ3779/17 and DSDZ3780/17, showing the overall Masterplan for City Block 9. Source: Dublin City Council Online Planning Portal. Cropped by TPA, January 2021.

However, John Spain Associates, on behalf of Spencer Place Development Company Limited, submitted a *Joint City Block Rollout Agreement* for various applications relating to City Blocks 2 and 7, which we have reviewed together with the DCC Planning Officer’s assessment of same in the preparation of this *City Block Rollout Agreement*.

Additionally, Section 6.1.2 of the *Planning Scheme* requires the submission of a *Compliance Statement*, demonstrating how the CBRA is being implemented.

That *Statement of Compliance with the North Lotts and Grand Canal Dock Planning Scheme – Proposal for an SHD Development at City Block 9* prepared by Tom Phillips + Associates and dated Thursday, 28 January 2021, is therefore submitted as part of this Planning Application.



Figure 1.6: CGI showing the proposed mixed-use development at City Block 9. Source: Renderaire. Cropped and annotated by TPA, December 2020. (The bridge in the foreground is as per the proposed pedestrian connection across the River Liffey in Figure 35 of the Panning Scheme.) This illustration is shown for information purposes only.

1.2 Outline of the Development Proposed – Residential Development at City Block 9

Set out below is a synopsis of the proposal based on the statutory notices:

The subject site is principally bounded by: Mayor Street Upper to the north; North Wall Quay to the south; North Wall Avenue to the east; and the residual City Block 9 lands of 0.85 ha to the west.

The scheme, totalling 125,388 sq m, provides 22,499 sq m at basement levels, with 102,889 sq m from ground level upwards. The development will consist of the:

1. Construction of 1,005 No. residential units (with balconies and winter gardens on all elevations) arranged in 3 No. blocks ranging in height from 8 No. storeys to 45 No. storeys over a triple-level basement (including mezzanine plant level), the former comprising: Block A (8-14 No. storeys (including roof level terrace and extended access core); with an apartment mix of: 116 No. 1-bed; and 92 No. 2-bed; with landscaped terraces at Level 1 (south east elevation), Level 8 (south west elevation), Level 11 (south west elevation) and Level 14 (roof level)); Block B (8-41 No. storeys (including roof level terrace and extended access core); with an apartment mix of: 172 No. 1-bed; and 247 No. 2-bed; with landscaped terraces at Level 5 (south west elevation), Level 8 (north west elevation and south west elevation), Level 11 (north elevation), Level 12 (west elevation), Level 13 (east elevation), Level 14 (east elevation), and at Level 41 (roof level)); and Block C (11-45 No. storeys (including roof level terrace and extended access core); with an apartment mix of: 207 No. 1-bed; 168 No. 2-bed; and 3 No. 3-bed units; with landscaped terraces at Level 11 (north elevation), Level 24 (south, west and east elevation), Level 32 (south, west and east elevation), and Level 45 (roof level), incorporating a public viewing deck at Levels 44 and 45).
2. Provision of ancillary residential amenities and support facilities including: a residential study area (321 sq m), a gym/spa reception (52 sq m), a residents' games room (91 sq m), a residents' common room (110 sq m), a residents-only social space (193 sq m), a management office (96 sq m), a security office (50 sq m), concierge spaces (GFA of 369 sq m) all located at ground floor level; a residents' games room (122 sq m) located at Level 1 of Block B; a residents' common room (86 sq m) located at Level 14 of Block B; a residents' wellness club and common room (408 sq m) located at Level 24 of Block C;
3. Construction of a triple level basement, comprising two levels of basement and a mezzanine plant level (total basement area 22,499 sq m), accommodating: waste storage areas (659 sq m), plant rooms (4,228 sq m), maintenance / management offices (GFA of 92 sq m), residents' courier / parcel rooms (GFA of 210 sq m), residents' laundry rooms (GFA of 138 sq m), ancillary residential storage (GFA of 291 sq m), residents' WCs (65 sq m), a residents' gym / spa (1,529 sq m) and ancillary gym storage room (100 sq m), residents' screening rooms (240 sq m), a residents' indoor plant cultivation room (356 sq m), 176 No. car parking spaces, 10 No. motorcycle parking spaces and 1,693 No. bicycle parking spaces, with vehicular access provided by ramp from North Wall Avenue.

4. Provision of 4,307 sq m of “other uses” as defined by the *Planning and Development (Housing) and Residential Tenancies Act 2016*, comprising: a childcare facility (450 sq m), a restaurant (110 sq m), an indoor Farmers’ Market/foodhall (299 sq m), and 3 No. café units (110 sq m, 167 sq m and 261 sq m, respectively), all located at ground floor level; a restaurant (609 sq m) located at Level 32 of Block C; office use (1,894 sq m) from Levels 41 to 43 inclusive at Block C; and a public bar / function room (407 sq m) located at Level 44 of Block C.
5. Provision of 84 No. surface-level bicycle parking spaces, a pocket park, an external market area, a winter garden/seating area, and new pedestrian lanes from North Wall Quay, North Wall Avenue and Mayor Street Upper to the centre of the site.
6. All enabling and site development works, landscaping (including living walls), lighting, services and connections, waste management, interim site hoarding, and all other ancillary works above and below ground including the use of existing secant piling permitted under Reg. Ref. DSDZ3779/17 and DSDZ3780/17 (as amended by DSDZ3042/19).

1.2.1 City Block Rollout Agreement – Key Issues Addressed

This *City Block Rollout Agreement* (CBRA) illustrates certain key development issues, as identified in the *Planning Scheme*. These include the:

- Land-use ratio (commercial and residential);
- Provision of social housing;
- City Block’s infrastructure requirements (incl. a programme of installation works and references to proposed flood management / soil remediation measures);
- Areas to be taken in charge by Dublin City Council;
- Interim landscaping and other measures for lands within the City Block not proposed for initial development;
- Design and layout of proposed new streets / lanes / parks and public spaces; and
- Social infrastructure needs for the area.

1.3 Layout of this City Block Rollout Agreement

Section 2 of this CBRA outlines the location and context of the Subject Site with regards to the *North Lotts and Grand Canal Dock Planning Scheme, 2014*.

Section 3 discusses the *Planning Scheme* in more detail, considering both the general ‘Vision’ of the *Planning Scheme*, as well as various ‘High-Level Themes’ which the *Scheme* identifies.

Section 4 addresses those Key Issues, noted in Section 1.3.1, above, which are required of the CBRA by the *Planning Scheme*.

Section 5 notes certain additional development parameters considered in respect to the *Planning Scheme*.

Section 6 provides a timeframe for completion of the proposed development

Section 7 provides a short summary and concludes.

2.0 SITE LOCATION AND CONTEXT

2.1 Site Location – City Block 9

The Subject Sites, subject to two distinct, standalone, but complementary, Planning Applications lodged to DCC and ABP, respectively, are located at City Block 9, North Wall Quay, Dublin 1 in the North Lotts. The lands subject to these two Planning Applications comprise the entirety of “City Block 9”, as identified in the SDZ *Planning Scheme* for the North Lotts and Grand Canal Dock.

City Block 9 extends to approximately 1.99 ha, and is bounded by North Wall Quay to the south, North Wall Avenue to the east, Mayor Street to the north and Castleforbes Road to the west. (See Figure 2.1.) That 1.99 ha includes a sliver of land on North Wall Avenue (0.03 ha) – the City Block is 1.96 ha, approximately.

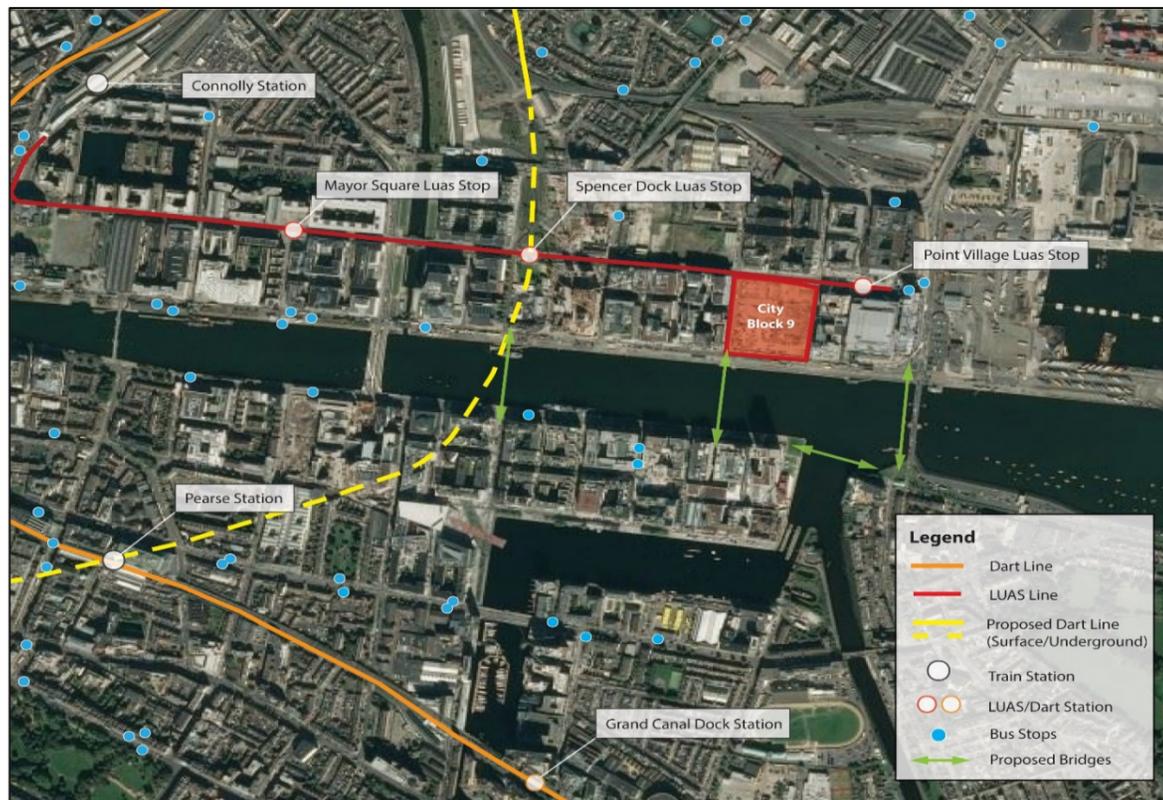


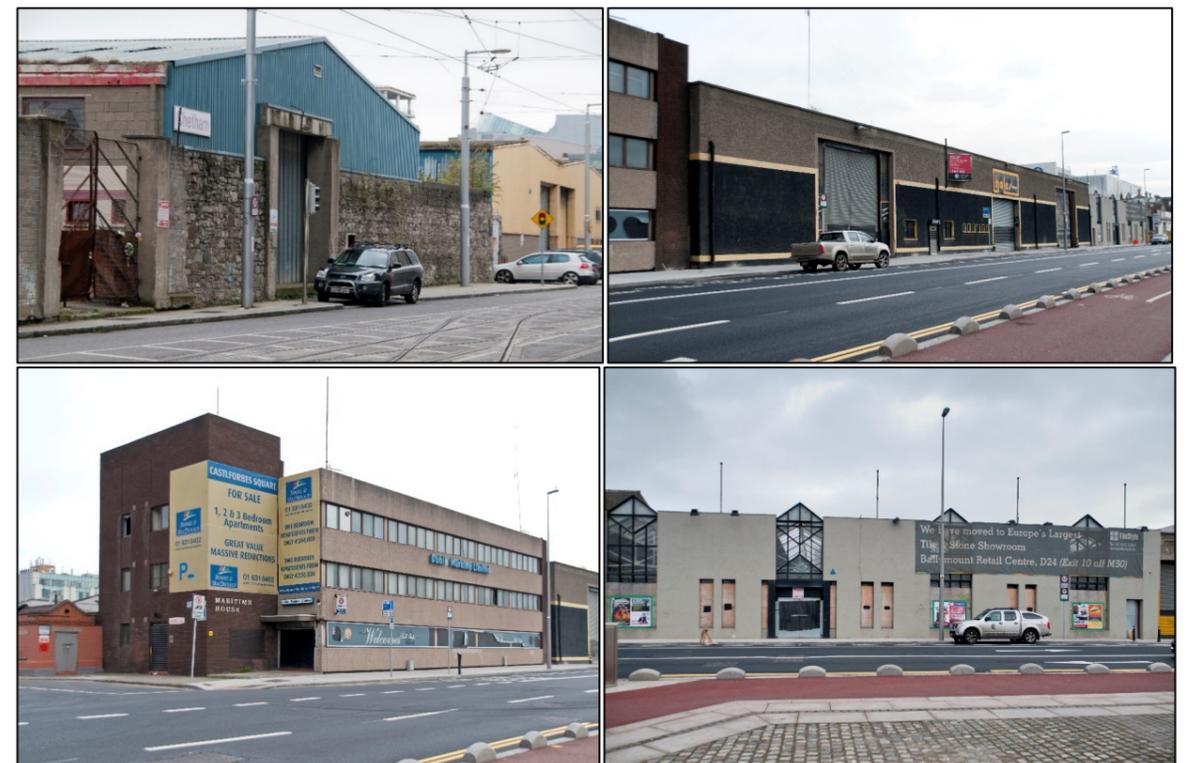
Figure 2.1: Aerial photo showing the context of the Subject Site. Source: Bing. Cropped and annotated by TPA, January 2021.

The site was previously used as warehousing / industrial use. These warehouses have since been demolished, as permitted by Reg. Ref. DSD2242/16 (see Figures 2.2-2.6), and the site is currently vacant.

The area is changing rapidly, with a number of developments permitted nearby, and others in progress.



Figure 2.2: Aerial view showing the structure previously located at City Block 9. Source: North Lotts and Grand Canal SDZ *Planning Scheme* 2014, pg. 195. Cropped by TPA, January, 2021.



Figures 2.3-2.6: Photographs showing the structures previously located at City Block 9. Source: TPA, March 2013. Collated by TPA, January 2021.

2.2 Masterplan – Vision for Overall Development of City Block 9 in Two Applications

We refer to Drawing No. P0003, ‘Proposed Site Layout – Masterplan’, prepared by HJL and Drawing No. C0096 L1000 (Rev. 3), ‘Combined SDZ and SHD Areas Ground Floor Landscape Illustrative Masterplan’, prepared by Cameo & Partners.

These drawings have been provided to illustrate the overall development of City Block 9 as proposed through the Commercial element (S. 34 Planning Application to Dublin City Council) and the Residential element (SHD Planning Application to An Bord Pleanála), respectively.

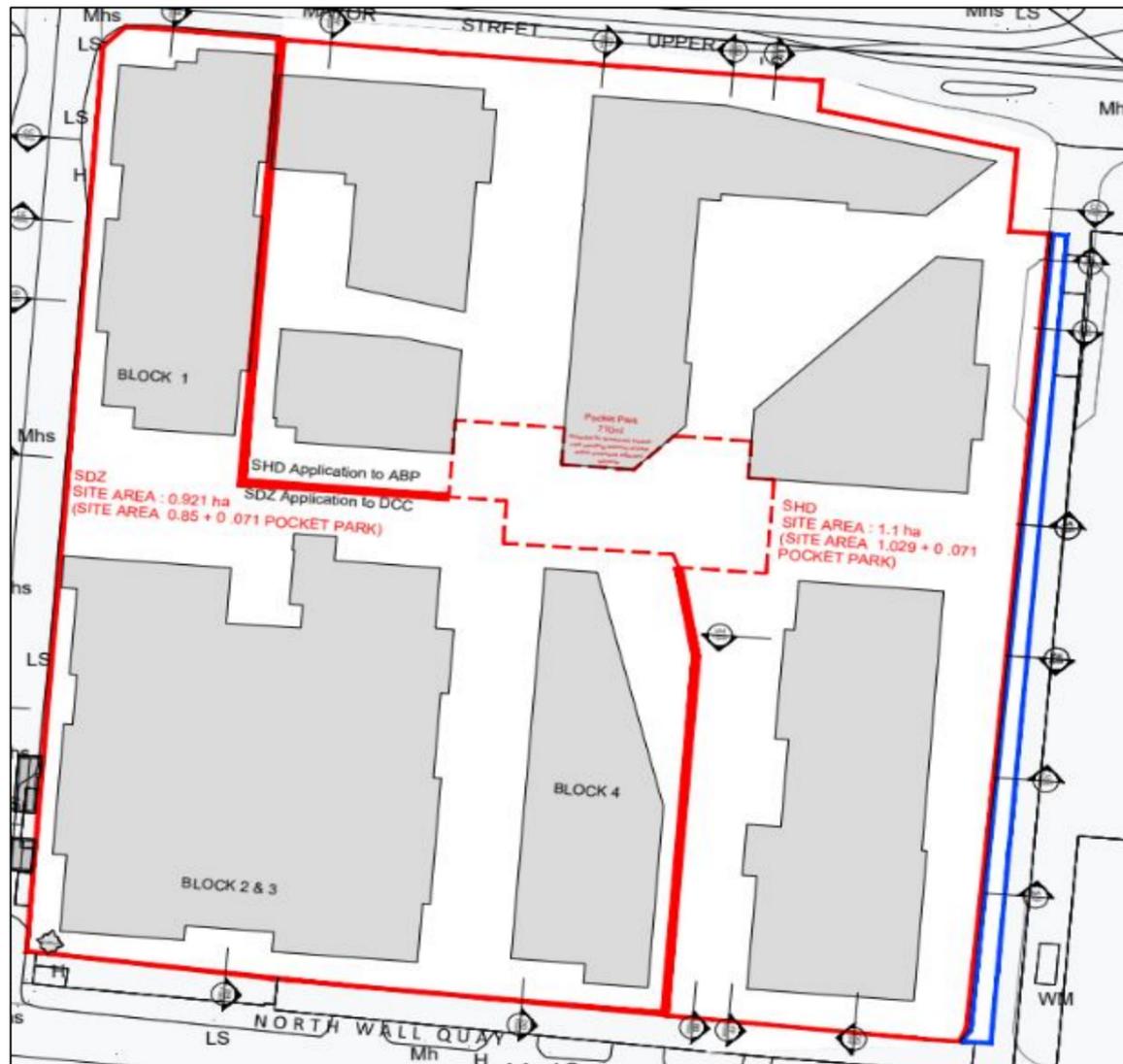


Figure 2.7: Extract of Dwg. No. P0003, ‘Proposed Site Layout – Masterplan’, prepared by HJL, showing the Proposed Site Layout Plan for City Block 9. Source: HJL, January 2021. Cropped by TPA, January 2021.



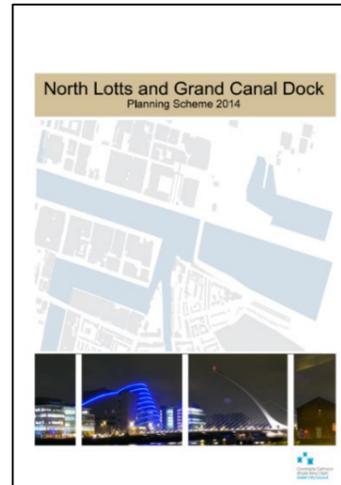
Figure 2.8: Extract of Dwg. No. C0096 L1000 (Rev. 3), ‘Landscape Illustrative Masterplan – SHD’, prepared by Cameo & Partners, showing the Proposed Site Layout Plan for City Block 9. Source: Cameo & Partners, January 2021. Cropped by TPA, January 2021.

2.3 North Lotts & Grand Canal Dock SDZ Planning Scheme, 2014

The Subject Site (City Block 9) is part of the North Lotts and Grand Canal Dock Strategic Development Zone (SDZ) – one of Ireland’s 11 No. SDZs. (See Figure 2.9.)

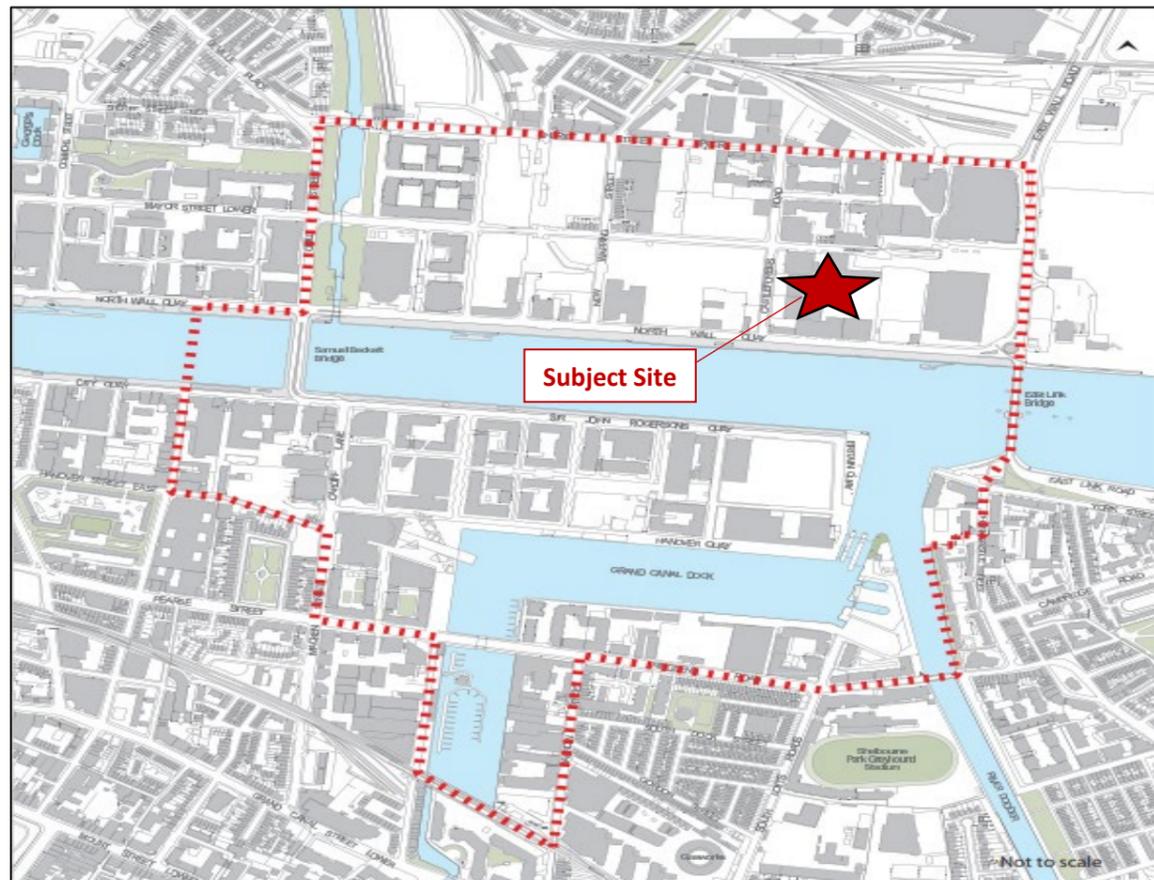
The *North Lotts and Grand Canal Dock Planning Scheme 2014* (the ‘*Planning Scheme*’) is the statutory plan that guides future development of the area.

An Bord Pleanála is currently considering amendments to the *Planning Scheme* lodged by Dublin City Council with ABP in May 2019 (ABP Ref. PL29N304604).



Chapter 3 of the *Planning Scheme* illustrates a ‘Vision’ for the SDZ area, as well as related ‘High-Level Themes’. Additionally, the *Planning Scheme* stipulates certain acceptable parameters of development, including for elements such as:

- Quantum of development;
- Overall use ratio;
- Location, quantum and quality of the public realm;
- Block building line;
- Height;
- Density and plot ratio; and
- Heritage and Protected Structures.



As such, the *Planning Scheme* has guided design process. The following Sections will examine the *Planning Scheme* in more detail, with particular regard to the Subject Proposal and the overall projected development of City Block 9.

Figure 2.9: Map showing the extent of the Docklands SDZ area, with the location of the Subject Site shown. Source: *North Lotts and Grand Canal Dock Planning Scheme, 2014, Figure 1.* Cropped and annotated by TPA, January 2021.

3.0 NORTH LOTTS AND GRAND CANAL DOCK PLANNING SCHEME, 2014 – VISION AND HIGH-LEVEL THEMES

3.1 Introduction

The *North Lotts and Grand Canal Dock Planning Scheme 2014* (the ‘*Planning Scheme*’) is the statutory plan for the area that guides future development relating to the site. Chapter 3 of the *Planning Scheme 2014* illustrates a ‘*Vision*’ for the SDZ area, as well as related ‘*High-Level Themes*’.

The translation of the broad Vision into reality required the adoption of these various basic themes, chosen because of their relevance to the future needs of Dublin City and its residents.

The Planning Scheme states that it is these themes that will act as:

‘the basis by which the Planning Scheme and all future proposals under the scheme will be tested.’

[*North Lotts and Grand Canal Planning Scheme 2014*, page 26.]

Below, we outline the Subject Proposal’s compliance with these basic overarching objectives.

DCC undertook a review of the *Planning Scheme* on foot of a Ministerial Directive. That 2019 amendment is currently before the Board for determination (PL 29N.304604).

However, the Subject Proposal (the Commercial element of the overall development of City Block 9) is based on the more conservative 2014 *Planning Scheme*.

3.2 Planning Scheme Vision – A Sustainable City Quarter

Section 3.1 of the *Planning Scheme* contains the ‘*Vision*’ for the Strategic Development Zone (SDZ), which is namely that Dublin’s Docklands ‘*will become a world-class maritime quarter*’ and a ‘*model of sustainable inner-city regeneration*’.

The Vision explicitly states the need for ‘*a compact green city and a city of quality neighbourhood living*’, particularly in accordance with the UN’s Sustainable Development Goals and the *Dublin City Development Plan 2011-2017* (and further reflected in the *Dublin City Development Plan 2016-2022*).

The Subject Proposals at City Block 9 seek to contribute significantly and positively to the burgeoning sustainable and competitive urban environment in the North Lotts. As a whole, City Block 9 is a key strategic site for the development of the area.

It is a large brownfield site fronting the River Liffey. (Figure 3.1.)

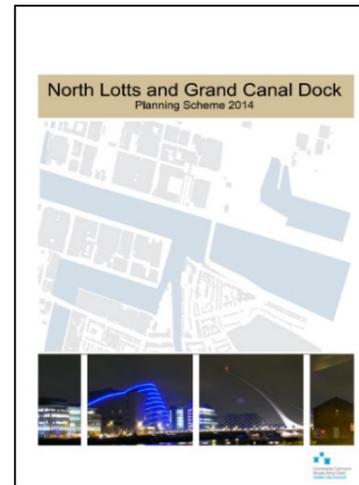


Figure 3.1: Aerial image showing location of brownfield City Block 9 fronting onto the River Liffey. Source: Barrow Coakley Photography, September 2020; annotated by TPA, January 2021.

The insertion of a high-quality, high-density residential and mixed-use scheme at the City Block 9 – in the vicinity of a significant transport and employment hub – is a prime example of sustainable inner-city regeneration.

The proposed development incorporates both building height and excellence in design to provide a new urban neighbourhood, which ambitiously moves towards Dublin’s future as a resilient and compact city.

The provision of varied physical and social infrastructure as part of the wider development of City Block 9, as well as the insertion of an exemplary public realm, enhances future liveability and ensures integration with the wider area.

The relevance of the Docklands as a site of national economic and social importance is highlighted by the *Planning Scheme*. Development within the Docklands is considered to have an impact on the prosperity of the wider city, region and country.

As such, it is considered appropriate that pioneering developments, particularly with regards to sustainable urban mixed-use schemes, should be permitted within this Strategic Development Zone.

Unlike the two earlier 2017 schemes for the site, which was designed by two architectural practices, both the SHD and commercial scheme are designed by Henry J. Lyons, with strong inputs by other key members of the design team including Cameo & Partners, City Designer, CS Consulting and Wordsearch Place.

Sustainability is at the heart of the design brief.

3.3 High-Level Themes

The *Planning Scheme* refers to 6 No. 'High-Level Themes':

1. Sustainability;
2. Economic Renewal and Employment;
3. Quality of Living;
4. Identity;
5. Infrastructure; and
6. Movement and Connectivity.

Each of these will be considered in turn.

3.3.1 High Level Theme 1: Sustainability

Sustainability is '*a key overriding principle for the SDZ Planning Scheme*'. Prominent areas of concern within this theme include: sustainable movement, reducing urban sprawl, enhancing the green economy and creating a healthier, socially inclusive and resilient city.

The Subject Proposal, together with the concurrent application for a commercial development on the remainder of the City Block 9 lands, seeks to establish a new paradigm of sustainable urban development in Ireland.

The overall proposed development of City Block 9, as illustrated in the *City Block Rollout Agreement* submitted with each respective Planning Application, responds to the widely acknowledged need to achieve more with the limited amount of development land remaining in Dublin City, promoting a more compact urban form that presents a new city-centre neighbourhood with energy efficiency and quality of life at its core.

Through the implementation of well-considered, innovative design solutions, Waterfront South Central will provide for 1,005 No. new residential units and 52,455 sq m of high-quality commercial space, as well as associated recreational, cultural and retail amenities in a prime city-centre location.

The surrounding urban environment of employment, social and cultural facilities in the North Lotts, to which the Subject Proposal contributes positively, as well as the Subject Site's prominent location close to a major national transport hub, justifies the delivery of a large and ambitious quantum of residential space.

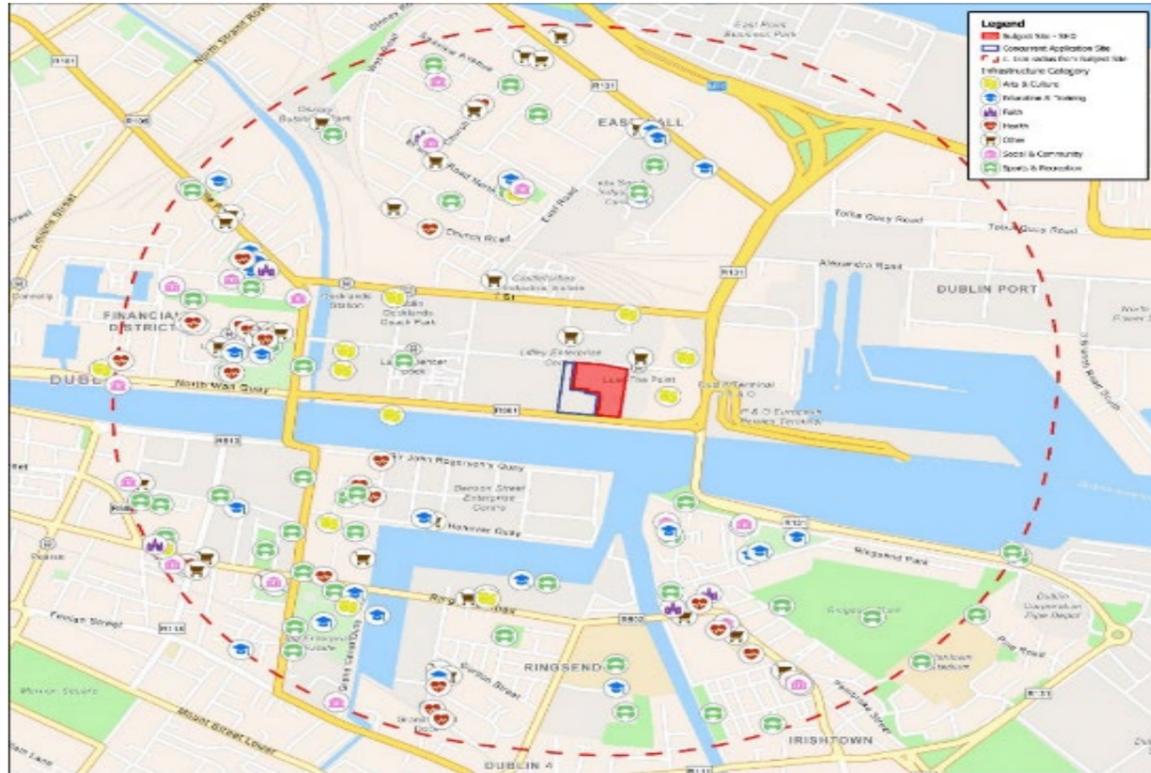


Figure 3.2: Map extracted from *Social Infrastructure Audit: Waterfront South Central – Residential Scheme*, prepared by TPA and dated January 2021. Source: TPA, January 2021.

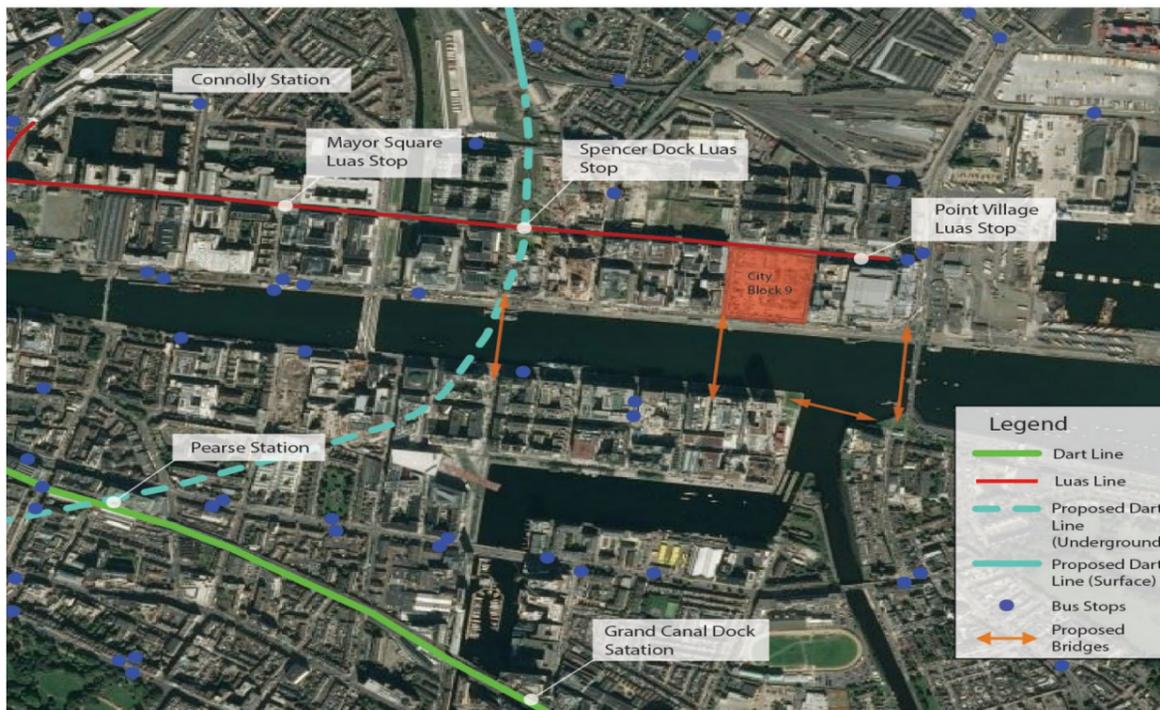


Figure 3.3: Map showing proximate public transport nodes and lines in the context of City Block 9. Source: Bing. Cropped and annotated by TPA, January 2021.

3.3.2 High Level Theme 2: Economic Renewal and Employment

According to the *Planning Scheme*, developments within the North Lotts and Grand Canal Dock SDZ are poised to ‘contribute to a real competitive edge to the Dublin region’ by building on the existing synergies between the various businesses that have proliferated in the area. In this regard, a variety of tenures – commercial, retail and residential – are necessary in order to contribute positively to the inherent vitality of the SDZ area and surroundings.

Many large international and indigenous companies have established themselves in the Docklands, providing a huge quantum of employment in a concentrated area, the impact of which extends far beyond Dublin City and region.

The overall proposed development at City Block 9 seeks to contribute to the economic landscape of the Docklands area, through the provision of a mixed-use quarter of high-quality office and residential space, which is complemented by an abundant provision of retail and amenity uses, such as restaurants, cafes, a childcare facility and neighbourhood services.

This vibrant mix of uses contributes to the sustained economic renewal of the area.

3.3.3 High Level Theme 3: Quality of Life

The *Planning Scheme* intends for the North Lotts and Grand Canal Dock SDZ to be a ‘model of contemporary living’, with quality of life and sustainability central to the residential community.

The concepts of ‘quality of life’ and ‘sustainability’ are particularly applicable when considering the range of residential unit typologies provided throughout the area, as well as the variety of recreational facilities, public spaces and social infrastructure.

Additionally, a high quantum of well-integrated Green Infrastructure is a critical factor in perceived quality of life, as is distinctly highlighted within the *Planning Scheme*. The *Planning Scheme* acknowledges the variegated importance of coherently introducing and protecting nature in a highly urbanised setting. Promoting a blue / green network, with recreational public access and ample opportunity for the establishment of biodiversity is noted as a Key Principle of the *Planning Scheme*.

Both proposals for City Block 9 incorporate provisions for a high-quality urban neighbourhood, as described in the *Planning Scheme*. In the event that the residential scheme is delayed temporarily, an option for the interim provision of the internal pocket park has been provided by the Applicant.

Amenity – both private residential amenity within apartments, amenities associated with the office environment, and public amenity – is paramount throughout the Applicant’s vision for City Block 9.

The residential element of the proposed development provides a wide range of residential apartment typologies. In line with the provisions of Part V of the *Planning and Development Act 2000* (as amended), the residential development, the Applicant intends for 100 No. of these dwellings to be provided for eligible households from Dublin City Council’s Housing List.

(We refer to HJL’s *Housing Quality Assessment*, dated Friday, 15 January 2021, submitted as part of this Planning Application).

The ancillary recreational facilities, retail spaces, restaurants and public spaces provided through the Subject Proposals are central to the integration of the North Lotts with the wider Docklands area, and also with Dublin City more generally.

Further, the central position of Green Infrastructure as a defining feature of the Subject Proposals indicates a commitment to increasing levels of biodiversity within the SDZ, thus improving the associated quality of life for residents and visitors alike – particularly in relation to health, access to nature and environmental resilience.

(We refer to the *Landscape Access & Design Statement – Waterfront South Central – SHD Residential Scheme* prepared by Cameo, dated Monday, 4 January 2021.)



Figure 3.4: CGI showing the view looking towards City Block 9 from North Wall Quay. Source: Renderaire. Cropped by TPA, January 2021.

3.3.4 High Level Theme 4: Identity

The creation of a distinctively Dublin maritime quarter, with a globally unique character, is another major theme of the *Planning Scheme*. It stipulates that there are variegated approaches to achieving a distinguished, yet culturally and historically coherent urban neighbourhood, encouraging development coalitions to ‘re-imagin[e] the existing heritage’ to deliver a ‘new maritime identity’.

The proposals for the overall development of City Block 9 incorporates an innovative design in a prominent location at the mouth of the River Liffey.

The distinctive facades, combining glass and green vertical gardens, achieves a uniquely modern and sleek – yet natural and visually unobtrusive – effect.

The Subject Proposal comprises a landmark development, both in appearance and use, with public uses at upper floors providing novel ‘destinations’, which will contribute to the Docklands identity as a premier neighbourhood in a residential, economic and cultural sense.

In keeping with the *Planning Scheme’s* requirements, a sculptural feature and gallery are proposed for the Castleforbes Road / North Wall Quay junction.

3.3.5 High Level Theme 5: Infrastructure

The provision of high-quality physical and social infrastructure is necessary to support the delivery of the Vision and other High-Level Themes. Such infrastructure requirements range from drainage and flood management to education, healthcare and community facilities.

The proposed development will provide for all the necessary upgrades in relation to drainage, water supply, electricity, gas, telecommunications and flood management which will be necessary to serve the development and create a high-quality living and working environment.

(See Section 4.4 of this *City Block Rollout Agreement* for a detailed review of issues relating to the co-ordinated provision of basic infrastructure supports.)

Supportive social infrastructure will be provided throughout City Block 9. This includes, *inter alia*, car and bicycle parking, as well as childcare and gym facilities, and socio-cultural amenities such as a café, restaurants and office space.

(See Section 4.7 of this *City Block Rollout Agreement* for a detailed review of issues relating to the co-ordinated provision of social infrastructure supports.)

3.3.6 High Level Theme 6: Movement and Connectivity

The success of the SDZ and the *Planning Scheme* is dependent on the coherent extension of connectivity, both within the North Lotts and Grand Canal Dock SDZ, and in relation to the adjoining areas and beyond. The implementation of a safe and inclusive public realm is crucial to improving connectivity, providing safe and efficient access for pedestrians, cyclists and vehicles alike.

The inclusive public realm provided throughout the Subject Proposals seeks to encourage pedestrian and cyclist movement in a safe and inviting manner, through the creation of connecting streets and laneways among the proposed buildings. For example, some 1,693 No. cycle spaces are proposed for the SHD Scheme; 570 No. for the Commercial.

The location of the City Block 9, adjoining the LUAS and in close proximity to a national public transport hub, also ensures a high degree of access and connectivity both within and without the wider Docklands' area.

(See Figure 3.3, above, which shows proximate transport nodes and lines.)

In their report '*Pedestrian Capacity Analysis – Waterfront South Central*', dated January 2021, Space Syntax note that all of the spaces within the proposed development at City Block 9 have a pedestrian comfort level of A+, A- and A, meaning that the internal streets provided are highly comfortable, with pedestrians able to freely select their own walking speed.

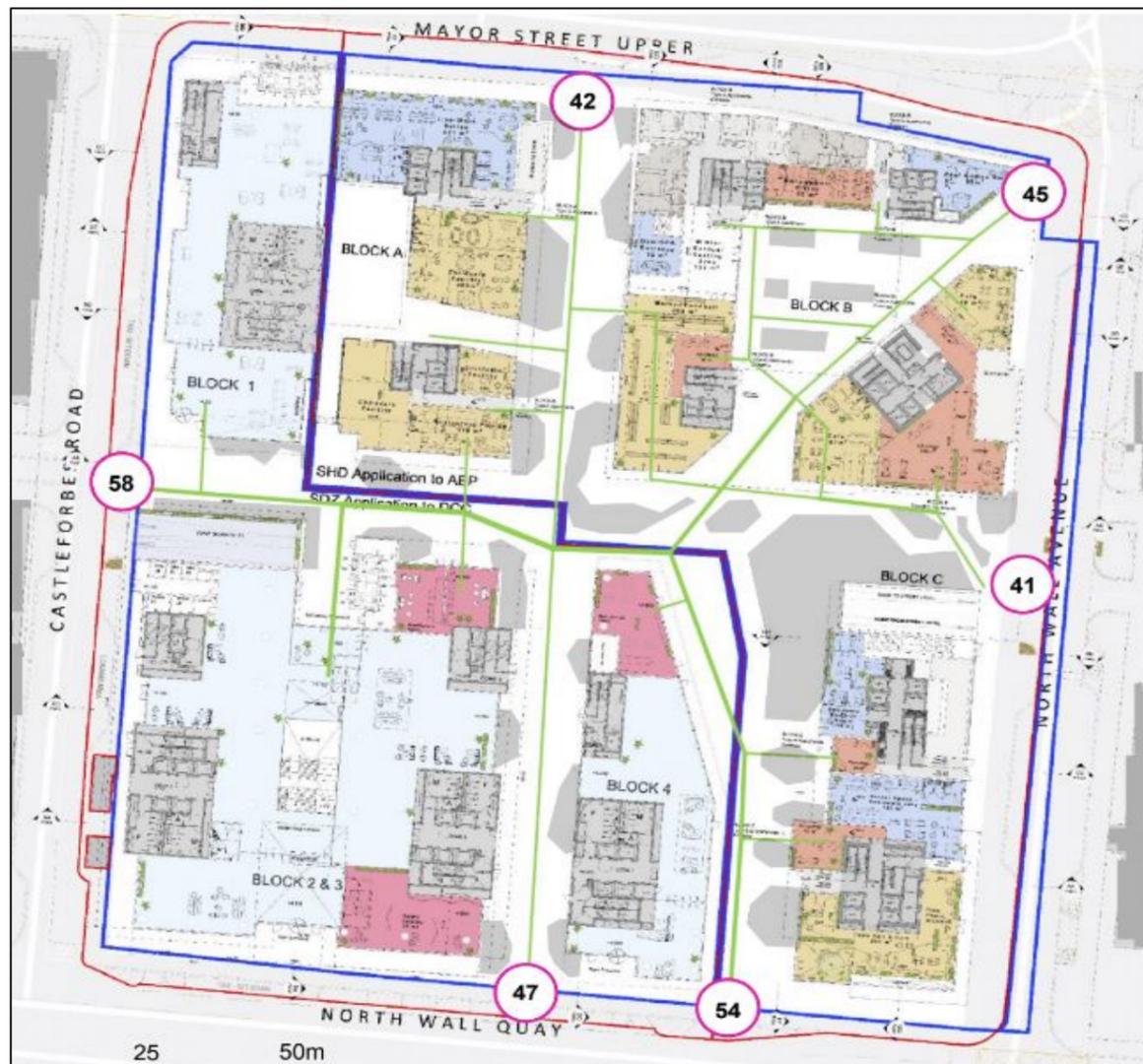


Figure 3.5: Extract from *Pedestrian Capacity Analysis* showing the connecting streets and laneways of the combined SDZ Commercial and SHD schemes. Source: Space Syntax, January 2021.

4.0 REQUIREMENTS OF THE CITY BLOCK ROLLOUT AGREEMENT

4.1 Residential (SHD) Development at City Block 9 – Compliance with *Planning Scheme* ‘Fixed’ Elements

The *Planning Scheme* notes that the *City Block Rollout Agreement* is required to consider the following issues:

- Land Use Mix;
- Provision of Social Housing;
- Infrastructure Requirements;
- Areas to be Taken-in-Charge;
- Interim Measures for Residual Lands;
- Proposed New Public Realm; and
- Social Infrastructure.

These issues are addressed below.

4.2 Land Use Mix – 50:50 Mix Target Broadly Accomplished

The stated objective of the *Planning Scheme* is to secure a 50:50 residential / commercial use mix within City Block 9.

The *Planning Scheme* specifies that land mix ratios are to be calculated using site areas.

Section 4.13.2 of the *Planning Scheme* notes that:

*“[T]he Docklands Masterplan 1997 had a key objective that 60% of the [overall Docklands] **site area** of new development should be residential and 40% commercial.*

The 60 Residential:40 Commercial mix has continued as policy and practice [...]

[Our emphasis.]

It is noted within the *Planning Scheme* that neighbourhood retail and community facilities will be considered ‘Residential’ for the purposes of the ratio.

This mix will broadly be achieved at City Block 9 through the provision of a commercial development on the western portion (c. 0.85 ha, excluding the common pocket park of 0.071 ha), and an SHD (primarily) residential development on the eastern portion (c. 1.029 ha, the common pocket of 0.071 ha) of the site.

Thus, a site area ratio of 1.0:0.84 or 50:41.5 (residential / commercial) is achieved.

Section 4.13.4 of the *Planning Scheme* notes that:

“Variations on the 50:50 ratio and the ratios set out in the City Block Objectives [...] may be considered, subject to a minimum of 30% residential or 30% commercial within each City Block” [...]

As such, we contend that the *Planning Scheme* allows for a reasonable amount of flexibility in this parameter, and that both commercial and residential use elements proposed at City Block 9 exceed the 30% minimum indicated in the *Planning Scheme*.

The spatial distribution of the required ratio of commercial to residential uses across the City Block achieves a co-ordinated and rationalised pattern of land use, and a mono-use environment is avoided.

The provision of retail and other socio-cultural amenities (including, *inter alia*, an art gallery and exhibition space, a childcare facility, restaurants, cafes, and landscaped public open space) at ground floor level throughout the City Block provides the rational impetus for a vibrant and seamless interplay between the two main uses on the site.

The location of the proposed public open space, within the City Block itself, and with sight lines provided through to the quays and Mayor Street, respectively, will invite the public into the City Block, further establishing the area as a central mixed-use urban quarter of excellence within the North Lotts, the Docklands and, more generally, Dublin City.

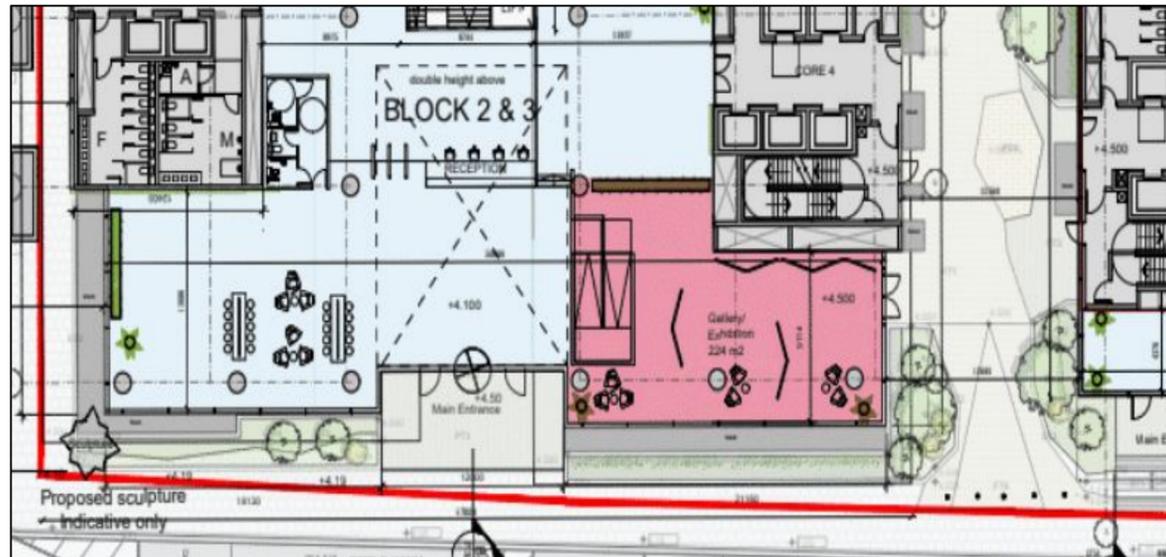


Figure 4.1: Extract of Dwg. No. Z1010 (Rev. 6), 'Ground Floor Plan', prepared by HJL, showing location of gallery / exhibition space at North Wall Quay. Cropped by TPA, January 2021. This drawing is included as Appendix D in the Waterfront South Central – SHD Proposal – Assorted Appendices, prepared by TPA and dated Thursday, 28 January 2021.

It is expected that the provision of an art gallery and exhibition space in the vicinity of the proposed bridge crossing between Castleforbes Road and Sir John Rogerson's Quay will encourage pedestrian movement through the City Block from the LUAS stop on Mayor Street to the Liffey at North Wall Quay, through the extension of the cultural and amenity uses that are currently proposed internally.

- Good property management; and
- Sustainable building designs – energy efficient and utilise renewable energy sources.

Section 2.7.2 of the *Housing Strategy* notes that the most in-demand dwelling size is single-bedroom units – 56% of eligible households require dwellings of this size. Some 33.5% of eligible households required dwelling units with two bedrooms. Approximately 10.5% of eligible households required dwellings with more than two bedrooms.

Section 2.7.4 of the *Housing Strategy* outlines various options for social housing delivery in Dublin City. Here, the Council notes the potential for the provision of dwellings for social housing under Part V arrangements.

The overall projected development of City Block 9 includes a proposal for a Strategic Housing Development (SHD) residential scheme comprising, *inter alia*, 1,005 No. residential dwellings.

In line with the provisions of Part V of the *Planning and Development Act 2000* (as amended), the residential development, the Applicant intends for 100 No. of these dwellings to be provided for eligible households from Dublin City Council's Housing List.

Some 46 No. of these (46%) are single-bedroom dwellings, while 54 No. (54%) are two-bedroom units.

Such a provision accords with the *Housing Strategy's* aims and, in particular, works to address the aforementioned key criterion for success.

4.3 Provision of Social Housing in the Residential (SHD) Scheme – Part V Provides 100 No. Social Housing Units

Dublin City Council Housing Strategy (the *Housing Strategy*) is included in the *Dublin City Development Plan (2016-2022)* as Appendix 2.

Section 2.2 of the *Housing Strategy* outlines certain key criterion for the *Housing Strategy's* success. These are:

- High-quality spacious dwelling units with good levels of amenity in terms of green open space, daylight and sunlight;
- Mixed-income profile in order to reduce social segregation;
- Adaptable dwelling units suitable for changing needs over time and the life-cycle;
- High-quality, well-designed communal areas;

4.4 Physical Infrastructure Requirements – Provision Underway

It is noted within the *Planning Scheme* that the CBRA shall address the infrastructure requirements for the City Block, including:

- Connections to the Strategic Network;
- Programme of Installation Works;
- Responsibility for Delivery of Infrastructure;
- Flood Management; and
- Soil Remediation.

This Section therefore provides a summary of the main infrastructure requirements for City Block 9, and how it is intended to achieve them.

4.4.1 Connections to Strategic Networks

- **Ducting Networks:** The ducting network of both schemes at City Block 9 will be capable of connecting directly to any shared duct network provided within the Dockland area.
- **District Heating:** The heating systems within the proposed development will be able to facilitate integration with any future district heating system within the Docklands area. All proposed developments will have the capacity to connect to a centralised plant heating system while maintaining the ability to achieve NZEB-rating in any intervening period.
- **Fire Tender Access:** Fire tender access throughout City Block is ensured. See Drawing No. R064-260 (Rev. C), 'Autotrack – Ground Level – Fire Tender', produced by CS Consulting, which illustrates the Swept Path Analysis undertaken in relation to emergency access to the ground floor level of the proposed commercial development. (See Figure 4.2, below.) Similar analysis has also been undertaken for the basement levels. That drawing is included as Appendix C in the *Waterfront South Central – Proposal for a Commercial Scheme – Assorted Appendices*, prepared by TPA and dated Wednesday, 27 January 2021

Drawing No. R064-210 (Rev. E), submitted as part of this SHD Planning Application to An Bord Pleanála, details emergency access arrangements for the residential development proposed at the residual City Block 9 lands. (See Figure 4.3, below.)

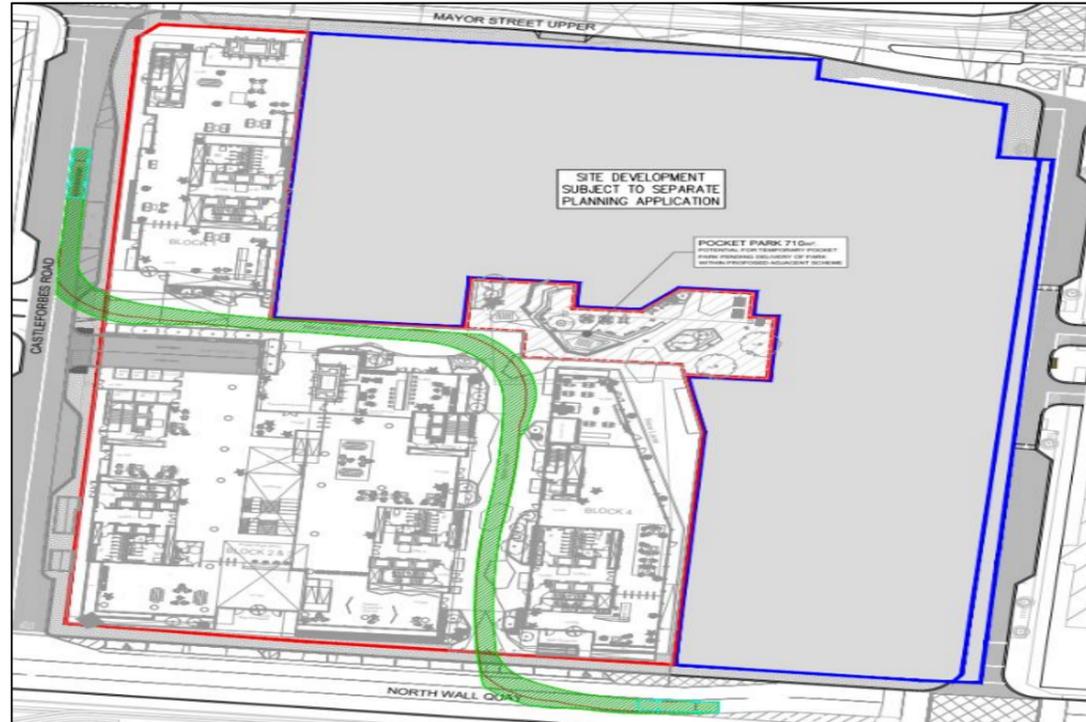


Figure 4.2: Extract of Dwg. No. R064-260, 'Autotrack – Ground Level – Fire Tender', Rev. C. Source: CS Consulting, January 2021. Cropped by TPA, January 2021.



Figure 4.3: Extract of Dwg. No. R064-210, 'Autotrack – Ground Level – Fire Tender', Rev. E. Source: CS Consulting, January 2021. Cropped by TPA, January 2021.

4.4.2 Programme of Installation Works

Both schemes are designed to be delivered independently. However, in the event of a joint development, the following elements of infrastructure will be provided:

- **Foul Water Connection:** All foul effluent generated from the proposed developments at City Block 9 from the upper floors of all proposed structures would be collected in separated foul pipes and flow by gravity into the existing 300 mm diameter foul sewer on North Wall Avenue via a new connection.

Foul generated in the basement would be collected and then flow by gravity to a pump sump located at the lowest level, where all foul effluent would be pumped via rising main to external gravity network.

The drainage network for the development would be in accordance with Part H of the Building Regulations and to the requirements and specifications of Irish Water.

All drainage infrastructure would be installed with access.

Responsibility for delivery would rest with the main contractor, as approved by DCC.

- *Surface Water Drainage and SuDS Features:* The attenuation volume to be retained on site for a 1-in-100-year extreme storm event, increased by 20% for the predicated effects of climate change indicates that a volume of 1108 m³ will be required.

All storm water flow events from the development will be restricted to 2.4 l/s through the use of a flow control device.

The aim of SuDS (Sustainable Urban Drainage Systems) is to increase the overall quality of storm water before it leaves the site and enters the public network.

To achieve this, a number of SuDS proposals would be implemented, including the provision of green roofs, the use of low-water usage sanitary appliances, and local infiltration to pits and landscaped areas.

All drainage infrastructure would be installed with access.

Responsibility for delivery would rest with the main contractor, as approved by DCC.

4.4.3 Flood Management

As outlined in the *Strategic Flood Risk Assessment* contained within the *Planning Scheme*, all planning applications within the SDZ area will be subject to a *Site-Specific Flood Risk Assessment* (SSFRA). The SSFRA will emphasise residual flood risks, site-specific mitigation measures, and flood-resilient design approaches and construction methods.

CS Consulting Engineers have prepared a *Site-Specific Flood Risk Assessment* (dated Tuesday, 5 January 2021) to accompany both the commercial and the residential (SHD) Planning Applications relating to City Block 9.

In summary, these *Site-Specific Flood Risk Assessments* confirm that City Block 9 is located in Flood Zone 'C' as per the *Strategic Flood Risk Assessment* associated with the *Dublin City Development Plan 2016-2022*.

Flood risks to City Block 9 emanating from various mechanisms (i.e., fluvial, tidal, pluvial, infrastructure failure and groundwater flooding) have been assessed, and any associated risk is considered to be within acceptable limits.

All residential development within City Block 9 will be at a minimum level of 4.0 m OD, and emergency temporary flood defences can be installed at vulnerable locations should they be required.

4.4.4 Soil Remediation Measures

A specialist environmental consultant, RSK, has been engaged by the Applicant, and has provided a *Generic Quantitative Risk Assessment* (dated Monday, 21 December 2020) accompany both the residential and commercial Planning Applications relating to City Block 9.

This assessment sets out the classification of the soil at the Subject Site, as well as the remediation measures required to develop the site safely.

The site investigation carried out by RSK identified made ground to a maximum depth of 9.0 mbgl. The made ground was found to be quite variable, but generally comprised a concrete slab on top of sandy gravel fill, overlaying sandy gravelly clay or silt, which in turn overlay reworked silt layers. Below the reworked silts were alluvial deposits consisting of natural silts overlying sands and gravels. The sands and gravels were underlain by boulder clay.

Some 568 No. soil samples obtained from City Block 9 were assessed for contamination as part of RSK's investigation. In relation to remediation of the soil, RSK concludes:

"As the site is to be excavated to a depth of approximately 16 mbgl, RSK does not consider it necessary to undertake any remediation measures with regards to impacted soils identified during the enabling works excavations as all soils are to be removed from site.

Accordingly, RSK recommends that excavated waste soils are disposed of to an appropriately licensed landfill as per the Environmental Assessment and Soil Classification report."

Thus, due to the extent of the excavation works proposed, there is no on-site soil remediation required, and all contaminated soils encountered will be disposed of appropriately.

4.5 Interim Measures for Residual Lands

It is intended that the development of City Block 9 will occur concurrently.

However, in the event that the residential scheme be delayed temporarily, an option for the interim provision of the internal pocket park has been provided by the Applicant. (See Figure 4.4, below.)



Figure 4.4: Drawing showing optional interim landscaping for potentially residual lands. Source: Dwg. No. Z1010 (Rev. 6), 'Proposed Ground Floor Plan', prepared by HJL, January 2021. Cropped and annotated by TPA, January 2021.

The two 2017 Applications at City Block 9 adopted a similar approach whereby the red line boundaries of the two Applications overlapped. See Figures 4.5 and 4.6, below.



Proposed planning application line
 Simultaneous planning application on adjacent site

Figure 4.5: Extract from Dwg. No. 1622-OMP-00-00-DR-A-XX-11200, 'Masterplan', prepared by O'Mahony Pike Architects, and submitted as part of Planning Application Reg. Ref. DSDZ3779/17. (Cropped, reoriented and annotated by TPA, January 2021.)



Figure 4.6: Extracts from Dwg. No. De.01-DR-200, 'Landscape Masterplan 9 A&C', prepared by Dermot Foley Landscape Architects (submitted as part of Planning Application Reg. Ref. DSDZ3780/17) and Dwg. No. De.01-DR-201, 'Landscape Masterplan 9 B&D', prepared by Dermot Foley Landscape Architects (submitted as part of Planning Application Reg. Ref. DSDZ3779/17). (Cropped and annotated by TPA, January 2021.)

4.6 Proposed New Public Realm – Streets and Parks

The *Planning Scheme* provides for a new central civic space within City Block 9, complete with SuDS features. Additionally, the improvement of north-south and east-west permeability throughout the City Block, and the insertion of a new north-south street between City Blocks 9 and 10, are objectives within the *Planning Scheme*.

That new street is now known as “North Wall Avenue”.

4.6.1 Public Realm – Fixed Location; Flexible Execution

Section 5.4.3 of the *Planning Scheme* addresses the issue of the SDZ’s public realm. The *Planning Scheme* stipulates that, in the interest of providing a high-quality public realm in a timely and co-ordinated manner, the public realm indications as per Figure 35, ‘Development Code for City Blocks’ are fixed elements. (See Figure 4.7, below.)



Figure 4.7: Extract of Figure 35 – Development Code for City Blocks, showing, inter alia, public realm indications for City Block 9. Source: North Lotts and Grand Canal Dock Planning Scheme, 2014, Figure 35. Cropped and annotated by TPA, November 2020.

The Subject Proposal provides for a significant quantum of public open space and quality public realm at City Block 9, in the general locations specified in the *Planning Scheme*. (See Figure 4.8, below.)

The location of the proposed public open space, within the City Block itself, and with sight lines provided through to the quays and Mayor Street, respectively, will invite the public into the City Block, further establishing the area as a central mixed-use urban quarter of excellence within the North Lotts, the Docklands and, more generally, Dublin City.

It is intended that the development of City Block 9 will occur concurrently. However, in the event that the residential scheme is delayed temporarily, an option for the interim provision of the internal pocket park has been provided by the Applicant.

Please see Section 5.2 of this CBRA for a review of the proposed developments as they relate to City Block 9’s building line and the extent of development.



Figure 4.8: Extract of Dwg. No. C0096 L1000 (Rev. 3), ‘Landscape Illustrative Masterplan – SHD’, prepared by Cameo & Partners, showing the Proposed Site Layout Plan for City Block 9. Source: Cameo & Partners, January 2021. Cropped by TPA, January 2021.

4.6.2 Public Realm – High-Quality, Attractive, Multifunctional, Unique

The overall development of City Block 9, as envisaged by the Applicant, provides for a high-quality public realm as a defining element of the Scheme.

Both covered and uncovered areas of public realm are proposed, with the finalised design seeking to engage city users, and provoke curiosity and excitement about the Dockland’s urban environment.

This ambition is mirrored in the varied use of materials and planting, which will contribute to the multifunctional and unique atmosphere both within and without the block.



Figure 4.9: CGI showing the view through City Block 9 from North Wall Avenue. Source: Renderaire. Cropped and annotated by TPA, December 2020.

Pedestrian legibility is maximised through the design of the public space and its interaction with the proposed buildings, with Green Infrastructure elements of the building façade serving to subtly blend the ground-floor public realms into the higher storeys.

Additionally, the subject proposals work to expand the public realm upwards, through the provision of publicly-accessible and fully landscaped destinations at the upper floors of the development, including a restaurant, a bar / function room, and a viewing deck.

View corridors to the River Liffey and Dublin Mountains are not only maintained, but are enhanced through the framing of southern vistas in view-lines through the Block.

Additionally, the proposed public viewing space at the upper floors of the residential development provide access to views of the River Liffey, the Dublin Mountains, Dublin Bay and the city of Dublin as they have never been experienced before.

4.6.3 Heritage Structures – No Protected Structures on site, but Industrial Heritage of Area is Retained

There are no protected structures located within the boundary of City Block 9.

However, there are 2 No. single-story red-brick structures on Castleforbes Road that date from the early 20th century. (See Figures 4.10 and 4.11, below.)

These structures, which contribute to the historic industrial character of the area, are being retained.



Figure 4.10: Detached single storey electricity substations external to the site on Castleforbes Road. Source: TPA, May 2020.



Figure 4.11: Detached single storey electricity substations external to the site on Castleforbes Road.
Source: TPA, May 2020.

The architectural and historical significance of these structures, and the potential impact of the proposed development of City Block 9 on their heritage value is the subject of an architectural conservation report, dated October 2020 and prepared by Slattery Conservation Architects.

That report, the *Report on the Architectural / Historic Significance of the Former Electrical Substation and Pump House, Castleforbes Road, Dublin 1*, accompanies the Planning Application made to DCC in respect of the proposed commercial development, and is included as Appendix A in the *Waterfront South Central – SHD Proposal – Assorted Appendices*, prepared by TPA and dated Thursday, 28 January 2021.

Slattery Conservation Architects notes that:

“The subject buildings [...] have a diminutive presence on the Castleforbes Road streetscape as they would have done historically. Located within a much larger-scale

industrial area, the single-storey structures would historically have had little impact on their setting.”

[Page 8, *Report on the Architectural / Historic Significance of the Former Electrical Substation and Pump House, Castleforbes Road, Dublin*, Slattery Conservation Architects.]

As such, the insertion of a larger-scale development at City Block 9 serves to reinforce the traditional situation of these Victorian buildings in a modern urban environment. Slattery Conservation Architects conclude that:

“The primary significance of the structures to day is based in their contribution to the character of the North Docklands as remnants of the historic industrial character of the area.”

[Page 11, *Report on the Architectural / Historic Significance of the Former Electrical Substation and Pump House, Castleforbes Road, Dublin*, Slattery Conservation Architects.]

Thus, the retention of these buildings in the local townscape helps to establish a tangible link to the locality’s industrial heritage, and contributes to the enduring character of the Dublin Docklands.

Additionally, the high quality of architectural design displayed through the Subject Applications ensures the harmonious juxtaposition of these Victorian structures with the new buildings, including taller elements. This is in line with the objectives of the *Planning Scheme*.

4.6.4 Architectural Design – Diverse, Distinct, Coherent

The *Planning Scheme* notes that, in order to ‘enliven the quays and provide for variety in the streetscape’, City Block 9 should ‘contain at least two buildings of different architectural design’.

HJL have prepared an architectural *Design Statement*, dated January 2021, to accompany each respective Planning Application being made in respect of City Block 9. In these documents, the architects note, *inter alia*, that:

“[t]he urban form of the proposed scheme derives from a desire to create diversity in form and height in the Docklands area while creating a coherent and legible frontage to the North Docks that connects back to the city.”

[Page 28, *Design Statement – Waterfront South Central – SHD Application*, HJL.]

Additionally, HJL describes how:

“[t]he introduction of the vertical green panels that are carefully considered in relation to the apartments, help soften the elevations and begin to add a softer element to the quays and surrounding area.”

[Page 102, *Design Statement – Waterfront South Central – SHD Application*, HJL.]

As such, the architectural merits of the proposed buildings at City Block 9 contribute positively to the public realm both within and without the City Block. The design creates an interesting and inviting intervention in local North Lotts townscape, as experienced from all approaches.

The high-quality architectural and landscape-architectural design serves to improve public legibility, interest and interaction throughout the North Lotts area.

4.7 Social Infrastructure

4.7.1 Community Infrastructure Audit

TPA initially conducted a community infrastructure audit of the area surrounding the subject site in December 2019 and subsequently updated that audit in November 2020 using desktop survey methods.

The community infrastructure audit demonstrated that there is an adequate supply of education/childcare, healthcare, and cultural facilities within reasonable walking distance of the subject lands, as well as a variety of public parks and amenity areas, playing pitches and sporting facilities.

On the basis of this audit, potential gaps in the existing service provision of the area are limited to higher order shopping centres and more significant facilities for the elderly (i.e. nursing homes).

For the full details of this audit, please see the *Social Infrastructure Audit: Waterfront South Central (Residential)*, prepared by TPA and dated January 2021,

In regards to the Commercial Planning Application, which has been submitted to Dublin City Council, please see *Social Infrastructure Audit: Waterfront South Central (Commercial)*, prepared by TPA and dated January 2021, for full details of a similar community infrastructure audit. That document, which accompanies the Commercial Planning Application to DCC, is included as Appendix B in the *Waterfront South Central – Proposal for a Residential – Assorted Appendices*, prepared by TPA and dated Thursday, 28 January 2021.

The proposed developments will contribute significantly to supportive social and community infrastructures within the North Lotts area, through the provision of café, restaurant and other retail-services.

4.7.2 Childcare Demand Audit

The proposed development will comprise 1,005 No. dwelling units (of which 510 No. units can reasonably accommodate families) and it is estimated that approximately 206 No. pre-school children will occupy the development once completed.

Of this pre-school population, some 51-95 No. children are likely to avail of non-parental childcare within the area that could be accommodated in the new c. 450 sq m childcare facility proposed at this location.

While there appears to be an adequate level of existing childcare provision within the Docklands study area (more than 850 No. childcare places on offer in 12 No. existing facilities), the national planning guidance in relation to childcare provision requires that an average of one childcare facility for each 75 No. dwellings be provided for new housing areas.

For the full details of this audit, please see the accompanying document *Childcare Demand Audit: Waterfront South Central*, prepared by TPA and dated January 2021.

5.0 ADDITIONAL DEVELOPMENT PARAMETERS CONSIDERED

5.1 Quantum of Development – Strategic Mixed-Use Development Provided

The *Planning Scheme* states that the overall quantum of development is fixed, while noting the need to have regard to the objective of making the best use of the remaining brownfield land.

City Block 9's city-centre location, adjacent to both existing and proposed international-quality transport infrastructure means that, subject to the amenity and quality of life safeguards set out in the *Dublin City Development Plan 2016-2022* (the 'DCDP') and relevant central government Guidelines, the quantum of development provided should be strategic and sustainable.

The *Planning Scheme* offers a broad estimate of the SDZ's expected development capacity, referring to the North Lotts and Grand Canal Dock separately.

The quantum of development proposed for the SDZ Commercial Scheme is 66,393 sq m (including 15,832 sq m at basement level). The quantum of development proposed through the SHD Planning Application is 125,388 sq m (including 22,499 sq m at basement level).

The number of residential units provided through Waterfront South Central (the residential element comprises 1,005 No. housing units, including 100 No. social housing units) contributes significantly to the overall North Lotts' target of 1,800 No. units⁴.

The Subject Proposals also seek to contribute 52,455 sq m of commercial space to the overall North Lotts' target of 200,000 sq m⁵.

Thus, the proposed development of City Block 9 contributes meaningfully to the quantum of development as envisaged for the North Lotts throughout the *Planning Scheme*.

It is noted that the *Planning Scheme* allows for a degree of flexibility in the quantum outcome in particular design circumstances wherein variance occurs in development height and plot depth.

The *Planning Scheme* states:

"The development code is necessary to balance the need to deliver clarity with a degree of flexibility to ensure that variety and creative design are encouraged. As such, the development code is not intended to represent a design solution; its primary function is to define the public realm, to create a strong city streetscape based on the 18th century orthogonal street pattern of the area, and to define the volume and scale providing the context for a quality urban form. The code also provides for a mix of uses ranging from the commercial/cultural hubs to the more residential areas which in combination, contribute

to the urban vitality which has been a feature of the more successful parts of the Docklands to date."

Thus, it is contended that the *Planning Scheme* allows for a degree of flexibility in the quantum outcome in particular design circumstances wherein variance occurs in development height and plot depth.

5.2 City Block Building Line – Fixed Outer Building Line Maintained, but Internal Flexibility

The *Planning Scheme* highlights the importance of streets in defining a quality urban streetscape, and specifically seeks to avoid the risk of isolated buildings being developed, which do not harmonise with each other.

It is noted that there is a degree of design flexibility with regards to areas within the Block envelope to provide for variety, good architecture and amenity considerations:

"In relation to the proposed new streets and lanes within the City Blocks, the block building line may be varied to provide for a more varied streetscape, including curves, setbacks and indents [...] subject to the overall objective of providing connectivity through City Blocks being achieved."

[Page 170, *North Lotts and Grand Canal Dock Planning Scheme*.]

The proposed footprint of the Subject Proposal, as illustrated within the Masterplan drawings and the *City Block Rollout Agreement – City Block 9*, generally accords with this fixed outer building line and no part of the proposal development extends beyond the building lines indicated in Figure 35 of the *Planning Scheme*. (See Figure 5.1, below.)

Therefore, it is submitted that the Subject Proposal complies with the provisions of the *Planning Scheme* with regards to the City Block building line.

⁴ Page 166, *North Lotts and Grand Canal Dock Planning Scheme*.

⁵ Page 166, *North Lotts and Grand Canal Dock Planning Scheme*.



Figure 5.1: Indicative drawings showing the general adherence of the proposed design to that prescribed by the Planning Scheme. Source: (a) Page 27, Design Statement – Waterfront South Central – SHD Proposal, prepared by HJL and dated January 2021. (b) Figure 35, North Lotts and Grand Canal Dock Planning Scheme. Cropped and annotated by TPA, January 2021.

5.3 Height – Commercial Scheme Complies, while Complementary SHD Residential Exceeds Predicted Height

As set out in the City Block 9 Development Code:

“Building heights to range from 5-storey commercial (6-storey residential) to 8-storey commercial (10-storey residential) to allow for residential amenity and an appropriate transition in scale, as well as sufficient enclosure onto main streets, and appropriate scale fronting the quays.”

[Page 194, North Lotts and Grand Canal Dock Planning Scheme.]

Additionally, the Planning Scheme notes that:

“an additional storey, with a setback of 1.5 m plus may be considered subject to a shadow analysis and a compelling urban design rationale.”

[North Lotts and Grand Canal Dock Planning Scheme, page 174.]

The proposed commercial scheme at City Block 9 is compliant with the fixed elements of the Planning Scheme in relation to height. Comprising 3 No. buildings, the scheme ranges in height from 5 to 9 storeys, with a 6-storey commercial building fronting Mayor Street, and the commercial buildings at North Wall Quay being 8 and 9-storeys high, respectively. The upper storeys are duly set back from the main development line.

The Planning Scheme sets out residential building heights within City Block 9 to range from 6 to 10 storeys. The proposed SHD residential development at City Block 9 would contravene the provisions of the Planning Scheme in this regard.

We refer to the Material Contravention Statement accompanying this SHD Application, dated Thursday, 28 January 2020, and prepared by Tom Phillips + Associates, which provides a justification in relation to why the Development should be granted on the basis of National Policy.

In accordance with the Planning Scheme, the SHD Application made to An Bórd Pleanála for the residential component of the proposed development at City Block 9 also includes, *inter alia*, a shadow analysis and microclimate analysis.

5.4 Density and Plot Ratio

The Planning Scheme considers density and plot ratio to be guiding tools used to assess the quality of an urban environment quantitatively, and recommends reverting to the Dublin City Development Plan for general indicators. Sustainable residential densities are encouraged.

While the greatest density achieved throughout the Docklands prior to the adoption of the Planning Scheme – c. 247 dph – provided a reference point at the time, it is submitted that much higher residential densities have been considered to be both achievable and permissible in recent years.

With 1,005 No. residential units proposed through the SHD Planning Application to An Bord Pleanála, the proposed residential density across City Block 9 is some 518 units per hectare.

The predicted plot ratio for City Block 9, as per the Planning Scheme, is 1:3. The proposed plot ratio, pertaining to the entire scheme, is 1:8.5.

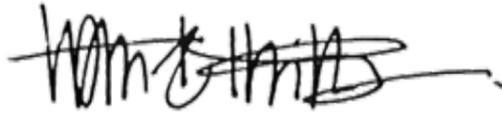
6.0 TIMEFRAME OF DEVELOPMENT

It is expected that the project will be fully complete by April 2025, and that – subject to procuring permission for development for both parcels of land – the development of the entire City Block will occur concurrently.

7.0 CONCLUSION

We trust that this *City Block Rollout Agreement* is in order and would be happy to clarify any issues arising.

Yours faithfully,



Tom Phillips
Managing Director
Tom Phillips + Associates