



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

Statement of Consistency

Waterfront South Central, Dublin 1

Prepared for:
**Waterside Block 9
Developments Limited**

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Thursday, 28 January 2021

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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) – STATEMENT OF CONSISTENCY

1.0 INTRODUCTION

1.1 Purpose of Document – to Support the Subject SHD Proposal

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 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 2.0 below.)

This Report constitutes the “Statement of Consistency” required to support the Subject SHD Planning Application.

This *Statement of Consistency* is prepared in response to the *Notification of Pre-Application Consultation Opinion* issued by An Bord Pleanála (ABP Ref. 306158-20) dated July 2020 (please see Appendix A of this document) which, *inter alia*, states that the Board:

“has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development”.

Further, four matters outlined in that letter need to “be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development”.



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.

The 4 No. matters raised in An Bord Pleanála’s Opinion dated July 2020 broadly address:

1. Compliance with Strategic Housing Development (SHD) Legislation.
2. Compliance with the *North Lotts and Grand Canal Docks SDZ Planning Scheme, 2014*.
3. Height Strategy and Rationale.
4. Residential Amenity.

1.2 Context to the Issuing by the Board of the Opinion

Waterside Block 9 Developments Limited intends to apply for permission for development on a site of 1.1 hectares at North Wall Quay, Dublin 1.

The 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 lands of City Block 9 and Castleforbes

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Road to the west. The overall site is located within City Block 9, as identified, in the *North Lotts and Grand Canal Dock SDZ Planning Scheme*. (See Figure 1.2, below.)

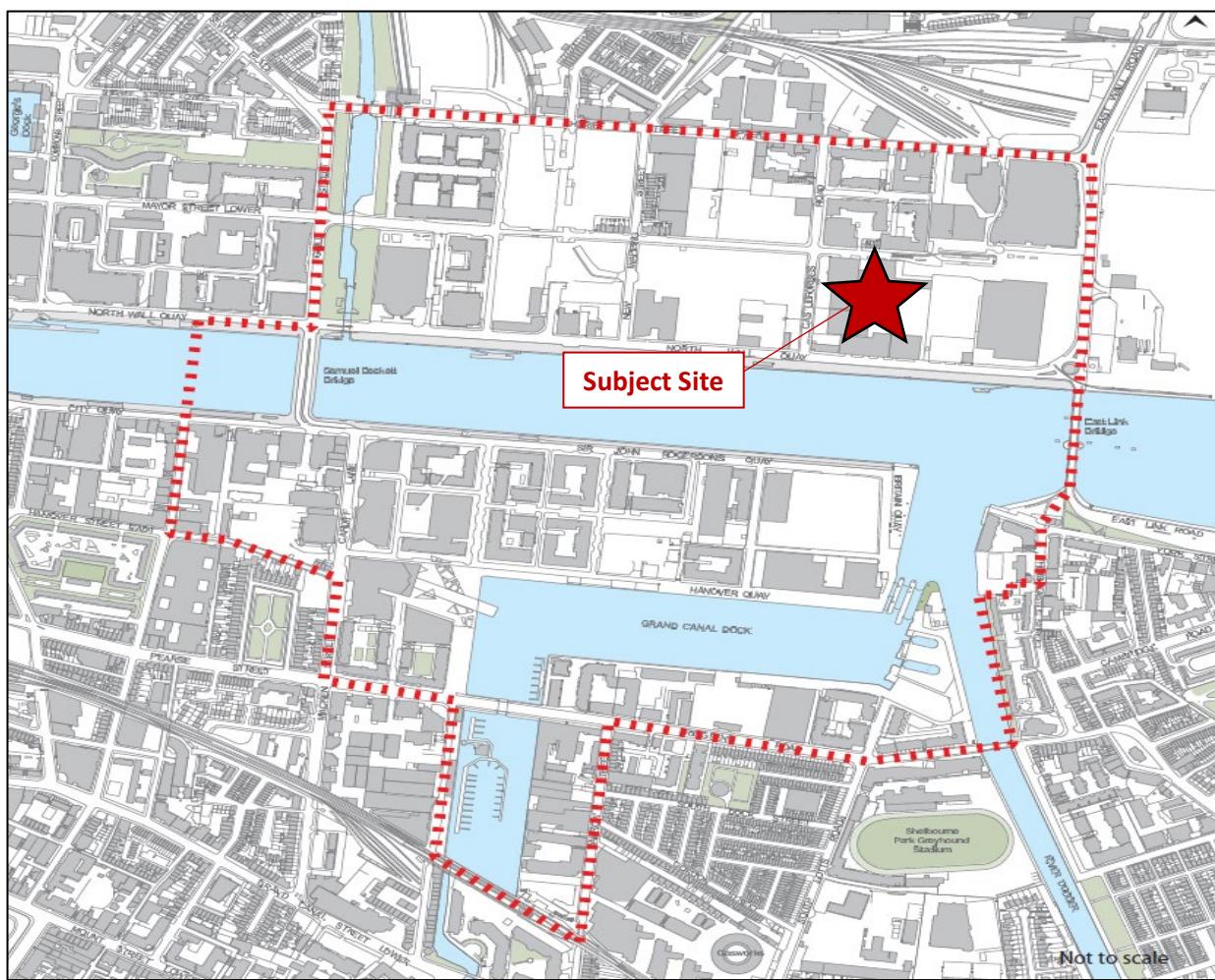


Figure 1.2: Map showing the extent of the Docklands SDZ area, with the location of the Subject Site shown.
Source: North Lotts and Grand Canal Dock Planning Scheme, 2014, Figure 1. Cropped and annotated by TPA, January 2021.

In accordance with Section 5 of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*, Waterside Block 9 Developments Limited requested a Pre-Application Consultation Meeting in respect of a proposed SHD at a site at North Wall Quay, Dublin 1.

That request was granted and a Tripartite Pre-Application Consultation Meeting took place between An Bord Pleanála, Dublin City Council and members of the Applicant's Design Team on Friday, 7 February 2020.

An Bord Pleanála notified the Applicant that a second Tripartite Meeting would be required to allow the Board to form an Opinion on the proposed development. In that regard, the Applicant submitted an updated set of Pre-Planning documents to An Bord Pleanála and a second Tripartite Meeting was held on Thursday, 2 July 2020.

The Applicant has retained a multi-disciplinary design team, led by Henry J Lyons Architects, to prepare a Strategic Housing Development for lands identified as City Block 9 in the *North Lotts & Grand Canal Dock Planning Scheme 2014*.

It should be noted that while the lands at City Block 9 are the subject of existing planning permissions and that a concurrent SDZ-compliant scheme is being submitted to Dublin City Council, this SHD proposal can and should be considered as a standalone application that is not predicated on or reliant on any other proposal for which permission has not yet been granted.

1.3 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).

[Public realm works (inclusive of parking and loading bays) external to the planning application site boundary will be subject to agreement with Dublin City Council.]

1.3.1 Quantum of Non-Residential Uses in Accordance with SHD Legislation

The quantum of non-residential 'other uses' floorspace provided through the Subject Proposal is 4,307 sq m – substantially below the 4,500 sq m threshold for such uses under the *Planning and Development (Housing) and Residential Tenancies Act 2016*.

1.4 Complementary Commercial Scheme on the Balance of City Block 9

The concurrent Planning Application, relating to the commercial development on the balance of the site, is being submitted to Dublin City Council on the same day as this SHD Application (Thursday, 28 January 2021). (See Figure 1.3, below.)

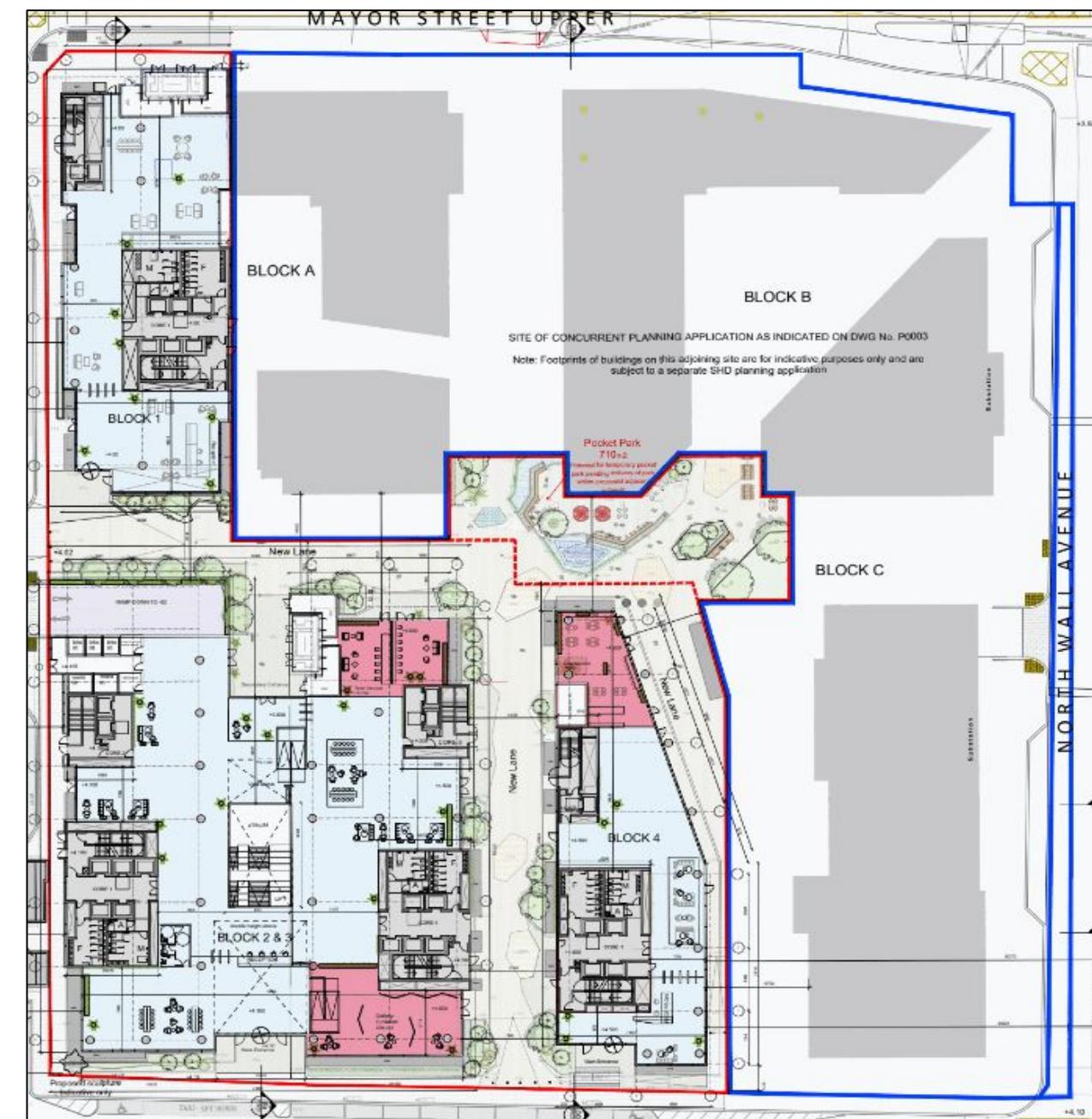


Figure 1.3: Extract from Dwg. No. Z1010 (Rev. 6), 'Ground Floor Plan', showing the treatment of the balance of the City Block 9 site in the concurrent Application, submitted to Dublin City Council. Source: HJL. Cropped by TPA, January 2021. This drawing is included as Appendix D in the Waterfront South Central – SHD Proposal – Assorted Appendices, prepared by TPA and dated Thursday, 28 January 2021.

1.5 Outline of this Statement of Consistency

This *Statement of Consistency* provides a description of the proposed site location and proposed development followed by a list of the various statutory and strategic policy documents considered.

The *Statement of Consistency* demonstrates consistency with the *Project Ireland 2040 National Planning Framework*, 2018, the *Eastern and Midlands Regional Spatial and Economic Strategy 2019-2031* and the relevant Section 28 (of the *Planning and Development Acts, 2000* (as amended)) *Guidelines*.

This document also addresses the *Dublin City Council Development Plan, 2016-2022*, and the *North Lotts & Grand Canal Dock Planning Scheme, 2014*, outlining, where relevant, where the proposed development is contravenes the latter and the rationale underlining such divergence.

It is complemented by a *Material Contravention Statement – Proposal for an SHD Development at City Block 9*, prepared by Tom Phillips + Associates, and dated Thursday, 28 January 2021.

An Executive Summary is set out at Section 3.0 below.

1.6 Site Location – Last Undeveloped Liffey-Fronting Brownfield Site

The Subject Proposal relates to a site of 1.1 hectares located at North Wall Quay, Dublin 1. (See Figure 1.1, above).

The Subject Site is located within the area of the *North Lotts and Grand Canal Dock SDZ Planning Scheme, 2014*. (See Figure 1.2, above.)

The site is located within the functional area of Dublin City Council.

The site is brownfield in nature with the previous structures (primarily derelict and vacant warehousing) having been cleared from the site (as shown in Figure 1.4, below) with the benefit of grants of planning permission received under Reg. Ref. DSDZ2242/16 and Reg. Ref. DSDZ3831/16.

The alignment of the Luas (Red Line) lies to the north of the site along Mayor Street Upper. The north-eastern edge of the site is located within 25m of 'The Point' Luas stop. The site is also served by the Dublin Bus Service Nos. 33D, 33X, 41X, 53A, 142 and 151.

The site is located c. 1.9 km west of O'Connell Street in Dublin City Centre.



Figure 1.4: An aerial view, taken in November 2019 illustrates the scale of the site in an urban context.
Source: Barrow Coakley, November 2019.

2.0 SITE LOCATION AND CONTEXT

2.1 Site Location – City Block 9 – Last Riverfront Site in Docklands

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.

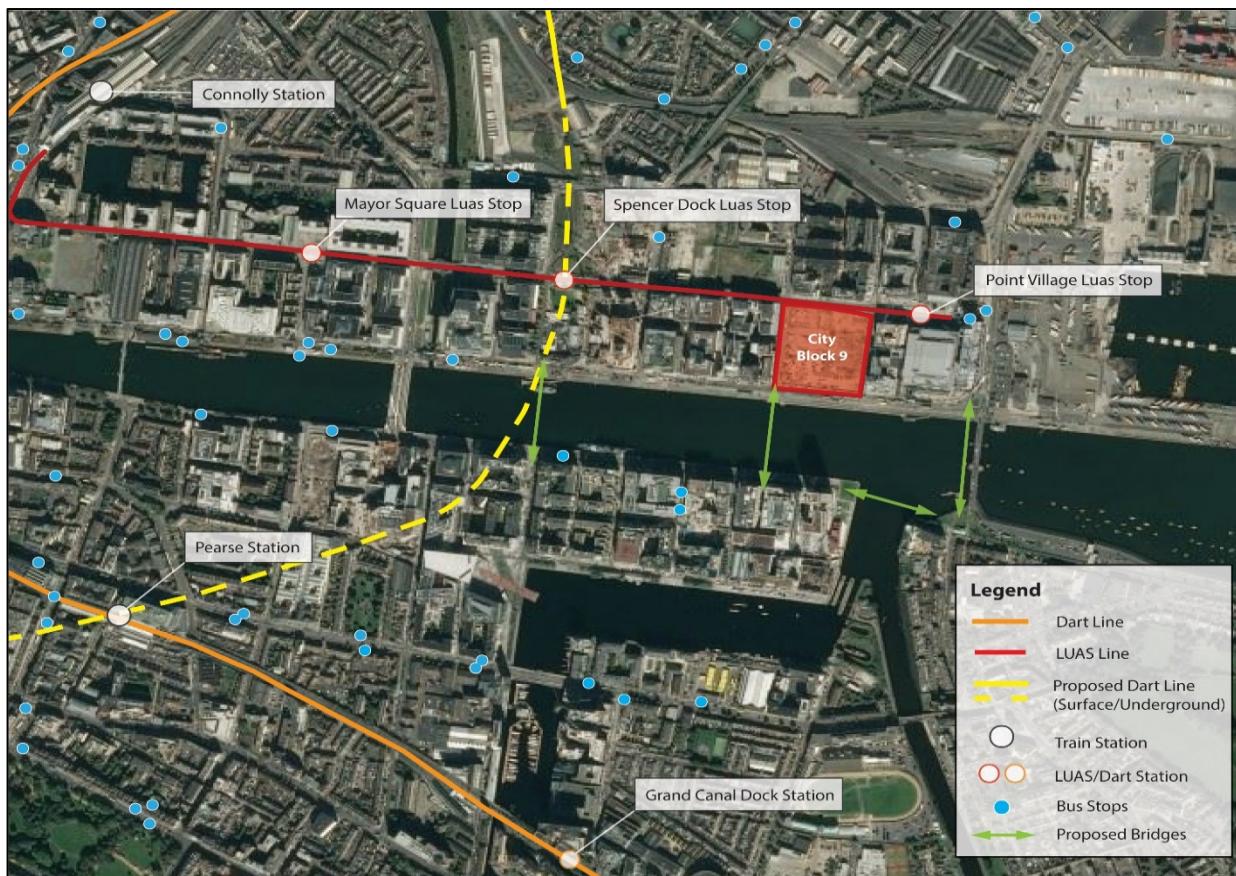


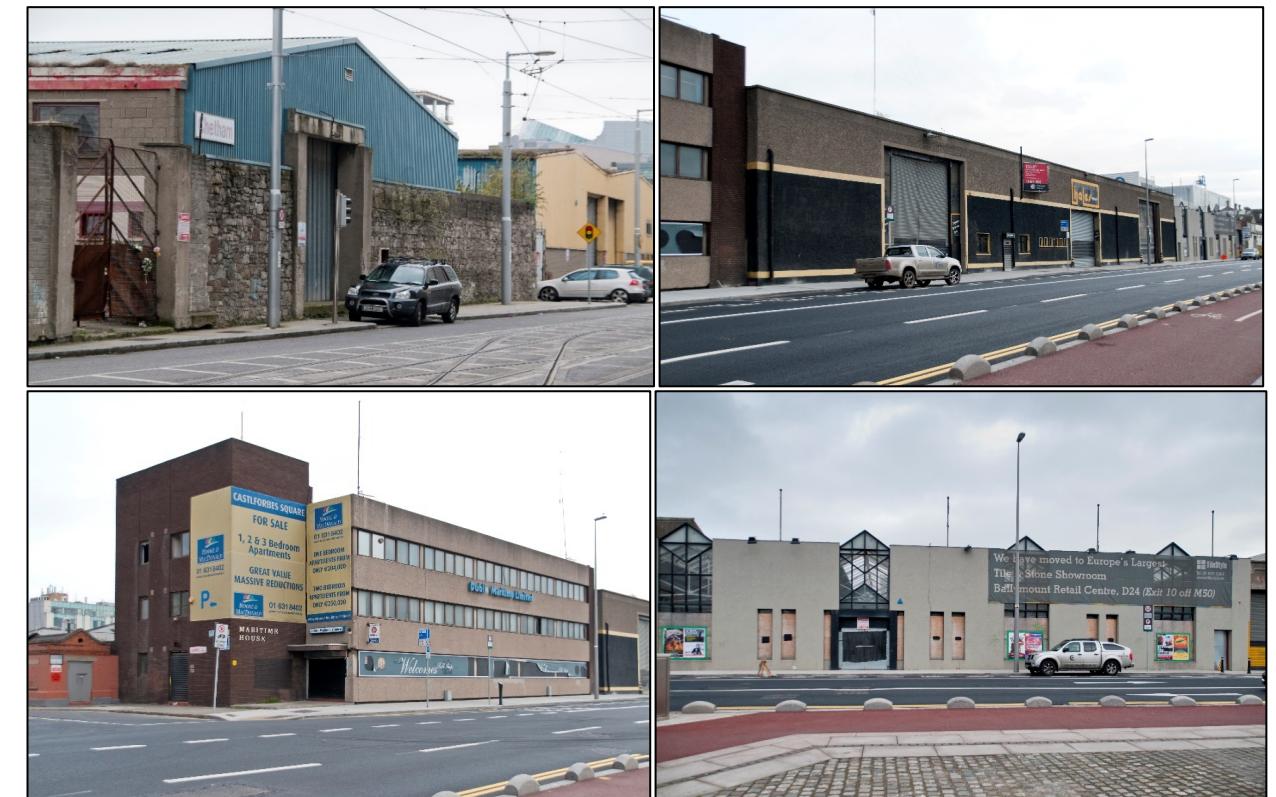
Figure 2.1: Aerial photo showing the context of the Subject Site. Source: Bing. Cropped and annotated by TPA, January 2021.

The site was previously used as warehousing / industrial use. These warehouses have since been demolished, as permitted by Reg. Ref. DSDZ2242/16 (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.

The two detached single storey electricity substations, built c. 1900, external to the site on Castleforbes Road, are still in situ (see Figures 2.7 and 2.8).



Figure 2.7: Detached single storey electricity substations external to the site on Castleforbes Road.
Source: TPA, May 2020.



Figure 2.8: 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 January 2021 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.

The retention of the two Victorian buildings in the local townscape will help to establish a tangible link to the locality's industrial heritage, and will contribute to the enduring character of the Dublin Docklands.

The alignment of the Luas (Red Line) lies to the north of the site along Mayor Street Upper. The north-eastern edge of the site is located within 25m of 'The Point' Luas stop (see Figure 2.9). The site is also served by the Dublin Bus Services Nos. 33D, 33X, 41X, 53A, 142 and 151.

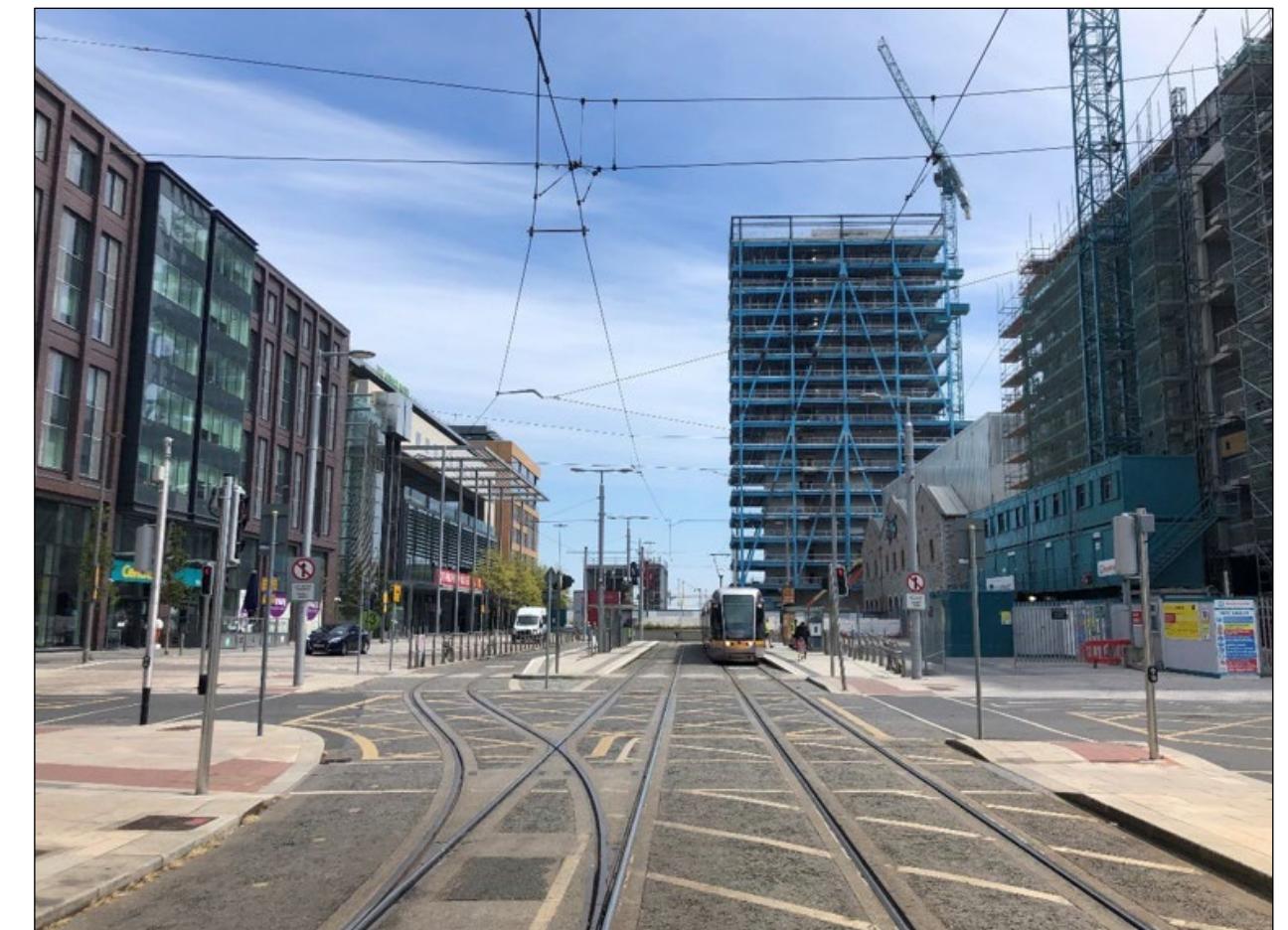


Figure 2.9: The view from Mayor Street Upper looking eastwards to the Exo Building, under construction, with the LUAS stop in the middle ground. Source: TPA, May 2020.

2.2 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 2.10.)

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

- 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.

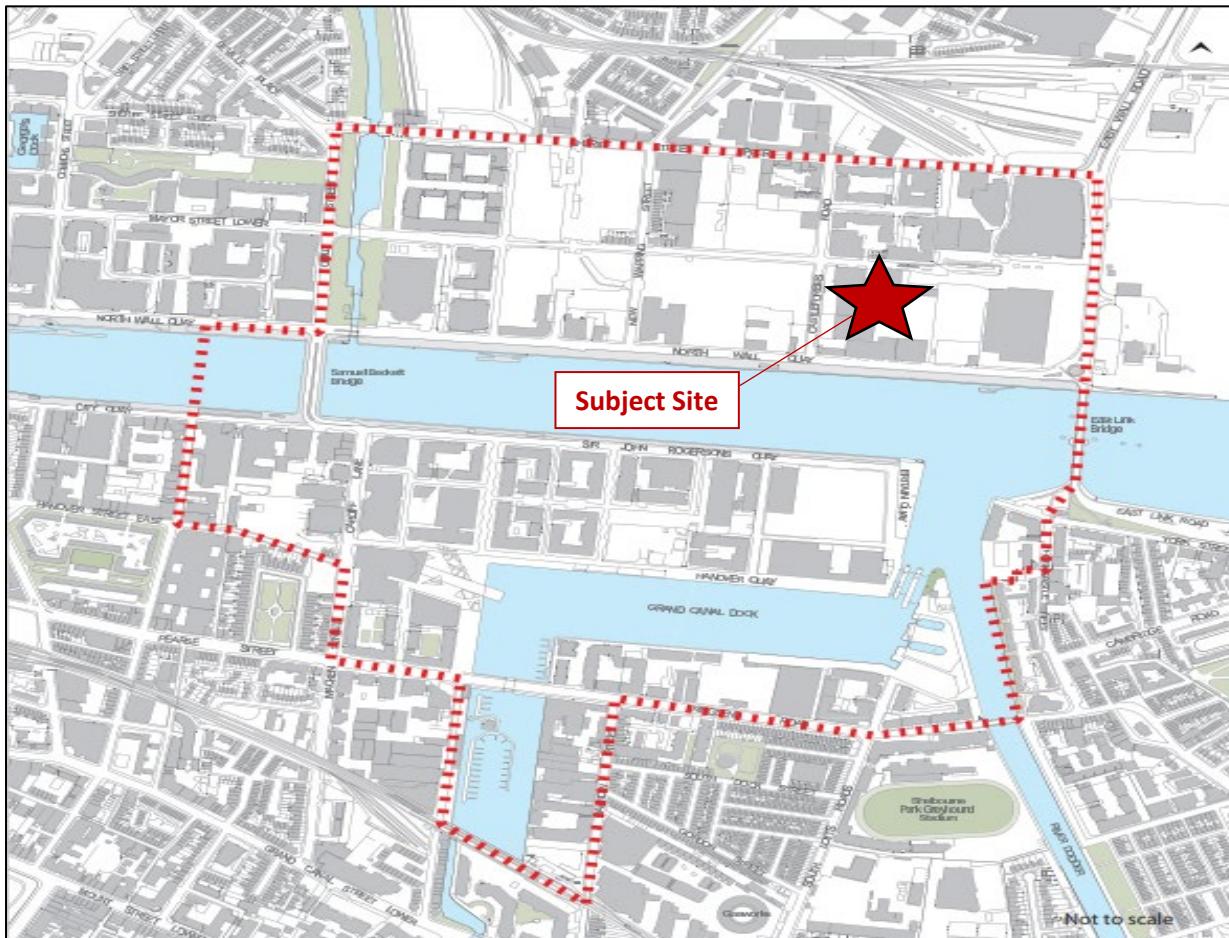


Figure 2.10: Map showing the extent of the Docklands SDZ area, with the location of the Subject Site shown. Source: *North Lotts and Grand Canal Dock Planning Scheme, 2014*, Figure 1. Cropped and annotated by TPA, January 2021.

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;



3.0 EXECUTIVE SUMMARY

This *Statement of Consistency* examines the proposal against the backdrop of key national, regional and local level policy documents.

3.1 Purpose of this *Statement of Consistency*

This *Statement of Consistency* examines the proposal against the backdrop of key national, regional and local level policy documents.

3.2 National Planning Framework Promotes Better Use of Brownfield Lands

The *National Planning Framework (Ireland 2040 – Our Plan)* (hereafter referred to as *NPF*) is the Government's plan to cater for the extra one million people who 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.

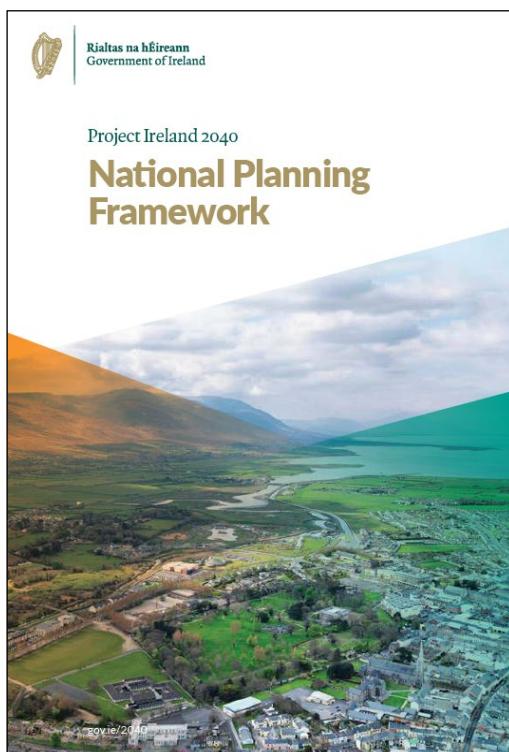
As a strategic development framework, the *NPF* sets the long-term context for Ireland's physical development and associated progress in economic, social and environmental terms and in an island, European and global context.

3.2.1 Focus on Urban Growth – Particularly on Infill / Brownfield Lands

Under the heading of 'Compact Growth', the *NPF* states as a strategic objective:

"Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport".

A recurring theme in the *NPF* is the requirement to ensure that the future growth of Dublin occurs within its Metropolitan limits.



The *NPF* estimates that Dublin City and suburbs will grow by c. 264,000 people in the period to 2040.

The *NPF* targets a significant proportion of future urban development on infill / brownfield development sites within the built envelope of existing urban areas. This is applicable to all scales of settlement, from the largest city to the smallest village.

Under National Policy Objective 11 (NPO 11), the *NPF* highlights the focus of development in existing urban areas:

"In meeting urban development requirements 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". (*NPF*, page 65.)

[Our emphasis.]

3.2.2 Flexible Application of Planning Standards

Although sometimes necessary to safeguard against poor quality design, the *NPF* notes that 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.

The Section titled 'Performance-Based Design Standards' on page 67 of the *NPF* states, *inter alia*:

"To enable brownfield development, planning policies and standards need to be flexible, focusing on design led and performance-based outcomes, rather than specifying absolute requirements in all cases."

"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." (*NPF*, page 67.)

[Our emphasis.]

The Subject Proposal seeks to deliver a highly dense scheme with a demonstrated solid performance⁴ against all the relevant planning tests in a centrally-located urban area.

As demonstrated above, this proposal is in accordance with a number of overarching National Planning Objectives and goals set out in the *NPF*. Hence, it should receive a favourable presumption in line with NPO 11, with regard to the achievement of targeted growth.

⁴ We refer the Board to the various assessments from the different disciplines that accompany this submission.



3.2.3 Role for Performance Criteria, including Building Height, to Deliver Targeted Growth

In particular, National Policy Objective 13 identifies ‘building height’ as an important measure for urban areas to deliver and achieve compact growth as required:

“In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well designed, high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.” (NPF, page 67.)

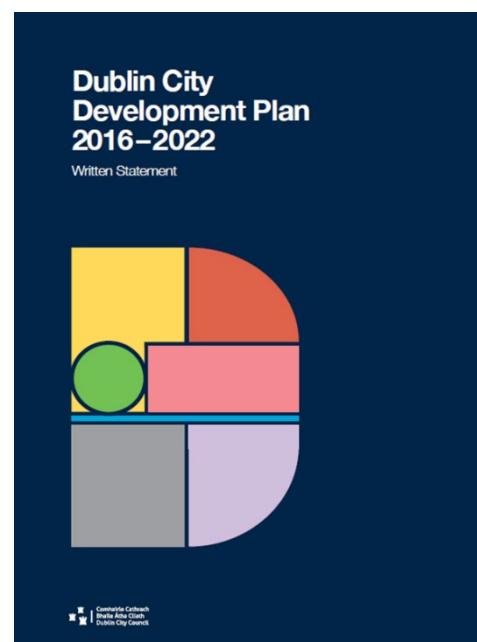
[Our emphasis.]

The NPF states that the key test is that standards should be performance-based, instead of the traditional ‘one-size-fits-all’ approach. The ultimate goal should be to ensure well-designed, high quality outcomes in all cases.

3.3 Dublin City Development Plan 2016-2022

In our professional town planning opinion, the subject proposal is broadly consistent with the provisions of the *Development Plan* for the following reasons:

CONSISTENCY WITH DUBLIN CITY DEVELOPMENT PLAN 2016-2022
<ul style="list-style-type: none"> Will revitalise an under-utilised site within Dublin’s Inner City, within a Strategic Development and Regeneration Area (SDRA 6).
<ul style="list-style-type: none"> The proposal comprises the redevelopment of an underutilised brownfield site.
<ul style="list-style-type: none"> Through the redevelopment of a brownfield site, the scheme contributes to the Compact City Vision.



The following characteristics of the subject proposal are consistent with the relevant policies and objectives of the *Development Plan*.

Core Strategy
<ul style="list-style-type: none"> The provision of 1,005 No. apartments on a 1.15 ha site in the Docklands contributes to the consolidation and enhancement of the Inner City, which is also in line with Policy SC1, which states: <p><i>“To consolidate and enhance the inner city by linking the critical mass of existing and emerging clusters and communities such as Docklands, Heuston Quarter, Grangegorman, Stoneybatter, Digital Hub, Newmarket, Parnell Square, the Ship Street Area and Smithfield, with each other, and to regeneration areas.”</i></p>
<ul style="list-style-type: none"> The proposal contributes to the intensification and consolidation of Dublin City as per the <i>Development Plan</i>’s Core Strategy.
Settlement and Housing Policy
<ul style="list-style-type: none"> The proposal comprises a high-quality residential development in the Inner City, which is a prioritised area according to the Settlement Strategy. The proposal is located within a Strategic Development and Regeneration Area (SDRA 6) and will support the social, economic, physical development and rejuvenation of the area. The scheme responds sensitively to the existing environment, as demonstrated by the Townscape and Visual Impact Assessment carried out. (See Citydesigner’s <i>Heritage, Townscape and Visual Impact Assessment</i>, dated January 2021, included as part of this Planning Application.) The Scheme will contribute to the revitalisation of the area. The proposal will provide 1,005 No. apartments in the Inner-City area, which has an estimated capacity of 8,900 No. residential units, according to Table E of the Settlement Strategy (page 25).
Local Economic and Community Plan
<p>As noted in Section 2.2.4.1 of the <i>Development Plan</i>:</p> <p><i>“The Local Economic and Community Plan (LECP) is a statutory plan prepared under the Local Government Reform Act of 2014 and sets out high-level goals, objectives and actions needed to promote and support economic development and local and community development over the six-year period of the LECP. The focus of the LECP is on the social and economic issues and goals that can be addressed by Dublin City Council, local businesses and community and voluntary organisations and state bodies”.</i></p>



- The proposed development will bolster the delivery of a number of high-level goals of the LECP, including:
 - **High Level Goal 3:** the provision of 1,005 No. apartments in a high-density Scheme supports the adequate provision of a range of mixed tenure, affordable, adaptable housing and work spaces that are fit for purpose in economically, socially and culturally mixed and sustainable neighbourhoods.
 - **High Level Goal 4:** the proposed residential Scheme contributes to maximise the return on the public infrastructure that positions Dublin as a safe, environmentally sustainable, vibrant, diverse and attractive place to live, work, visit and invest in by planning and providing for balanced and sustainable social and economic development, catering for a growing population.
 - **High Level Goal 12:** the proposed Scheme, which includes the provision of a high-density development and landmark buildings, will enhance the recognition of Dublin as a globally-connected city region and as the national economic generator.

Movement and Transport

- The subject site benefits from its location within walking and cycling distance to the City Centre. The site is also in close proximity to a LUAS stop and a number of Dublin Bus stops.

The site's location within the Inner City enables the proposal to foster the use of sustainable means of transport, which aligns the proposal with the Core Strategy's goal to reduce car congestion and half the number of car trips to Dublin by 2030.

The proposal is aligned with Policy MT2 that seeks to promote modal shift from private car use towards more sustainable forms of transport, with regard to its promotion of modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport.

Water, Drainage and Environment Services

- Consultation with Irish Water has been carried out. They have confirmed that they have no objection to the subject proposal (see enclosed letter dated 10 November 2020 from Irish Water). We also refer to CS Consulting's *Engineering Services Report* dated Tuesday, 5 January 2021 submitted with this Application.

Energy and Communications

- The proposed development will maximise energy efficiency through layout, siting and maximising solar gain. The Project has been designed to be Near Zero Energy Building Compliant (NZEB).



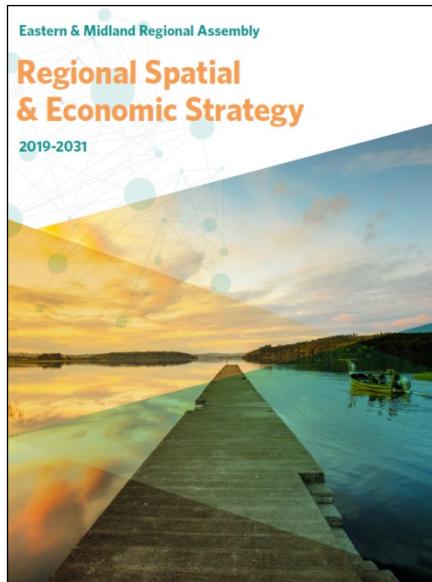
3.4 Overall, the Proposal is Compliant with Key National Planning Policy Documents

Subject Proposal is Consistent with *National Planning Framework*:

The proposal comprises a high-density residential development located in Dublin's Inner City and in the vicinity of a number of public transport corridors.

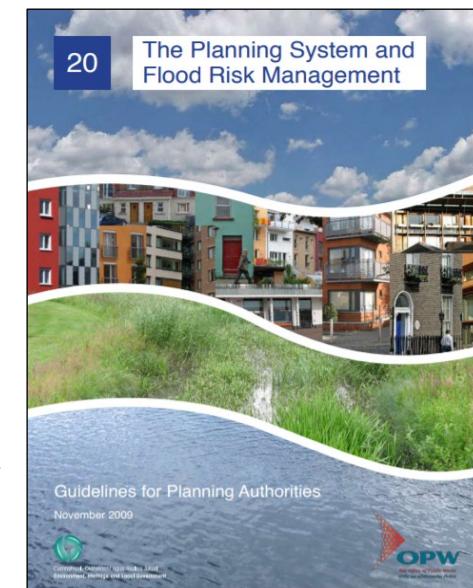
Subject Proposal is Consistent with *Eastern and Midlands Regional Assembly: Regional Spatial & Economic Strategy 2019-2031*

The proposal promotes the regeneration of the City and will support compact urban development targets of at least 50% of all new homes within or contiguous to the built-up area of Dublin city and suburbs.



Subject Proposal is Consistent with *Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016*

The provision of well-designed and located residential development can contribute to relieving pressure on the housing sector. One of the Pillars of the *Action Plan* is to "Build More Homes".



Subject Proposal is Consistent with the Provisions of *The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009*

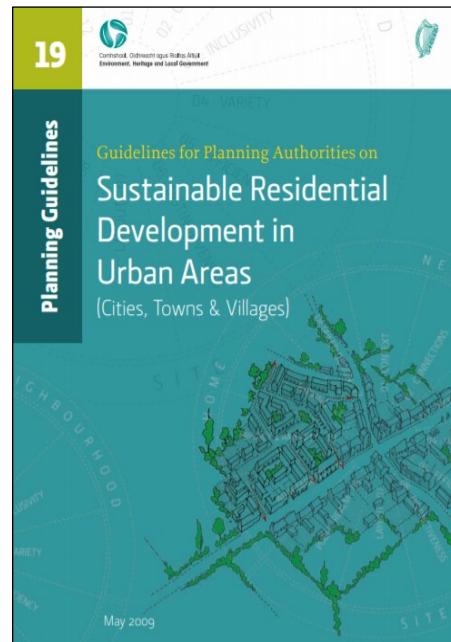
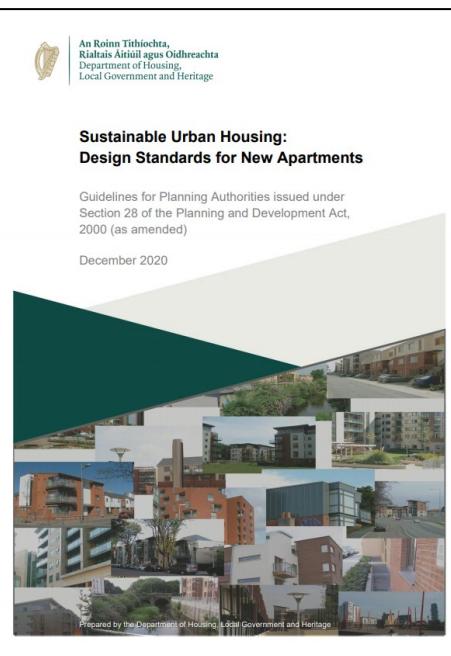
CS Consulting carried out a *Site Specific Flood Risk Assessment*, dated Tuesday, 5 January 2021, for the proposed development. The assessment has demonstrated that the proposal is in compliance with the core objectives of the *Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009*.

Subject Proposal is Consistent with the Provisions of the *Sustainable Residential Development in Urban Areas Guidelines, 2009*

The proposed development comprises the redevelopment of a brownfield site in the inner city. The proposal meets the requirements contained within the *Guidelines* in relation to density and the efficient use of resources.

The proposal also promotes, as reflected in the *Mobility Management Plan* submitted, sustainable travel patterns.

In addition, the proposed development has been designed to comply with NZEB standard, thus demonstrating an efficient use of energy.





4.0 DESCRIPTION OF PROPOSAL

4.1 Evolution of Proposed Development

The proposed development has been subject to further design developments since the initial submission of the Pre-Application Consultation request to An Bord Pleanála, on 13 December 2019; and the subsequent submission, on 4 June 2020, in advance of the second Tripartite Meeting.

As outlined in Section 1.1 of this document, the proposed development has evolved due to the feedback received from all relevant parties throughout the Pre-Application Consultation process.

The proposed development subject to this SHD Application is summarised in Section 3.1.1. A summary of the development proposed in May 2020 is described in Section 3.1.2, while the originally proposed development from December 2019 is described in Section 3.1.3.

4.1.1 Final Proposed Development – January 2021

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).

[Public realm works (inclusive of parking and loading bays) external to the planning application site boundary will be subject to agreement with Dublin City Council.]

4.1.2 Development Proposed – May 2020

The proposed Strategic Housing Development of some 133,868 sq m (GFA) (incl. 2 No. basement levels totaling 20,162 sq m) proposed the construction of a scheme comprising 109,206 sq m (residential and residential-ancillary uses), together with 4,500 sq m of other uses, and incorporating amendments to the previously permitted basement permission Reg. Ref. DSDZ3042/19 (which itself amends permissions Reg. Ref. DSDZ3779/17 and Reg. Ref. DSDZ3780/17 relating to a site of c.1.85 ha.) on an overall site of 1.99 ha, identified as City Block 9 in the *North Lotts and Grand Canal Dock Planning Scheme 2014*.



The proposed development comprised:

1. Construction of 1,008 No. residential units arranged in 3 No. apartment blocks ranging in height from 14 No. storeys to 45 No. storeys, with a cumulative gross floor area above ground of c.109,2056 sq m comprising:
 1. Block A (14 No. storeys; Apartment mix: 116 No. 1-bed, 92 No. 2-bed);
 2. Block B (41 No. storeys; Apartment Mix: 175 No. 1-bed, 246 No. 2-bed); and
 3. Block C (45 No. storeys; Apartment Mix: 206 No. 1-bed, 170 No. 2-bed, 3 No. 3-bed units), incorporating a public viewing deck at Levels 44 and 45.
2. Provision of other uses comprising a childcare facility (454 sq m) at ground and lower ground floor level; restaurant (250 sq m), foodhall (299 sq m), 4 No. café units (112 sq m, 164 sq m, 248 sq m and 198 sq m respectively) all located at ground floor level; restaurant (450 sq m) located at Level 32 of Block C, office use (2,025 sq m) from Floor Level 41 to 43 inclusive, at Block C; and a public bar / function room (300 sq m) located at Level 44 of Block C.
3. Construction of two levels of basement (20,162 sq m), accommodating plant and ancillary residential storage, and parking for 199 No. cars, with access provided by ramp from North Wall Avenue. This amends Permission Reg. Ref. DSDZ3042/19 by the subdivision of the previously permitted floorspace of 35,596 sq m, with the omission of the Levels -1 and -2 and the permitted use of the residual commercial element of the overall site.

The development comprised the construction of three levels of basement (c. 52,350 sq m).

The development included residential support amenities (c. 8,068 sq m) including gym, residents' lounge, spa, work areas, meeting rooms, dining rooms, recreational areas, storage and other ancillary areas for residents.

The proposed development included:

- Pedestrian connectivity across the block in an east-west and north-south directions;
- 2 No. public plazas;
- 2 No. elevated bridges accessible by residents only at first floor level and at fifth floor level respectively linking Blocks A, B and C;
- A publicly accessible viewing deck at 45 No. Floor Level of Block C;
- 1 No. vehicular access ramp off North Wall Avenue;
- 433 No. car parking spaces;
- Residents' cycle parking (1,195 No. spaces);
- Motorbike parking (18 No. spaces);
- Plant rooms;
- Attenuation tank;
- Water storage and pumps;
- Bin storage areas;
- Laundry facilities;
- Screening rooms;
- Games room;
- Health Club and Spa;

4.1.3 Original Proposed Development – December 2019

The proposed development consisted of: the construction of 999 No. residential units (579 No. Build to Rent (BTR) and 420 No. Build to Sell (BTS)) arranged in 3 No. apartment blocks ranging in height from 14 No. storeys to 45 No. storeys, with a cumulative gross floor area above ground of c.109,505 sq m comprising:

1. Block A (14 No. storeys; Apartment mix: 117 No. 1-bed, 94 No. 2-bed);
2. Block B (41 No. storeys; Apartment Mix: 167 No. 1-bed, 254 No. 2-bed);
3. Block C (45 No. storeys; Apartment Mix: 204 No. 1-bed, 163 No. 2-bed);

The proposed development comprised other uses including a childcare facility (c. 404 sq m) at Ground Floor Level of Block A; and office use (c. 4,010 sq m) from 38 No. Floor Level to 43 No. Floor Level, inclusive at Block C.



- Parcel delivery rooms;
- Relaxation zones;
- 3 No. substations;
- Sprinkler room;
- All hard and soft landscaping; and
- All other associated site excavation, infrastructural and site development works above and below ground including changes in level, boundary treatments and associated site servicing.

4.2 Key Differences Between Originally Proposed Developments and Currently Proposed Development

There are a number of key differences between the originally proposed developments (December 2019 and May 2020) and the currently proposed development (December 2020).

These differences, *inter alia*, include:

- An increase from 999 No. residential units to 1,005 residential units;
- A reduction in the floor space allocated to 'other uses' (including office use) and the provision of an increased level of retail/café use at lower ground and ground floor level, while remaining within the permitted 'other uses' floorspace use of 4,500 sq m; and
- Basement: clarification on the size, use and interface of the basement with the superstructure.

5.0 POLICY DOUCMENTS CONSIDERED

The following policy documents inform this Statement of Consistency:

5.1 Statutory Policy Documents

1. *Dublin City Development Plan 2016-2022.*
2. *North Lotts & Grand Canal Dock Planning Scheme 2014.*

5.2 Strategic Policy Documents:

1. *Project Ireland 2040 - National Planning Framework, 2018.*
2. *Eastern and Midlands Regional Spatial Economic Strategy 2019-2031 (2019).*
3. *Urban Development and Building Heights Guidelines for Planning Authorities (December 2018).*
4. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December 2020).*
5. *Rebuilding Ireland: Action Plan for Housing and Homelessness (July 2016).*
6. *Design Manual for Urban Roads and Streets (DMURS) (2019).*
7. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, May 2009.*
8. *Urban Design Manual - A Best Practice Guide (2009).*
9. *The Planning System and Floor Risk Management Guidelines for Planning Authorities (2009).*
10. *Quality Housing for Sustainable Communities (2007).*



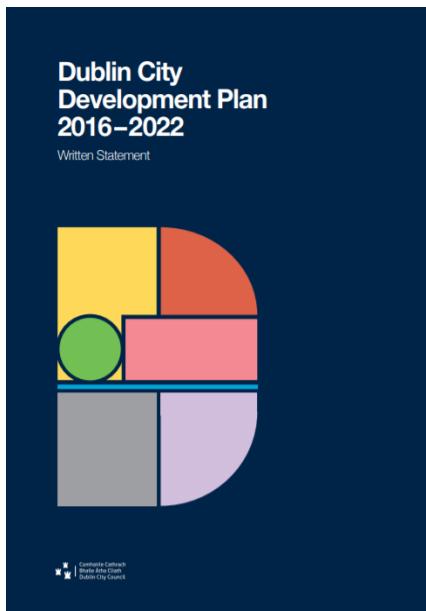
6.0 STATUTORY POLICY

This section assesses the proposed development against the key policy criteria set out in the Dublin City Development Plan 2016-2022.

6.1 Dublin City Development Plan 2016-2022

The Vision for the City is outlined in the *Development Plan*:

"Within the next 25 to 30 years, Dublin will have an established international reputation as one of Europe's most sustainable, dynamic and resourceful city regions. Dublin, through the shared vision of its citizens and civic leaders, will be a beautiful, compact city, with a distinct character, a vibrant culture and a diverse, smart, green, innovation-based economy. It will be a socially inclusive city of urban neighbourhoods, all connected by an exemplary public transport, cycling and walking system and interwoven with a quality bio-diverse green space network. In short, the vision is for a capital city where people will seek to live, work, experience, invest and socialise, as a matter of choice." (Page 18.)



standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities."

[Our emphasis.]

Section 5.5.2 of the Development Plan outlines the following key policies:

QH7: *"To promote residential development at **sustainable urban densities** throughout the city in accordance with the core strategy, having regard to the **need for high standards of urban design and architecture** and to successfully integrate with the character of the surrounding area."*

[Our emphasis.]

QH8: *"To promote the **sustainable development of vacant or under-utilised infill sites** and to favourably consider **higher density proposals** which respect the design of the surrounding development and the character of the area."*

[Our emphasis.]

QH18: *"To promote the provision of **high quality apartments within sustainable neighbourhoods** by achieving **suitable levels of amenity** within individual apartments, and within each apartment development, and ensuring that **suitable social infrastructure and other support facilities are available in the neighbourhood**, in accordance with the standards for residential accommodation."*

[Our emphasis.]

6.1.1 Residential Policies in the Development Plan

The *Development Plan* acknowledges the current need for residential accommodation within the City and the growth of Dublin as a sustainable compact city. The need for appropriately-located high-quality housing developments is consistently growing as Dublin is becoming a city of international relevance and therefore attracting national and international workers. The need for increasing the housing output needs to be considered also in light of the current housing shortage, which is critically hindering the city's sustainable development.

Chapter 4 of the *Development Plan* sets out the following policies in relation to the provision of housing:

SC13: *"To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development*

We submit that the proposed development is aligned with the above stated policies.

6.1.2 Development Management Guidelines and Standards

As illustrated by Figure 6.1, the Subject Site is located in zone Z14 Strategic Development and Regeneration Areas (SDRAs) with the objective:

"To seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and "Z6" would be the predominant uses".

'Residential', 'offices', 'restaurant', 'shop (neighbourhood)' and 'childcare facility' are "permissible uses" under the zoning objective Z14.

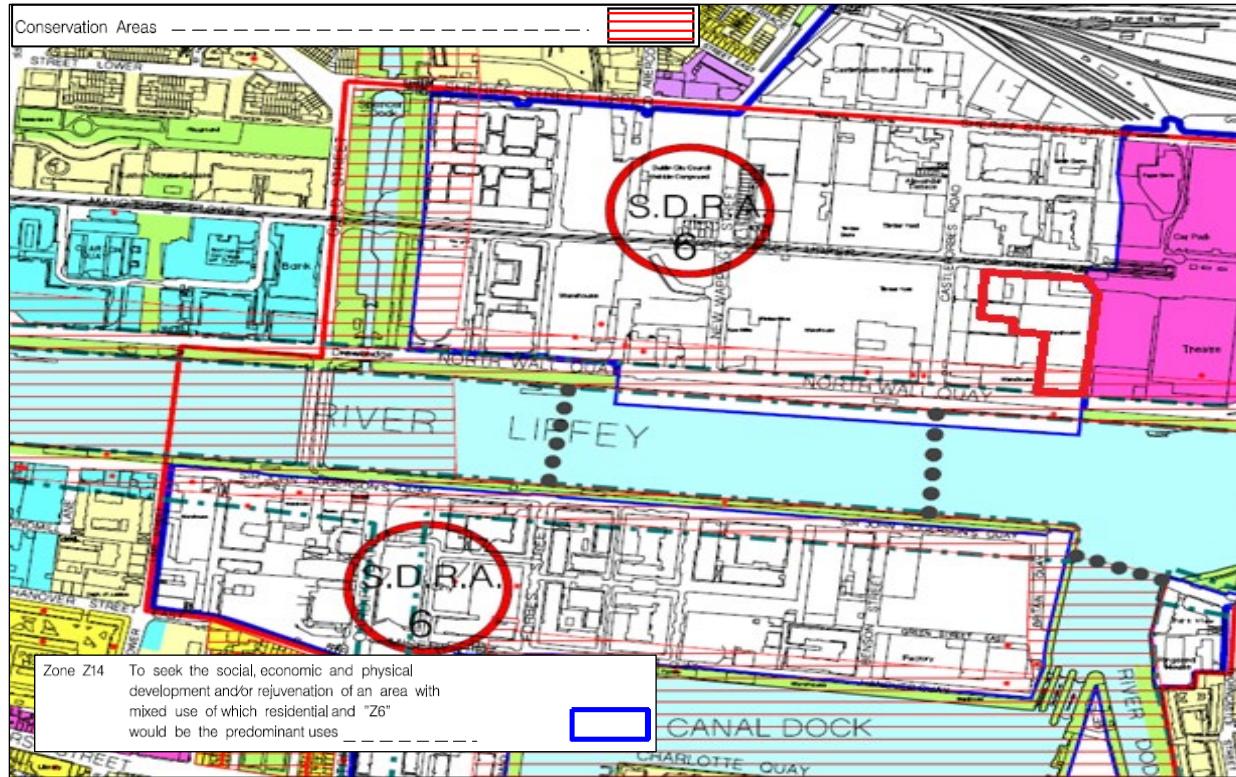


Figure 6.1: Extract of Map E of the Development Plan, with the approximate outline of the subject site shown in red. Source: Dublin City Development Plan 2016-2022 Map E, annotated by TPA, January 2021.

SDRA 6 - Docklands (SDZ and Wider Docklands Area)

For the SDRA 6 the following housing objectives, *inter alia*, are outlined in Section 15.1.1.7 of the *Development Plan*:

- “To provide for residential choice with schemes conducive to family living, long term rental and home-ownership.”
- “To achieve successful interaction between the SDZ scheme and surrounding streets and public realm to retain and foster a strong sense of neighbourhood within communities.”
- “To ensure that residential developments optimise the unique Docklands character in terms of visual context, maritime location, heritage assets and community identity.”
- “To provide physical, social and amenity infrastructure in tandem with new housing.”
- “To ensure that all proposals for residential development meet the obligations under Part V and Dublin City Council’s housing strategy. (...)"

We submit that the development proposal delivers on the above objectives.

6.1.3 Key Development Standards

Car Parking – 176 No. car parking spaces for residents are proposed as part of the proposed development (please see both, the *Parking & Access Statement* and the *Traffic Impact Assessment*, prepared by CS Consulting, dated January 2020.)

The quantum of car parking proposal is below the maximum standards set in Table 16.1 of the *Development Plan* due to the subject site’s proximity to the city centre and good access to public transport links. The standards applied relate to Zone 1 (where the site is located) in accordance with Map J of the *Development Plan*. (See Figure 6.2, below.)

10 No. car parking spaces will be disabled-accessible.

Some 10 No. car parking spaces will be provided with charging points for electrical vehicles and all remaining car parking spaces within the development will be ‘future-proofed’ by the inclusion of ducting and/or cabling to permit the rapid future installation of EV charging points.



Figure 6.2: Extract of Map J of the Dublin City Development Plan 2016-2022 with the approximate location of City Block 9 (outlined in red) shown in context with the city centre area. (Source, Dublin City Development Plan 2016-2022; annotated by TPA, 2021.)

Cycle Parking – 1,693 No. secure bicycle parking spaces are provided as part of the proposed development, which significantly exceeds the minimum standards required by Table 16.2 of the *Development Plan*.

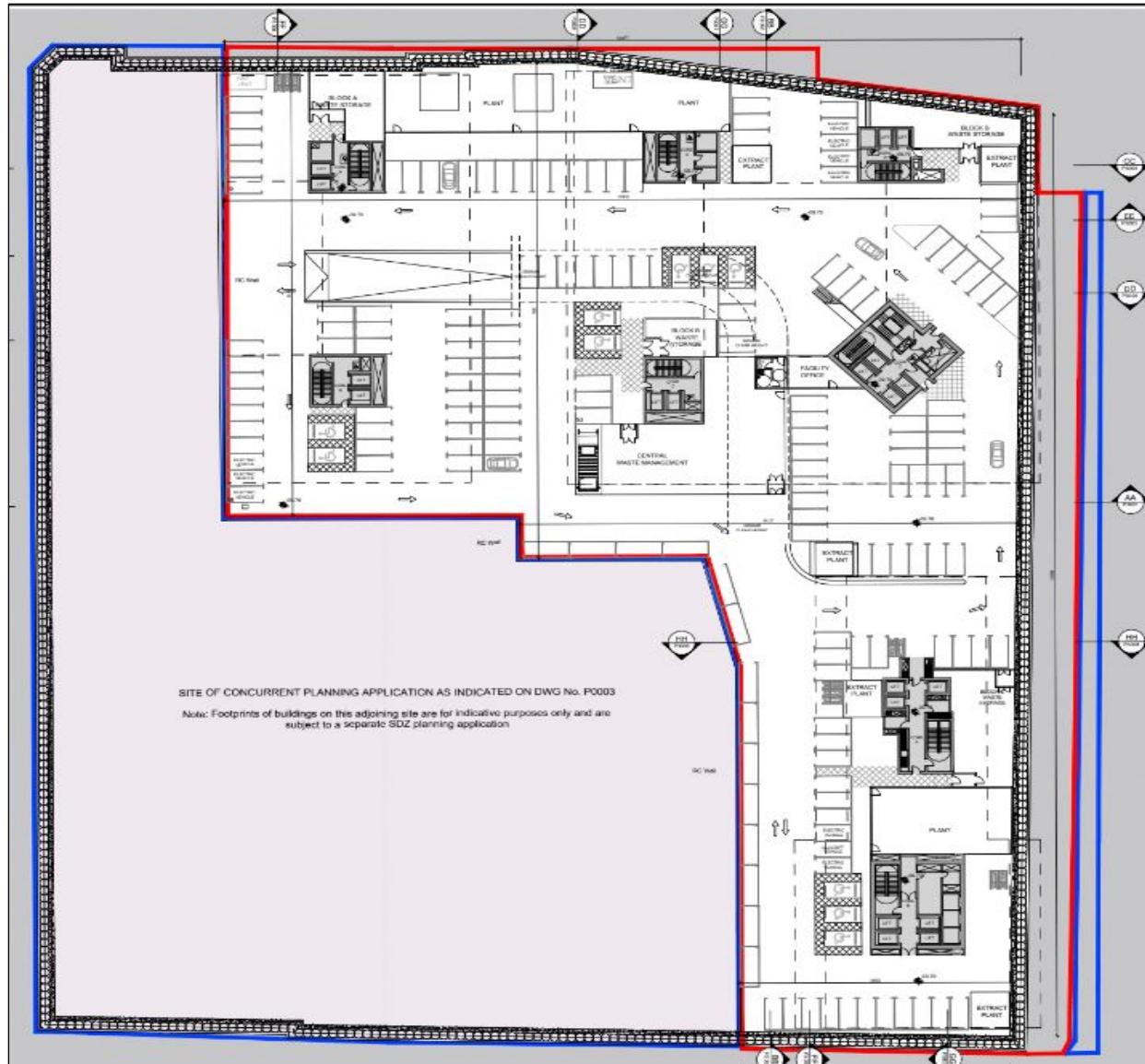


Figure 6.3: Extract of Dwg. No. P1007 (Rev. 6), 'Basement Level -03' showing car parking detail for the proposed development. Source: HJL. Cropped by TPA, January 2021.

Indoor and Outdoor Communal and Recreational Facilities

Section 16.10.3 of the *Development Plan* sets out residential quality standards for apartments and houses.

For new residential developments, these standards specify that 10% of the site area shall be reserved as public open space.

As confirmed in the accompanying *Design Statement*, prepared by Henry J Lyons Architects and dated Friday, 15 January 2021, a wide range of residential amenity spaces are provided.

These include:

- A 1,529 sq m gym and health centre for the residents at lower ground floor.
- 4,919 sq m of residential support facilities and residential amenities mainly in the lower ground floor including laundry rooms, drying rooms, screen/cinema rooms.
- 4,831 sq m of external communal amenity space on the various roof terraces.

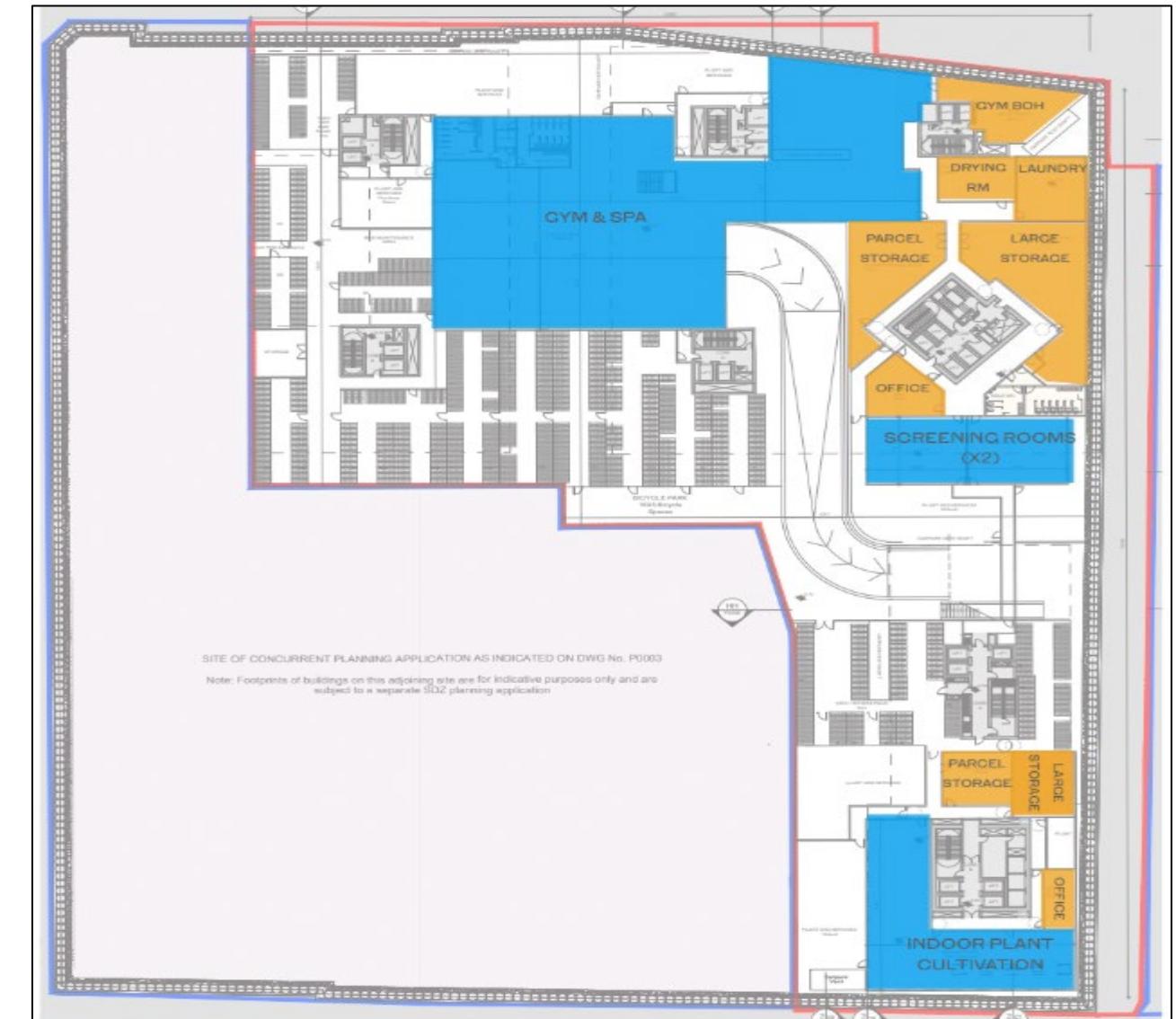


Figure 6.4: Indicative communal amenity facilities located at Lower Ground Level. Source: Section 7.3 of Design Statement, prepared by Henry J Lyons Architects. Cropped by TPA, January 2021.

As confirmed in the accompanying *Housing Quality Assessment*, prepared by Henry J Lyons Architects and Friday, 15 January 2021, the proposed apartments meet and exceed the required standards.



Building Heights

Section 16.7.2 of the *Development Plan* sets the building heights standards in the City. The Docklands area is identified as a ‘High-Rise’ area where permissible heights are 50m+. (See Figure 6.5, below.) The Subject Proposal is consistent with that standard.

Category	Area	Height (m)
Low-rise <small>(relates to the prevailing local height and context)</small>	Inner City	Up to 28 (commercial) Up to 24m (residential)
	Rail hubs (See 3)	Up to 24m (commercial and residential)
	Outer City	Up to 16 m (commercial and residential)
Mid-rise	Digital Hub	Up to 50 m
	St Teresa's Gardens	
	North Fringe	
	Clonshaugh	
	Industrial Estate	
	Ballymun	
	Pelletstown	
	Park West/Cherry Orchard	
	Naas Road	
	Oscar Traynor Road	
	National Concert Hall Quarter	
High-rise	Docklands Cluster	50m +
	Connolly	
	Heuston	
	George's Quay	

Figure 6.5: Table setting out the building height in Dublin included in page 320 of the Development Plan, annotated by TPA, January 2021.

Section 16.7.2 of the *Development Plan* also provides ‘Assessment Criteria for Higher Buildings’.

That Section states:

“All proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings...”

The proposed development is assessed with regard to the respective assessment criteria below.

6.1.3.1 Relationship to Context

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

“Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas.”

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.29 of that document states:

“The proposed development’s form seeks to be an elegant landmark. The two slender tall elements will be seen clearly from the east and west. The visual impact assessment in Chapter 10.0 of this report demonstrates that the proposed development does not have a detrimental effect on strategic views and important visual corridors in central Dublin, owing to its high-quality design and landmark role, nor is it dominant over the City centre.”

6.1.3.2 Effect on Historic Environment

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

“Effect on the historic environment at a city-wide and local level.”

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.30 of that document states:

“Built heritage receptors in the immediate surroundings and in the wider setting have been assessed in relation to the proposed development. The assessments show that the prominence of the proposed development creates no negative effects to the



significance or settings of conservation areas and architectural conservation areas. The effect on their settings would not diminish their significance; the proposals being either only marginally visible from them or forming part of their wider setting without being dominant over it. Likewise, **the significance and setting of protected structures are not adversely affected by the development proposal...** Such conjunctions are not considered harmful owing to the present context nor future envisaged contexts. Factors include the current visibility of Capital Dock above Trinity in the long view, the limits of the proposed College Green Plaza, the redeeming quality of the design, and, in some cases, the townscape status of the viewpoint positions. The publicly accessible viewing gallery at the top of the building will also provide new views of heritage assets in the city, including elevated views of Custom House and its special transitional river setting."

[Our emphasis.]

6.1.3.3 Transport Infrastructure

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Relationship to transport infrastructure, particularly public transport provision."

The proposed development is located directly adjacent to the terminus of the Luas Red line at The Point, which provides access to Tallaght and Saggart via, *inter alia*, the city centre.

In addition, the ground floor level and public realm of the proposed development have been designed to provide pedestrians with high-quality access to and through the scheme, through the provision of, *inter alia*, the new north-south and east-west pedestrian routes.

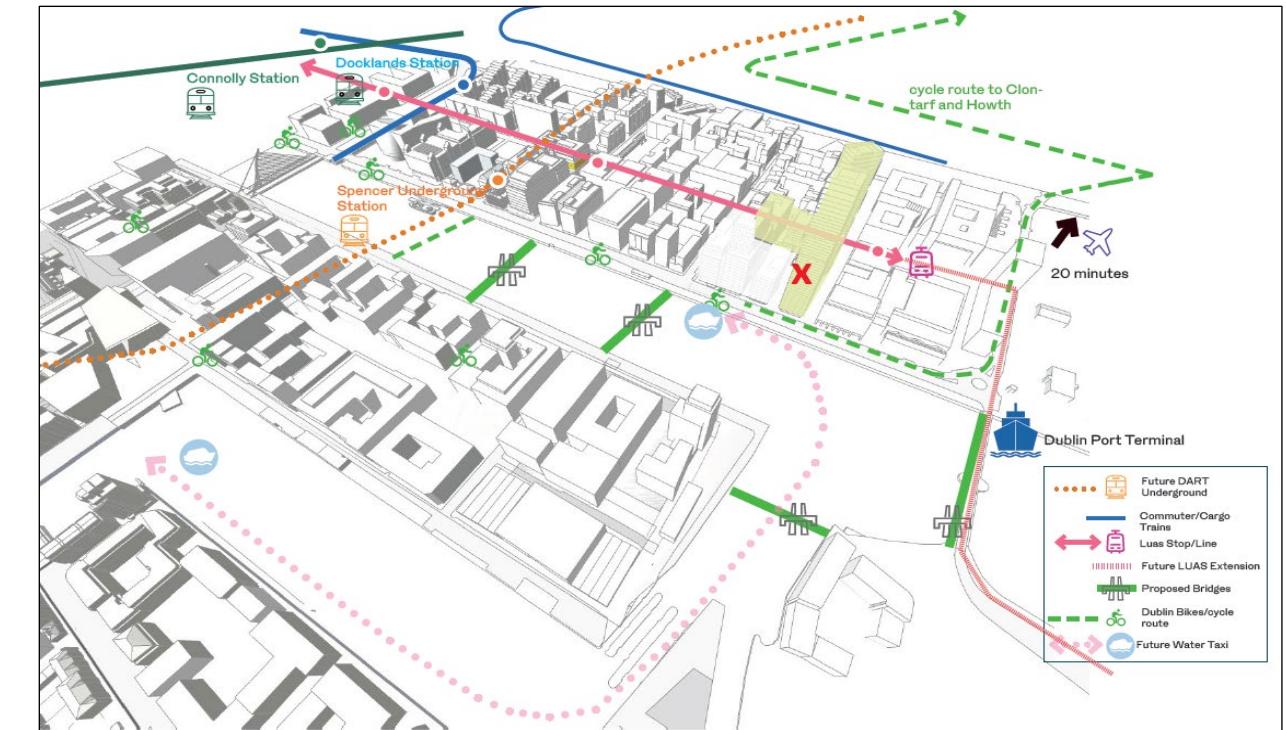


Figure 6.6: Context diagram showing the area's transport infrastructure (existing and proposed), with the approximate location of the subject site marked X. Source: Section 2.3 of Design Statement by Henry J Lyons. Cropped by TPA, January 2021.

6.1.3.4 Architectural Quality

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for."

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.32 of that document states:

"Both tall elements satisfy the spirit of the slenderness ratio requirements. The outside dimensions from ground to top are approximately a ratio of 6:1 for the taller building and 4:1 for the secondary tall building."

6.1.3.5 Contribution to Public Spaces and Facilities

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

Contribution to public spaces and facilities, including the mix of uses."



We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.33 of that document states:

"The proposed development enhances the currently vacant site; incorporating residential, alongside an office allocation, an upper level restaurant, and a publicly accessible viewing deck at roof level achieving unique views of Dublin. The ground floor will feature a mix of retail uses and public spaces. The addition of this mix of uses will ensure a usable and lively public realm, which will in turn improve the character and setting of the docklands."

6.1.3.6 Local Environment

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Effect on the local environment, including micro-climate and general amenity considerations."

A number of documents are enclosed with this Application to ensure that the proposed development has been assessed under a wide array of environmental and amenity factors.

These documents include, *inter alia*:

1. *Appropriate Assessment (AA) Screening and Natura Impact Statement (NIS) for SHD Application* prepared by ERM, dated Thursday, 19 November 2020.
2. *Daylight, Sunlight and Overshadowing Analysis – SHD Planning Application – City Block 9, Project Waterfront* prepared by Integrated Environmental Solutions, dated Wednesday, 20 January 2021.
3. *Pedestrian Comfort CFD Analysis – Waterfront Proposed Residential SHD* prepared by Integrated Environmental Solutions, dated Thursday, 21 January 2021.
4. *Vision + Place Strategy - Waterfront South Central* prepared by Wordsearch Place, dated January 2021.
5. *Potential Solar Glare – Waterfront South Central – Residential* prepared by bre, dated Friday, 30 October 2020.

6.1.3.7 Permeability and Legibility

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Contribution to permeability and legibility of the site and wider area."

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.35 of that document states:

"One of the key purposes of the proposal is to achieve a landmark quality. As a tall building, the proposed development will be seen from certain parts of the city, and will, in those cases, provide urban legibility, visual delight and public enjoyment. At lower levels, the treatment of building form will enhance the approach to the docklands and the 3Arena, making it easy to navigate. These improvements will impact the wider surroundings, reordering the pedestrian flows in the area."

6.1.3.8 Documents Required for Assessment

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative height studies."

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.36 of that document states:

"This report considers the heritage, townscape, landscape, and visual effects of the proposed development."

It uses the methodology developed by the consultancy, which draws upon best practice guidance set out in the 'Guidelines on the information to be contained in Environmental Impact Statements' produced by the Environmental Protection Agency (EPA) in 2002; the 'Advice Notes on Current Practice (in the preparation of EIS) published by the EPA in 2003; the Draft EPA Guidelines and Advice Notes published in 2017 and 2015 respectively; DHPLG, Guidelines for planning authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018; the 'Guidance for Landscape and Visual Impact Assessment (GLVIA) Third Edition' published by the



Landscape Institute and Institute of Environmental Management and Assessment within the UK in 2013; and other national, regional and local planning guidance set out in Chapter 2.0 of this report.

The HTLVA assesses the effects on five character areas, the Development Plan's Conservation Area (including the Liffey corridor), four architectural conservation areas, 9 groups of protected structures and one group of NIAH registered buildings, and townscape views from 46 positions. These assessments offer a holistic representation of the effect of the proposed development on the surrounding townscape."

This SHD Application includes a full suite of documentation that addresses, *inter alia*, the criteria specified in the *Development Plan*.

These include, *inter alia*:

1. *Daylight, Sunlight and Overshadowing Analysis – SHD Planning Application – City Block 9, Project Waterfront* prepared by Integrated Environmental Solutions, dated Wednesday, 20 January 2021.
2. *Pedestrian Comfort CFD Analysis – Waterfront Proposed Residential SHD* prepared by Integrated Environmental Solutions, dated Thursday, 21 January 2021.
3. *Vision + Place Strategy - Waterfront South Central* prepared by Wordsearch Place, dated January 2021.
4. *Landscape Access & Design Statement – Waterfront South Central – SHD Residential Scheme* prepared by Cameo, dated Monday, 4 January 2021.

6.1.3.9 Sustainable Design

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Adoption of best practice guidance related to the sustainable design and construction of tall buildings."

The proposed development represents the adoption of best practice guidance with regard to the sustainable design and construction of tall buildings.

It is noted that Ireland does not have many precedent tall buildings so the Design Team have referred to numerous international precedents to inform the design process and the final iteration.

The proposed development has resulted from the incorporation of feedback received from An Bord Pleanála and Dublin City Council throughout the Pre-Application process.

As a result of this feedback, the proposed development has undergone numerous amendments which adopt best practice measures from notable international developments. Please see the *Design Statement – Waterfront South Central – SHD Application to An Bord Pleanála* prepared by Henry J Lyons, dated Friday, 15 January 2021 and submitted as part of this Application, for further information.

6.1.3.10 Evaluation of Alternatives

Section 16.7.2 of the *Development Plan* requires assessment with regard to:

"Evaluation of providing a similar level of density in an alternative urban form."

It is considered that the proposed development is the optimum design solution to providing a high-quality, high-density development at the subject site.

Given the proposed residential/commercial mix at City Block 9, and the requirement to adhere to the block layout set out in the *North Lotts and Grand Canal Dock Planning Scheme 2014*, it is considered that the provision of a scheme of a similar level of density in an alternative form (i.e., reduced block heights dispersed throughout the site) would negatively impact on other essential elements of the proposed development.

These include, *inter alia*: the proposed pocket park; the quality of the new pedestrian routes; and the public realm and ground level uses in general.

6.2 North Lotts & Grand Canal Dock Planning Scheme, 2014

The following Section examines and summarises the planning and development context of the site with specific reference to the *North Lotts and Grand Canal Dock Planning Scheme 2014*.

A more detailed document entitled *Statement of Compliance with the North Lotts and Grand Canal Dock Planning Scheme 2014 – Proposal for an SHD Development at City Block 9* prepared by Tom Phillips + Associates, dated Thursday, 28 January 2021 accompanies this Application to An Bord Pleanála.

In addition, this Application is accompanied by a *City Block Roll Out Agreement – Proposal for an SHD Development at City Block 9* prepared by Tom Phillips + Associates, dated Thursday, 28 January 2021, accompanies this Application.

The *North Lotts and Grand Canal Dock Planning Scheme 2014* (hereafter referred to as the ‘Planning Scheme’) is the statutory plan for the area that guides future development relating to the site.

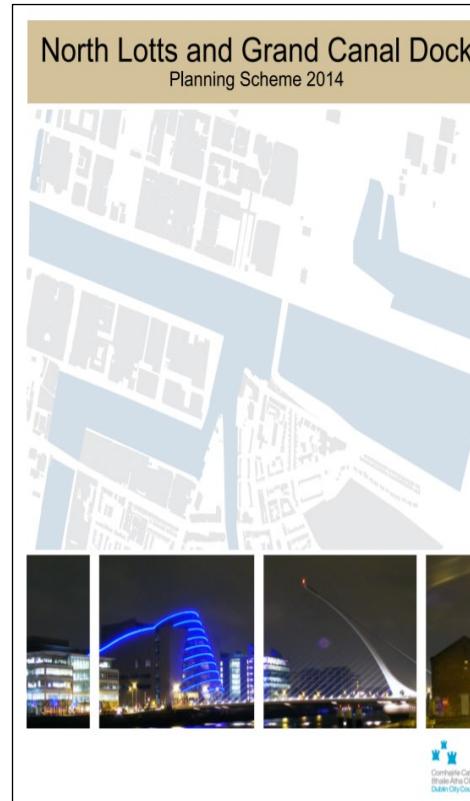
Unlike the *Dublin City Development Plan 2016-2022*, the *Planning Scheme* does not have a defined lifetime.

Dublin City Council made a submission to An Bord Pleanála on 31 May 2019 to amend the *Planning Scheme* on foot of the publication of the *Urban Development and Building Height Guidelines, 2018*.

The Board has not made a decision yet on the proposed amendments (ABP Ref. PL29N.3044604), but required DCC to carry out a public consultation exercise on the proposed amendments.

Subsequently, DCC opened a consultation period from 25th October to 22nd November 2019 inviting submissions from the public on the proposed amendments to the *Planning Scheme*. Tom Phillips + Associates *et al* made a Submission on behalf of Ronan Group Real Estate and Colony Group on 22nd November 2019.

A decision is awaited.



Proposed Amendments to the North Lotts & Grand Canal Dock SDZ Planning Scheme in relation to Building Heights.

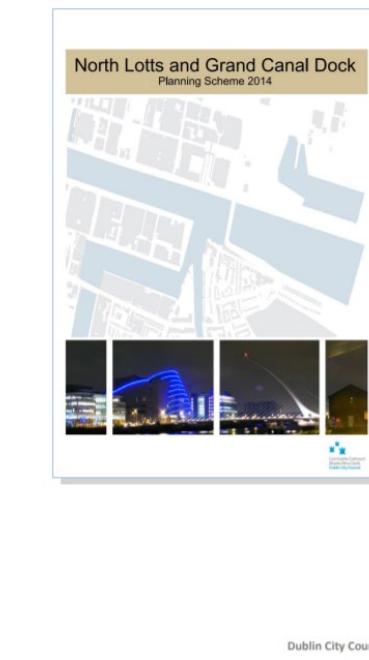


Figure 6.7: Front cover of Proposed Amendments to the North Lotts & Grand Canal Dock SDZ Planning Scheme in relation to Building Heights.



Figure 6.8: 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, January 2021



The following Specific Objectives for CB9 are detailed in Section 5.5.9(b) of the *Planning Scheme*, 2014:

Use Mix

- “For City Block 9, it is an objective to secure the 50:50 residential: commercial use mix.”

This SHD Application refers primarily to a residential development but with an element of commercial, as facilitated by the 2016 Act.

Section 4.10.5 of the *Planning Scheme* addresses the use mix criteria with regard to ‘Development Block and Plot’.

That section states, *inter alia*:

“Each of the city blocks has a critical number of fixed elements which include the following:

- The external building line to the City Blocks
- The extent of the public space/ civic space within the block
- The maximum (and minimum) heights of buildings
- **The ratio of main uses over the hub area to achieve 50 residential/50 commercial land area insofar as is practicable**, with the ratio of main uses in each City Block to be as specified in Section 5.5 (individual City Blocks) and paragraph 6.1.2 (Infrastructure Roll-out).”

[Our emphasis.]

Furthermore, Section 5.4.2 of the *Planning Scheme* addresses the ‘overall use ratio’.

That section states, *inter alia*:

“For clarity, **the land-use ratio is based on land area, which relates to the building footprint** including any associated ancillary space, and is used to inform the overall land-use ratio where the land area reflects the main use of the site over all floors.”

[Our emphasis.]

The Applicant has lodged an Application for a commercial development in the balance of City Block 9 – its form to be guided by the content of the 2014 *Planning Scheme*.

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.

- “Ground floor active uses onto Mayor Street and North Wall Quay with a particular emphasis on quality active uses including retail, cultural and amenity uses in the vicinity of the proposed bridge crossing between Castleforbes Road and Sir John Rogerson’s Quay.”

A number of amenities for the residents are proposed at ground floor level in order to provide an active and attractive public realm.

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.

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.

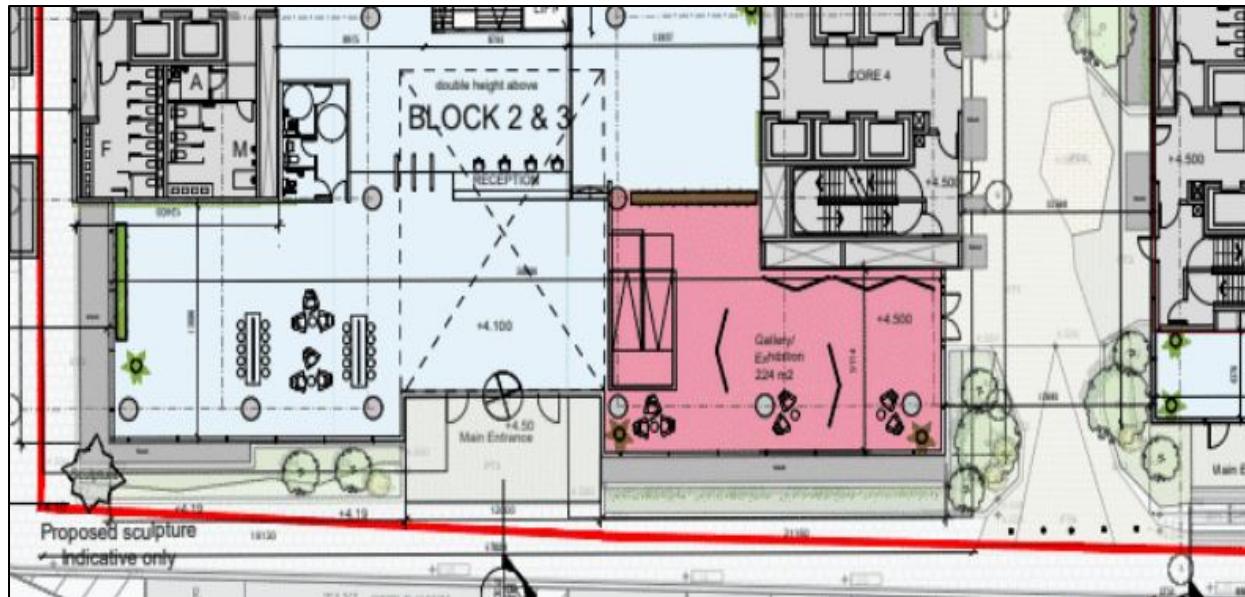


Figure 6.9: Extract of Dwg. No. Z1010 (Rev. 6), 'Ground Floor Plan', prepared by HJL, showing location of gallery / exhibition space at North Wall Quay. Cropped by TPA, January 2021. This drawing is included as Appendix D in the Waterfront South Central – SHD Proposal – Assorted Appendices, prepared by TPA and dated Thursday, 28 January 2021.

Block Layout and Building Lines

In conjunction with the commercial application submitted to Dublin City Council in tandem with this SHD Application, the fixed building lines set out for City Block 9 (see Figures 5.10 and 5.11) are adhered to in the proposed development.

Section 5.4.4 addresses the 'Block Building Line'.

That section states:

"While the outer edge of the City Block and component urban blocks are fixed, the inner building line is flexible, and is depicted by a hatched line on the City Block Development Code."

The fixed lines (solid lines) are those at the perimeter of CB9 – addressing Castleforbes Road; Mayor Street Upper; North Wall Avenue; and North Wall Quay.



Figure 6.10: 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.

In contrast, the hatched lines in Figures 6.10 are flexible building lines.

The layout of the proposed development adheres to the block layout and building lines as set out for City Block 9 in the *Planning Scheme*.

Streets

Section 5.4.3 of the *Planning Scheme* addresses the 'Public Realm'.

That section states:

"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 at corners for sitting out, kiosks, etc, subject to the overall objective of providing connectivity between and through City Blocks being achieved, including the provision of vehicle routes, cycling routes, pedestrian areas and shared surfaces."

The precise alignment of the new lanes and streets shall form part of the City Block Rollout Agreement, in order to guide subsequent planning applications."

The proposed internal street network for City Block 9 adheres to that shown on page 194 of the *Planning Scheme*. North-south and east-west pedestrian routes are provided through City Block 9, with a pocket park measuring some 710 sq m provided at the centre of the block.



Open Spaces and Public Realm

The *Planning Scheme* sets the following objectives for the Public Realm in City Block 9:

- “New central civic space with SUDS features.”
- New north-south and east-west connections within block.
- New north-south street between City Blocks 9 & 10.
- View lines through City Block to include central civic space.
- To enliven the quays and provide for variety in the streetscape, each urban block within the City Block should contain at least two buildings of different architectural design.
- New streets to be within the range of widths as shown on Fig. 31 and subject to the criteria set out in Section 5.4.3.”

The Applicant and their Design Team have worked through a number of iterations of the proposed development to ensure that the public realm objectives of the *Planning Scheme* are achieved.

The *Landscape Access & Design Statement – Waterfront South Central – SHD Residential Scheme* prepared by Cameo, dated Monday, 4 January 2021 and submitted as part of this Planning Application, provides detail on how open spaces and public realm in the proposed development are treated.

Four distinct Character Areas are provided as part of the proposed development.

They are:

1. The Green Lung.
2. The Market Place.
3. The Funnel.
4. Edible Street.

Individually, each of these Character Areas provides a unique open space and public realm experience and together, they adhere to the site-specific Public Realm objectives set out for City Block 9 in Section 5.5.9.3.b.3 of the *Planning Scheme*.

Key to the proposed development’s open space is the provision of a pocket park at the heart of City Block 9. At the heart of the proposed development is a Pocket Park, measuring some 710 sq m.

New north-south and east-west pedestrian streets are proposed that provide City Block 9 and the wider area with improved levels of permeability.

Please refer to Cameo and Partner’s *Landscape Access & Design Statement – Waterfront South Central – SHD Residential Scheme*, dated Monday, 4 January 2021 and submitted as part of this Planning Application, for additional information on the Applications treatment of open spaces and public realm.

Active Frontages

The proposed development provides a variety of character areas at ground floor level, with each ensuring that active frontages are provided throughout – both externally to the surrounding street network and internally into the core of City Block 9.

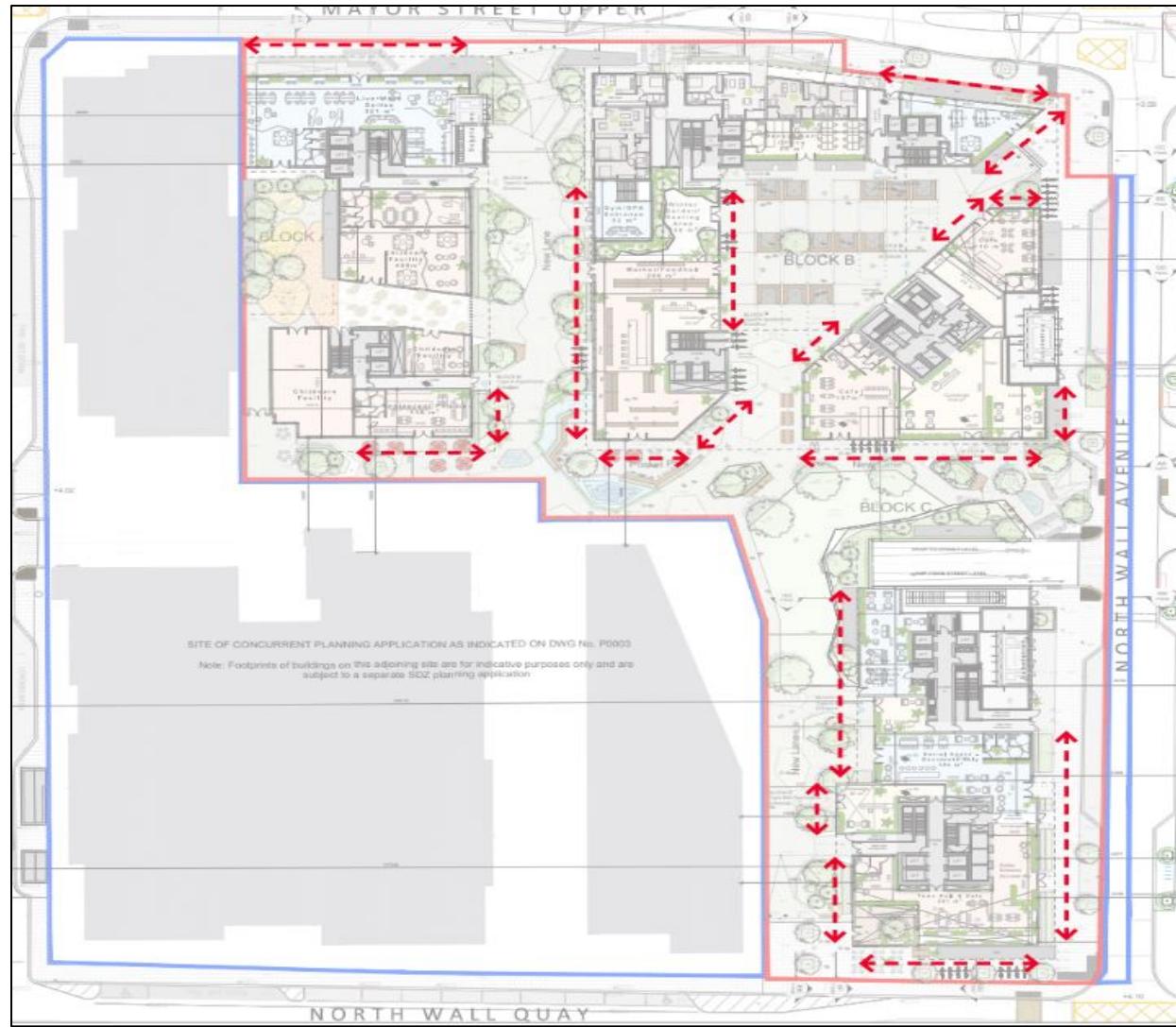


Figure 6.11: Indicative ground floor plan showing active frontages. Source: Section 4.7 of the Design Statement prepared by HJL, January 2021. Cropped by TPA, January 2021.

Figure 6.11, above, shows the indicative active frontages of the proposed development.

Section 4.7 of the Henry J Lyons Architects *Design Statement* states:

"The placement of these character areas is important in making the streets work - they present active frontages for public interaction as well as positive activity for the residents."

Furthermore, Drawing P1010 (Rev. 10), *Proposed Ground Floor Plan*, prepared by Henry J Lyons shows the Ground Floor Plan. Figure 6.12 is an excerpt from that drawing that gives an example of the volume and variety of active frontage throughout the proposed development.

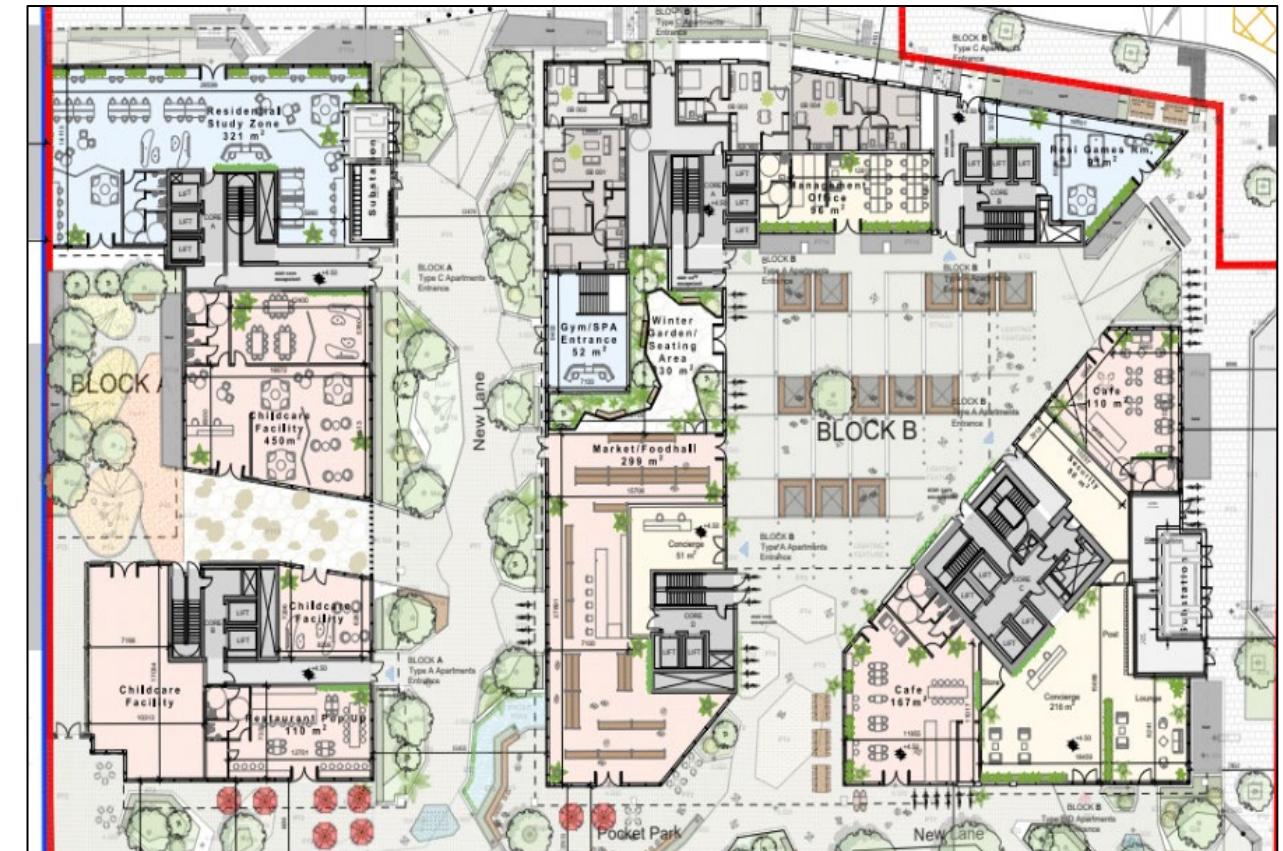


Figure 6.12: Excerpt from Ground Floor Plan, showing the various uses with active frontage at street level (Source: Drawing No. P1010, Revision 6 by Henry J Lyons Architects.)

Urban Form/Height

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

The proposed development would contravene the provisions of the *Planning Scheme* with regards to building heights on CB9.

We refer to the *Material Contravention Statement – Proposal for an SHD Development at City Block 9* prepared by Tom Phillips + Associates, dated Thursday, 28 January 2021, which provides a justification in relation to why the proposed development should be granted on the basis of National Policy.

Infrastructure

- *Each site to complete access and attendant public realm prior to occupation.*
- *Drainage/water infrastructure to be installed with access.*
- *Foul drainage: Block to drain westwards via new pipelines along proposed road network to 600mm diameter pipeline along Castleforbes Road (this pipeline is at tender stage).*
- *Surface water drainage: Block to drain westwards to 930x970mm storm-water pipeline via proposed new road.*

Completion of site access and public realm prior to occupation is a key objective of the proposed development.

The content of the construction management project will ensure delivery of these key elements for the City Block 9 site.

Drainage and water infrastructure will be installed with access and prior to occupation of any element of the proposed development.

With regard to the specifications supplied with regard to the foul and surface water drainage at City Block 9, CS Consulting have noted that those objectives in the *Planning Scheme* document were largely aspirational.

For example, the 600mm foul sewer to be located along Castleforbes Road is not shown in the drawings supplied by Irish Water, who made no reference to it in their response to the Applicant's Pre-Connection Enquiry correspondence.

7.0 STRATEGIC POLICY

7.1 Project Ireland 2040 – National Policy Framework (2018)

The *National Planning Framework, Ireland 2040* published in February 2018, is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

The *NPF* sets out a strategic development framework for the Country to 2040. Among its key messages is the need to provide the highest possible quality of life for people and communities via well designed and managed built and natural environments.

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

Under the heading of 'Compact Growth', the *NPF* is:

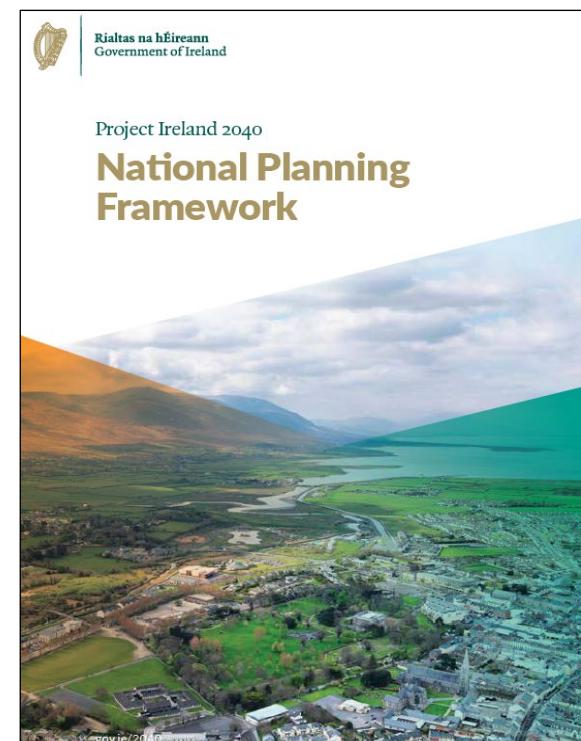
"Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport".

[Our emphasis.]

A recurring theme in the *NPF* is the requirement to ensure that the future growth of Dublin occurs within its Metropolitan limits. The *NPF* estimates that Dublin City and suburbs will grow by c. 264,000 people in the period to 2040.

The *Framework* targets a significant proportion of future urban development on infill/brownfield development sites within the built envelope of existing urban areas. This is applicable to all scales of settlement, from the largest city, to the smallest village.

The following National Policy Objectives are relevant to the subject proposal at City Block 9:





1. National Policy Objective 1b

"Eastern and Midland Region: 490,000 - 540,000 additional people, i.e., a population of around 2.85 million;"

The proposal will deliver 1,005 No. apartments in a city centre location to cater for the housing needs of the additional population forecasted.

2. National Policy Objective 1c

"Eastern and Midland Region: around 320,000 additional people in employment, i.e., 1.34 million in total;"

The proposed development will deliver a mix of housing to accommodate the increase in the workforce in a central and highly accessible location.

3. National Policy Objective 2a

"A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs."

The development proposal has the potential to deliver 1,005 No. apartments in Dublin City Centre.

4. National Policy Objective 3a

"Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements."

The proposed scheme will be developed at a central city brownfield site.

5. National Policy Objective 3b

"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."

The subject development will provide 1,005 No. apartments within Dublin's inner city.

6. National Policy Objective 4

"Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being."

The proposal responds to the challenge to redevelop a brownfield site historically linked to port-related warehousing uses to deliver a scheme with the potential to become a landmark in the city while delivering high quality accommodation and well-designed public open spaces.

7. National Policy Objective 5

"Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity."

The proposal follows best international practice for the redevelopment of former docklands areas into highly dense neighbourhoods that increase housing supply in established urban locations.

The Scheme bolsters Dublin competitiveness in international markets by delivering high-quality accommodation that can host national and international workers.

8. National Policy Objective 6

"Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area."

The proposed development regenerates a vacant riverfront site in the vicinity of the city centre, with excellent public transport connectivity.

The proposed development comprises residential and commercial spaces that achieve the highest ratings in energy efficiency. It is therefore, in compliance with best national and international practice in terms of provision of sustainable development.

9. National Policy Objective 8

"To ensure that the targeted pattern of population growth of Ireland's cities to 2040 is in accordance with the targets set out in Table 4.1."



By delivering 1,005 No. residential units in a central location the proposal contributes to achieve the targeted pattern of population growth by 2040 set out in Table 4.1 of the NPF, which forecasts a growth of between 235,000 and 293,000 people in Dublin City and suburbs by 2040.

10. National Policy Objective 11

"In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth."

The proposal seeks to deliver a highly dense development (1,005 No. residential units in 1.1 hectares (c. 914 dwellings/ha)) thus bringing more people into a central location with excellent public transport connectivity.

11. National Policy Objective 13

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

The assessments carried out and submitted with this Application demonstrate that the proposed development comfortably achieves positive results when assessed against the relevant performance-based criteria.

The proposal will contribute to achieve the relevant growth targets established in national policy without compromising public safety and delivering a sustainable proposal on the basis of density, location and carbon footprint.

12. National Policy Objective 27

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

The location of the proposed development in a central location and in proximity to high-quality public transport options will assist in promoting sustainable travel patterns for residents, workers and visitors.

13. National Policy Objective 32

"To target the delivery of 550,000 additional households to 2040."

The proposed scheme can deliver 1,005 No. residential units within Dublin's Inner City.

14. National Policy Objective 33

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

The site's location is in the vicinity of Dublin City Centre with excellent public transport options in the immediate vicinity is aligned with the sustainable development principles.

It is, therefore, submitted that the site can accommodate a high-density scheme, as proposed, based on the evidence of other European cities.

15. National Policy Objective 35

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

The proposed development comprises a highly dense residential scheme (c. 914 units/hectare) at a vacant riverfront site formerly linked to port-related uses in an area identified by the Irish Government for regeneration via its designation as a Strategic Development Zone (*Statutory Instrument 530/2012* on 18th December 2012).

16. National Policy Objective 53

"Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development."

The proposal is founded on the principle of making an efficient use of the scarce land available at sustainable locations by proposing a highly dense development on a site in need for regeneration with excellent public transport accessibility, which is aligned with the National Objective to curb urban sprawl.



17. National Planning Objective 54

"Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions."

Due to its location in the inner-city and in the vicinity to high quality public transport and its design, which seeks to reach the highest energy-efficiency ratings the proposal will assist with a reduction of carbon footprints generally, and thereby contribute to tackle climate change.

18. National Policy Objective 64

"Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green infrastructure planning and innovative design solutions."

The location of the proposal will act as a motivator for residents, workers and visitors to rely on sustainable means of transport and reduce car-dependency. In addition, the scheme is designed to achieve the highest energy efficiency ratings.

As demonstrated in this section, the Subject SHD Proposal is aligned with a significant number of National Planning Policy Objectives. Thus, we submit that the proposed development is compliant with the *National Planning Framework*.

7.2 Eastern and Midlands Regional Assembly – Regional Spatial and Economic Strategy, 2019

The Eastern and Midlands Regional Assembly adopted the final version of the *Regional Spatial and Economic Strategy (RSES) 2019-2031* in June 2019. The RSES is a strategic plan and investment framework to shape the future development and to better manage regional planning and economic development throughout the Region. It identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives.

Following the overall principles of the *National Planning Framework*, the RSES also identifies compact growth as a key objective, as set out in the Regional Policy Objective 3.2:

"RPO 3.2: Local authorities, in their core strategies shall set out measures to achieve compact urban development targets of at least 50% of all new homes within or contiguous to the built up area of Dublin city and suburbs and a target of at least 30% for other urban areas."

The RSES makes note of the need for the intensification of brownfield sites in the existing urban areas. This is set out in the Regional Policy Objective 4.3:

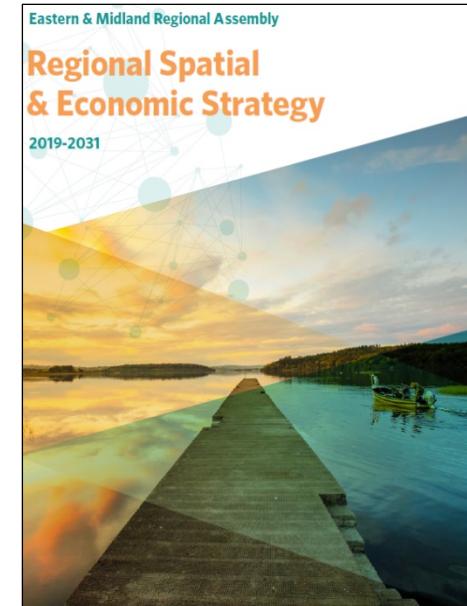
"RPO 4.3: Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects."

[Our emphasis.]

The guiding principles established in the RSES for the growth of the Dublin Metropolitan Area in accordance with its Metropolitan Area Strategic Plan (MASP) establish that:

"Compact sustainable growth and accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve a target to 50% of all new homes within or contiguous to the built-up area of Dublin City and suburbs, and at least 30% in other settlements. To support a steady supply of sites and to accelerate housing supply, in order to achieve higher densities in urban built up areas, supported by improved services and public transport."

[Our emphasis.]





We submit that the Subject Proposal is consistent with the policy objectives of the RSES 2019 - 2031.

7.3 Urban Development and Building Heights – Guidelines for Planning Authorities, 2018

Importantly, the *Urban Development and Building Heights Guidelines for Planning Authorities*, December 2018 outline wider and strategic policy considerations and a more performance-based driven approach for how Local Authorities should address height in relevant statutory plans in accordance with securing the outcomes for the NPF.

7.3.1 Rationale for the Guidelines

The foreword of that document sets out, *inter alia*, the reasoning for the publication of the *Building Height Guidelines*.

The foreword states, *inter alia*:

"Our cities and our towns must grow upwards, not just outwards, if we are to meet the many challenges ahead."

[...]

There is an opportunity for our cities and our towns to be developed differently. Our urban centres could have much better use of land facilitating well located and taller buildings, meeting the highest architectural and planning standards. These guidelines are intended to set a new and more responsive policy and regulatory framework for planning the growth and development of our cities and towns upwards, rather than ever outwards."


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

Section 1.4 of the *Building Height Guidelines* recognises that:

"...in recent years, local authorities, through their statutory development and local area plan processes, have begun to set generic maximum height limits across their functional areas. Frequently, such limits have resulted from local level concerns, like maintaining the character of an existing built-up area, for example. However, such

[Our emphasis.]

limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the National Planning Framework and instead continue an unsustainable pattern of development whereby many of our cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area. Such blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes."

[Our emphasis.]

The *Building Height Guidelines* also outline that:

"While achieving higher density does not automatically and constantly imply taller buildings alone, increased building height is a significant component in making optimal use of the capacity of sites in urban locations where transport, employment, services or retail development can achieve a requisite level of intensity for sustainability. Accordingly, the development plan must include the positive disposition towards appropriate assessment criteria that will enable proper consideration of development proposals for increased building height linked to the achievement of a greater density of development".

[Our emphasis.]

Section 1.20 and Section 1.21 of the *Building Height Guidelines* are of particular relevance to the proposed development.

Section 1.20 states:

"A key objective of the NPF is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels.

[Our emphasis.]

Section 1.21 states:

"Increasing prevailing building heights therefore has a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly our cities and large towns through enhancing both the scale and density of development and our planning process must actively address how this objective will be secured."

[Our emphasis.]



It is clear from the content of Section 1.20 and Section 1.21 that increased building heights are to be actively encouraged in the planning and development process.

Based on the above policy provisions, the proposed development should be assessed on its merits, in accordance with current national planning policy, instead of on the basis of blanket height restrictions that are not supported by proper design considerations could lead to poor planning outcomes.

As demonstrated by the various assessments submitted, the proposed development displays a robust performance against a wide range of criteria.

With that in mind, we respectfully ask the Board to consider the scheme solely on its merits, and, in accordance with national planning policy, disregard any “arbitrary height caps” that may apply to the subject site, with particular regard to the content of, *inter alia*, Section 1.4 of the *Building Height Guidelines*.

Planning Authorities and An Bord Pleanála are required to have regard to the *Guidelines*, and to apply any specific planning policy requirements (SPPRs) contained within the *Guidelines*, as per Section 28 (1C) of the Planning and Development Act 2000 (as amended).

We review the Subject Proposal against the various Specific Planning Policy Requirements below.

7.3.2 SPPR 1 & SPPR 2 – Height within Statutory Policy

Specific Planning Policy Requirement (SPPR) 1 states:

*“In accordance with **Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued** for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.”*

[Our emphasis.]

SPPR 2 states:

“In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate relating provision and residential accommodation, thereby

enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social and community infrastructure.”

[Our emphasis.]

While SPPR1 and SPPR2 do not directly relate to the Subject Proposal, in that they specifically address planning authorities’ approach to height within statutory plans, they do ensure that a positive presumption towards height in certain suitable areas will be engrained within future policies.

The Subject Proposal materially contravenes the current iteration of the relevant statutory policy document, the *North Lotts and Grand Canal Dock Planning Scheme 2014*. (See the *Material Contravention Statement*, dated Thursday, 28 January 2021 and prepared by TPA.)

However, in our professional town planning opinion, the Docklands area of Dublin – and more specifically, the brownfield Subject Site at City Block 9 – is ideally suited to the pursuit of greater height and density, in line with the provisions of the *Guidelines*.

Dublin City Council made a submission to An Bord Pleanála on 31 May 2019 to amend the *Planning Scheme* on foot of the publication of the *Urban Development and Building Height Guidelines*, 2018.

The Board has not made a decision yet on the proposed amendments (ABP Ref. PL29N.304604), but required DCC to carry out a public consultation exercise on the proposed amendments.

Subsequently, DCC opened a consultation period from 25th October to 22nd November 2019 inviting submissions from the public on the proposed amendments to the *Planning Scheme*. Tom Phillips + Associates *et al* made a Submission on behalf of Ronan Group Real Estate and Colony Group on 22nd November 2019.

A decision is awaited.

7.3.3 SPPR 3 – Development Management Criteria

SPPR 3 states:

“It is a specific planning policy requirement that where;

(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and

2. the assessment if the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

(B) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act (2000) as amended to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban location shall be articulated in any amendment(s) to the planning scheme.

(C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.

[Our emphasis.]

SPPR3 allows the planning authority to grant permission for developments that contravene the relevant statutory planning document in relation to height, provided that the proposed development complies with a wide range of development criteria, as set out in Section 3.2 of the *Building Height Guidelines*.

These criteria are spread across a range of spatial scales from the scale of the city/town; to the district/neighbourhood/street scale; and site/building, which are addressed in turn below.

Please note that the bulleted points in Sections 7.3.3.1, 7.3.3.2 and 7.3.3.3 are directly quoted from the *Building Height Guidelines*.

In addition, the subject site is located in close proximity to the proposed DART Underground Project.

The status and delivery of that project is not confirmed.

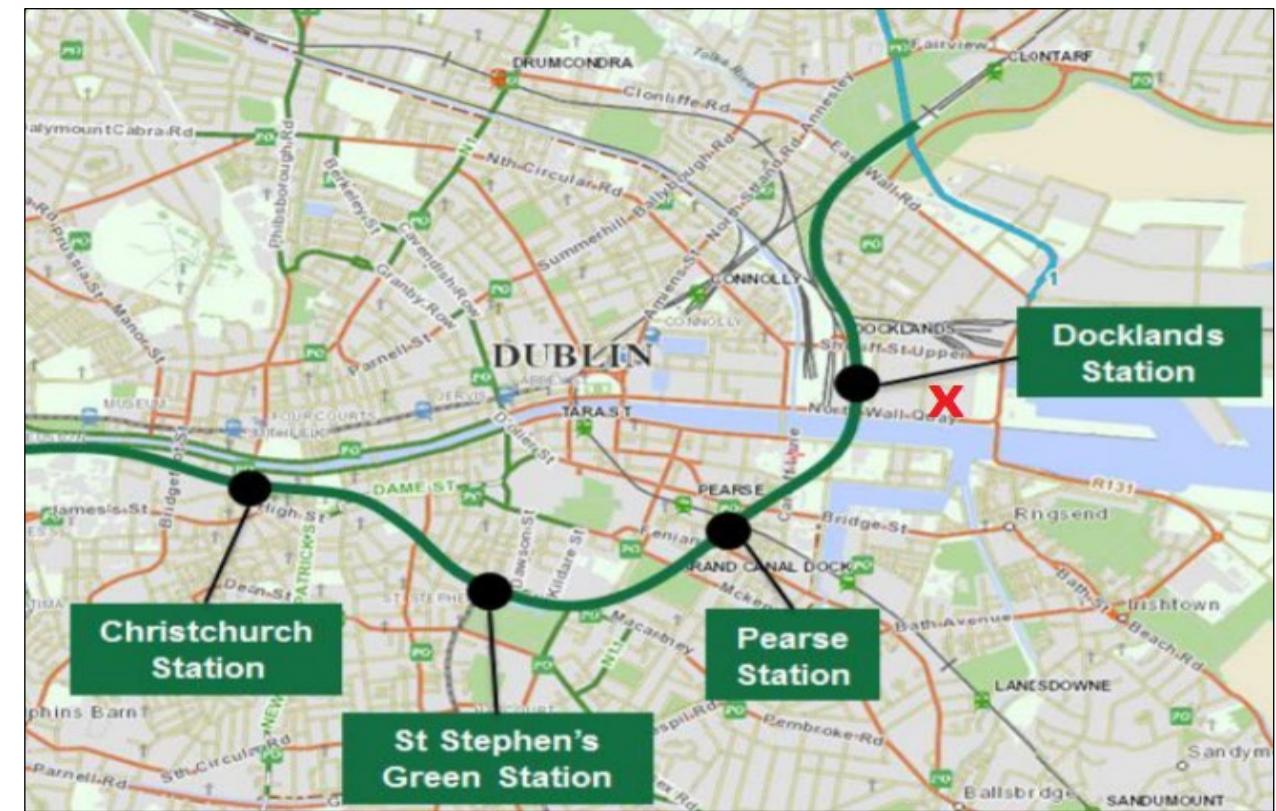


Figure 7.1: Proposed route of DART Underground Project, with approximate location of subject site indicated by the red X. Source: Figure 1.2 of DART Expansion Programme: Business Case, prepared by AECOM and dated 24 April 2015; annotated by TPA, January 2021.

The Irish Times article titled '*Dart's €2.6bn extension plan beyond Dublin unveiled after 15 years*' and published on 26 August 2020 stated, *inter alia*:

"In 2010 Irish Rail applied to An Bord Pleanála for a Railway Order for the €4.5 billion Dart Underground project to link Heuston station to the Dart line, with underground stations at Spencer Dock, Pearse Station, St Stephen's Green, Christ Church and Heuston,"

In November 2011 the project was shelved by the Fine Gael-Labour government. The following month the board granted the railway order.

The underground, while included in the Transport Strategy for the Greater Dublin Area 2016-2035, was not included in the 10-year National Development Plan published in 2018, and the tunnel is not included in the expansion plans published on Wednesday."

While the delivery of that project is to be determined, it should be noted that the subject site is located in close proximity to the proposed network extension, in the event that project proceeds.



Landscape and Visual Assessment

- “Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.”

We note the content of the *Heritage, Townscape, Landscape and Visual Impact Assessment (HTLVIA)*, prepared by CityDesigner, dated January 2021 and submitted with this Application.

Section 6.39 of that Assessment notes, *inter alia*, that:

“The effect of the proposed development in townscape views is illustrated in chapters 10.0 of [the] HTLVIA. They show that, when visible, it would give rise to an addition of quality, public meaning and urban legibility. The form of the proposed development has been carefully tested in views both static and kinetic in an iterative design process to ensure that it would not impact adversely on the local and wider environment...”

The assessment undertaken... indicates that the proposed development would provide townscape, landscape and visual benefits. It would not harm heritage receptors or their settings.”

Place-making

- “On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.”

The proposed development will make a positive contribution to the *Planning Scheme* area. Currently a brownfield site, it proposes a number of new pedestrianised streets, characterised by innovative public realm features and active uses for residents and visitors alike.

The *Design Statement*, prepared by Henry J Lyons, dated Friday, 15 January 2021 and submitted as part of this Planning Application states:

“The scheme creates a visual interest in the local streetscape and in distant views and it is of particular high quality design. It improves the legibility through the site and the wider area.”

The imagery and diagrams in this section demonstrate that the awareness of the neighbouring block structures and heights. The buildings from the Quays at the highest then step down towards Mayor Street. This helps with views to the sky [and] daylight to streets below.

The Point Square sits north east of the site and is minimally impacted if at all by the scale and height.

The stepping of the buildings along the Quays creates a visually interesting streetscape and when viewed from the city creates a gateway.”

7.3.3.2 At the Scale of the District / Neighbourhood / Street

Materiality

- “The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.”

At ground level, the proposed development incorporates a diverse range of uses and landscape architectural features that will contribute to the vibrancy of the scheme.

The proposed development incorporates a matrix of vertical and horizontal gardens to avoid a monolithic appearance.

The *Design Statement*, prepared by Henry J Lyons, dated Friday, 15 January 2021 and submitted as part of this Planning Application states:

“In designing a scheme of height, it is imperative that the facades are designed in a manner that is sensitive to the area, the river, the neighbouring buildings.

The Docklands area is quite a hard landscape with little or no soft scapes - if any they are all at horizontal planes.

We wanted to create a matrix of horizontal and vertical green surfaces and let the buildings breathe and soften the surroundings.

Firstly, the heights of Block B and Block C needed exterior finishes that would marry with the skyline and appear non invasive. The graduated glazing to the facades help to achieve this.

The 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 surround area. The living wall panels become less green and lighter as they climb up the building.

The combination of these elements tie in with the green lung concept - breathing life back into the area, creating a more sustainable environment to live, work and play."



Figure 7.2: Indicative CGI showing the 'Vertical Gardens' element of the Proposed SHD Scheme. Source: Renderaire. Cropped by TPA, January 2021.

Scale and Enclosure

- "The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009)."*

While the proposed scheme will be Ireland's tallest development, the design of the proposed development seeks to provide a series of vibrant and active uses at ground floor level.

The riverside location of the subject site is incorporated into the design proposal. The pedestrian entrance to the development from North Wall Quay is a proposed 'Funnel' which will increase connectivity between the scheme and the waterfront.

As noted in the Wordsearch Place document, *Vision + Place Strategy – Waterfront South Central*, dated January 2021 and included as part of this Planning Application:

"The Green Lung provides a central focus for the development - an internal square that is designed to draw people off the Campshires and into the attractive space within."

The corners of the future projected Commercial block are cut back in order to maximise the width of the public space and to create wide sight-lines to the river in order to bring light and footfall in to the district.

The space expands in all directions to form a generous square with meaningful activation that will promote movement and social gathering along the east-west spine, activity that is currently lacking in adjacent schemes.

Building frontages are activated with a variety of public uses including restaurants, cycle cafes, restaurant/florist and food market.

The facades and landscaping feature extensive green walls and dense planting which, combined with the active frontages, provides a community destination for all adjacent workers, residents and visitors, and a moment of wow for the whole area."

Legibility

- "The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner."*

The proposed development has a focus on the provision of attractive pedestrian linkages through the site.

The link between the River Liffey and the scheme is of paramount design importance to ensure the legibility of the proposed development. This will be achieved through the provision of a 'Funnel', which will act as a welcoming and active pedestrian gateway into the central square of the scheme, while also acting as a gateway to the wider neighbourhood, including The Point Village and 3Arena.

As noted in the Wordsearch Place document, *Vision + Place Strategy – Waterfront South Central*, dated January 2021 and included as part of this Planning Application:

"The Funnel is an important extension to the chamfered southern edge of The Green Lung. The space seeks to increase the connectivity between the waterfront and the currently underused central east-west spine."



The Funnel has been widened which provides sight-lines back to the visually-enticing Green Lung and again the frontages include public uses such as the social bar/cafe and Town Hall to promote and drive public inclusion and footfall into the scheme, and ultimately back through the Point Village, 3Arena and Luas stop."

Typology

- *"The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood."*

A wide mix of uses and residential unit sizes are incorporated into the proposed development.

Proposals that will be publicly accessible, *inter alia*, include: a food market; cafés and restaurants; a gym; a town hall; an artist studio; and a garden centre. This variety of ground floor uses seeks to ensure an active and vibrant environment that will positively contribute to the neighbourhood and the wider city.

In terms of housing, 1,005 No. residential units are provided in a central city location in a mix of 1-bedroom, 2-bedroom units and 3-bedroom units. This residential mix will contribute to alleviating the ongoing housing crisis through the provision of a large number of attractive apartments in a central and well serviced urban location. In turn, this will have an economic benefit for the neighbourhood and the wider city, in terms of providing custom for existing and future services.

7.3.3.3 At the Scale of the Site / Building

Daylight

- *"The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light."*

Section 1.4 of the *Daylight, Sunlight and Overshadowing Analysis*, prepared by Integrated Environmental Solutions (IES) and dated Wednesday, 20 January 2021, states:

"The results show 90% of the rooms exceed the BRE recommendations when only the SHD planning application is analysed. When the proposed commercial scheme is accounted for 85% of the rooms exceed the BRE recommendations for average daylight factors."

We have reviewed what is accepted as best practice internationally on high-rise high-density schemes. We have found some very high-quality schemes for example, Thirty Casson Square located South Bank London which would have 66-70% units exceeding BRE recommendations for ADF's.

Overall, we believe the percentage of rooms that exceed the BRE guidelines for ADF's on Project Waterfront to be best practise for a high-density development."

Alternative Design Solutions

- *"Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution."*

It is noted that the pocket park, located at the centre of the proposed development, does not receive 2 No. hours of sunlight on March 21st in the modelling undertaken.

Section 1.2 of the *Daylight, Sunlight and Overshadowing Analysis*, prepared by Integrated Environmental Solutions (IES) and dated Wednesday, 20 January 2021, states:

"While the proposed pocket park is located in a central location within the proposed development it does not receive two hours of Sunlight on March 21st [...]

The proposed scheme provides a generous amount of shared private amenity space which is in excess of the minimum required. The majority of external shared private amenity space is provided via roof gardens. All of the shared private amenity spaces within the proposed development exceed the BRE's recommendation of over half of their respective areas receiving at least 2 hours of sunlight on March 21st."

7.3.3.4 Additional Assessments Provided

Specific assessments relating to, *inter alia*, microclimate effects from tall buildings, the potential for local sensitive ecology, solar glare, and the potential impact on the surrounding historical townscape have been provided.

These include:

- *Appropriate Assessment (AA) Screening and Natura Impact Statement (NIS) for SHD Application prepared by ERM, dated Thursday, 19 November 2020;*
- *Pedestrian Comfort CFD Analysis – Waterfront Proposed Residential SHD prepared by Integrated Environmental Solutions, dated Thursday, 21 January 2021;*



- *Potential Solar Glare – Waterfront South Central – Residential* prepared by bre, dated Friday, 30 October 2020;
- *Living in Tall Buildings - Waterfront South Central – SHD Planning Application* prepared by Knight Frank, December 2020;
- *Vision + Place Strategy - Waterfront South Central* prepared by Wordsearch Place, dated January 2021;
- *EIAR Volume 2 - Heritage, Townscape, Landscape and Visual Impact Assessment – Waterfront South Central – Proposed SHD Scheme* prepared by City Designer, dated January 2021.

These varied assessments attest to the high-quality design of the Subject Proposal.

7.3.5 Subject Proposal Accords with National and Strategic Planning Policy

We invite the Board to consider the merits of the proposed development as comprehensively detailed from a wide range of disciplines in the various documents submitted by the Design Team, *vis a vis*, the reasons provided to establish the existing height caps on the SDZ in the 2014 *Planning Scheme* prepared by the Development Agency and also the assessments carried out by the Development Agency to justify the (in our opinion insufficient and not in accordance with the *NPF* and the *Building Height Guidelines*) proposed amendments to the *Planning Scheme* currently before the Board for decision.

We submit that limiting the height of the buildings at City Block 9 as per the current *Planning Scheme* – or as per the proposed amendments of same for which a Decision is pending – would not be in accordance with National Policy as it would not make the most efficient use of a scarce resource such as developable land at a strategic central location.

We consider that the responses provided above in relation to the Development Management Criteria, as set out in Section 3.2 of the Building Height Guidelines, in conjunction with the context of the following documents:

- *Vision + Place Strategy - Waterfront South Central* prepared by Wordsearch Place, dated January 2021;
- *Landscape Access & Design Statement – Waterfront South Central – SHD Residential Scheme* prepared by Cameo, dated Monday, 4 January 2021;
- *Design Statement – Waterfront South Central – SHD Application to An Bord Pleanála* prepared by Henry J Lyons, dated Friday, 15 January 2021;
- *EIAR Volume 2 - Heritage, Townscape, Landscape and Visual Impact Assessment – Waterfront South Central – Proposed SHD Scheme* prepared by City Designer, dated January 2021.

7.3.3.5 SPPR 3 – Criteria Satisfied

We submit that, in our professional town planning opinion, the Subject Proposal satisfies the criteria specified by SPPR 3 in the ways outlined above, and as such, the Board may approve the proposed development.

7.3.4 SPPR 4 – Greenfield or Edge of City / Town Locations

SPPR 4 states:

"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city / town locations for housing purposes, planning authorities must secure:

1. *The minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
2. *A greater mix of building heights and typologies in planning for the future development of suburban locations; and*
3. *Avoid mono-type building typologies (e.g., two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more."*

SPPR 4 does not apply to the Subject Proposal, as the Subject Site is a centrally-located brownfield site.

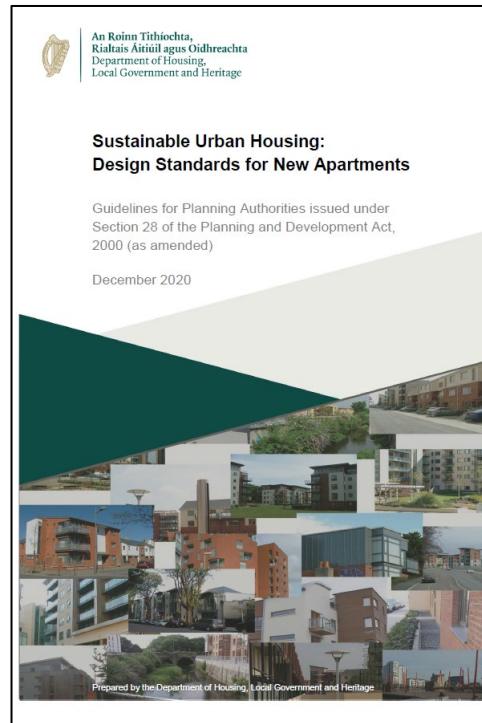


7.4 Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020

7.4.1 Rationale for the Apartments Standards Guidelines

The Subject Proposal comprises 1,005 No. apartment units (495 No. one-bedroom units; 507 No. two-bedroom units; and 3 No. three-bedroom units) are proposed as follows:

- Block A (14 No. storeys; Apartment mix: 1-bed: 116 No. units, 2-bed: 92 No. units);
- Block B (41 No. storeys; Apartment Mix: 1-bed: 172 No. units, 2-bed: 246 No. units); and
- Block C (45 No. storeys; Apartment Mix: 1-bed: 206 No. units, 2-bed: 170 No. units, 3-bed: 3 No. units);



The Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020 (hereafter, the ‘Apartment Standards Guidelines’) seek to provide national guidance on appropriate standards for new apartment units.

Planning Authorities and An Bord Pleanála are required to have regard to the *Apartment Standard Guidelines*, and to apply any specific planning policy requirements (SPPRs) contained within the *Apartment Standard Guidelines*, as per Section 28 (1C) of the Planning and Development Act 2000 (as amended).

We review the Subject Proposal against the various Specific Planning Policy Requirements below.

We also refer to the *Housing Quality Assessment*, dated Friday, 15 January 2020, prepared by HJL and submitted as part of this Planning Application.

7.4.2 SPPR 1 – Mix of Unit Types – Subject Proposal Complies

SPPR 1 states:

Housing developments may include up to 50% one-bedroom or studio types (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 (HDNA), that

has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)”

[Our emphasis.]

The Subject Proposal includes 495 No. 1-bed units, accounting for some 49% of the proposed units. 2-bed units account for 50% of the proposed units. No studio-type units are proposed. 3 No. 3-bed units are proposed.

As such, we submit that the Subject Proposal is compliant with SPPR 1 of the *Apartment Standard Guidelines*.

7.4.3 SPPR 2 – Where SPPR 1 May Not Apply – SPPR 2 does not apply to Subject Proposal

SPPR 2 states:

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

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

All standards set out in the guidance shall generally apply to building refurbishment schemes on sites of any size, or urban infill schemes, but there shall also be scope for planning authorities to exercise discretion on a case-by-case basis, having regard to the overall quality of a proposed development.”

SPPR 2 does not apply to the Subject Proposal – the proposed development is in compliance with SPPR 1.



7.4.4 SPPR 3 – Minimum Apartment Floor Areas – Subject Proposal Complies

SPPR 3 states:

"Minimum Apartment Floor Areas:

- Studio apartment (1 person) – 37 sq m
- 1-bedroom apartment (2 persons) – 45 sq m
- 2-bedroom apartment (4 persons) – 73 sq m
- 3-bedroom apartment (5 persons) – 90 sq m"

Apartment floor areas for one-bedroom, two-bedroom and three-bedroom apartment units provided within the Subject Proposal exceed 45 sq m, 73 sq m and 90 sq m, respectively, as per the *Apartment Guidelines*.

The Subject Proposal meets or exceeds minimum standards for all unit types. As such, we submit that the Subject Proposal is compliant with SPPR 3 of the *Apartment Standard Guidelines*.

Section 3.8 (a) of the Apartment Standards Guidelines states:

"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, & 3 bed unit types, by a minimum of 10%."

Of the 1,005 No. residential units proposed, 588 No. (58%) exceed the minimum floor area standard by a minimum of 10%.

7.4.5 SPPR 4 – Dual Aspect Ratios – Subject Proposal Complies

SPPR 4 states:

"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 of up to 0.25 ha, 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."*

[Our emphasis.]

Of the 1,005 No. residential units proposed, 431 No. (43%) achieve dual aspect, which exceeds the minimum requirement of 33%.

As such, we submit that the Subject Proposal is compliant with SPPR 4 of the *Apartment Standard Guidelines*.

7.4.6 SPPR 5 – Floor-to-Ceiling Heights – Subject Proposal Complies

SPPR 5 states:

"Ground level apartment floor to ceiling heights shall be a minimum of 2.7 m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise discretion on a case-by case basis, subject to overall design quality."

[Our emphasis.]

The minimum floor-to-ceiling height provided throughout the Subject Proposal is 2.7 m, and range to 3.75 m. Ground floor clear floor-to-ceiling heights extend to 4 m.

As such, we submit that the Subject Proposal is compliant with SPPR 5 of the *Apartment Standard Guidelines*.

7.4.7 SPPR 6 – Apartments per Floor per Core – Subject Proposal Complies

SPPR 6 states:

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

[Our emphasis.]



The maximum of 9 No. apartment units per floor per core are provided through the Subject Proposal. As such, we submit that the Subject Proposal is compliant with SPPR 6 of the *Apartment Standard Guidelines*.

Any reference to 'BTR' is to refer to conventional apartments that can be held by an individual or institution and rented individually, with enhanced communal areas above that required by the Apartment Guidelines."

7.4.8 SPPR 7 – Build to Rent Developments – SPPR 7 does not apply to Subject Proposal

SPPR 7 states:

"BTR developments must be:

- a) *Described in the public notices associated with a planning application specifically as a 'Built-to-Rent' housing development that unambiguously categorises the project (or part thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains 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;*
- b) *Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:*
 - 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.*
 - ii. *Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/ lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc."*

Some clarification is required regarding the provision of BTR ('Build to Rent') units within the proposed development.

As stated in Henry J Lyons' *SHD Application - Response to ABP Pre-Application* document:

"There are no BTR apartments proposed - as defined by the Apartment Guidelines. There is a difference between 'BTR' as defined by Planning Guidelines on the one hand and the 'market' on the other.

The proposed development of December 2019, as outlined in Section 4.1.3 of this document, erroneously referred to the provision of BTR units.

Furthermore, the *Housing Quality Assessment*, prepared by Henry J Lyons, that accompanies this submission states:

"For the avoidance of doubt the Application proposal does not include any BTR units as defined in Section 5 of the Sustainable Urban Housing Guidelines (2018)."

The revised proposal clarifies that there is no 'BTR' element in the proposed development. As such, SPPR 7 does not apply to the Subject Proposal.

7.4.9 SPPR 8 – Build to Rent Developments – SPPR 8 does not apply to Subject Proposal

SPPR 8 states:

"For proposals that qualify as specific BTR developments 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 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 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."*

There is no 'BTR' element in the proposed development. As such, SPPR 8 does not apply to the Subject Proposal.

7.4.10 SPPR 9 – Shared Living – SPPR 9 does not apply to Subject Proposal

SPPR 9 states:

"There shall be a presumption against granting planning permission for shared accommodation / co-living unless the proposed development is either:

- i. *Required to meet specific demand identified by a local planning authority further to a Housing Need and Demand Assessment (HDNA) process; or,*
- ii. *On the date of publication of these updated Guidelines, a valid planning application to a planning authority, appeal to An Bord Pleanála or strategic housing development (SHD) planning application to An Bord Pleanála, in which case the application or appeal may be determined on its merits."*

The Subject Proposal does not include any shared accommodation / co-living units. As such, SPPR 8 does not apply to the Subject Proposal.

7.4.11 Additional Parameters Considered

In addition, the storage and private open space is provided at levels that meet or exceed the *Apartment Guidelines*.

Some 176 No. basement car parking spaces are provided. This is consistent with Section 4.19 of the *Apartment Guidelines*, which allow in larger scale and higher density developments comprising only apartments in central locations that are well served by public transport for the car parking provision to be substantially reduced.

Dedicated secure cycle parking for some 1,693 No. spaces is provided for the proposed development. That level of provision is consistent with likely level of demand given the location of the scheme and its overall housing mix.

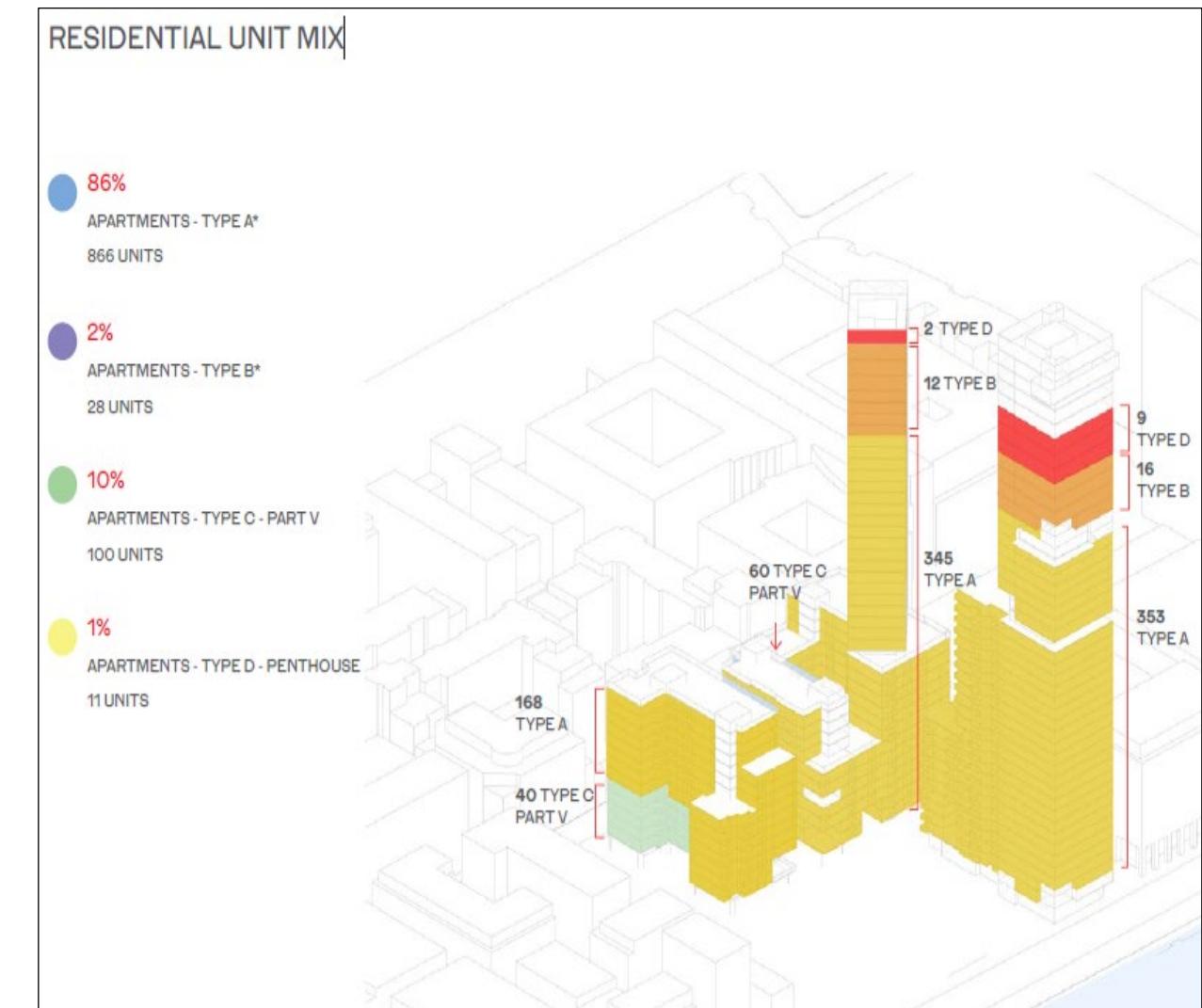


Figure 7.3: Excerpt from Housing Format Chapter showing residential unit mix of the proposed development. Source: Section 6.1 of Design Statement, prepared by Henry J Lyons Architects. Cropped by TPA, January 2021.

In summary, the Subject Proposal is compliant with all parameters outlined within the 2020 Ministerial Guidelines, *Sustainable Urban Housing: Design Standards for New Apartments*.

7.5 Part V of the Planning and Development Act, 2000 (as amended)

In accordance with the provisions of *Part V of the Planning and Development Act 2000* (as amended) some 100 No. units are proposed to be transferred to Dublin City Council. A consultation meeting was held to that effect with DCC's Housing Division on 2nd December 2019.



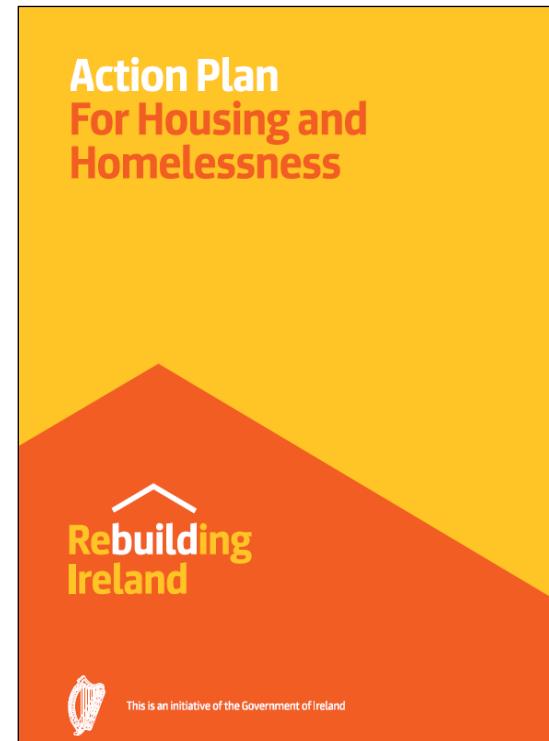
We refer to the information submitted in compliance with the Part V requirements to DCC, and the Validation letter dated 22 October 2020, issued by Ms N Satell from the Housing Development Division in Dublin City Council, addressed to Ms Aisling Merriman of Tom Phillips + Associates.

7.6 Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)

Rebuilding Ireland was introduced in 2016 to respond to a significant shortage of housing in the country and so accelerate housing supply nationally. The plan aims to address the needs of homeless people and families in emergency accommodation, increase the provision of social housing, deliver more general needs housing by encouraging new construction, utilise vacant homes and improve the rental sector.

Rebuilding Ireland Pillar 3 seeks to “Build more homes” and increase the overall supply of new homes to 25,000 per annum by 2020.

In addition, Pillar 4 aims to “Improve the Rental Sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents”.



The Action Plan also paved the way for the introduction of strategic housing development.

Action 3.7 of that document states:

“An Bord Pleanála will prioritise the determination of all planning appeals in relation to large-scale housing developments within the 18-week statutory objective period.”

The objective associated with that Action is:

“To minimise delays to the consideration and determination of large housing development.”

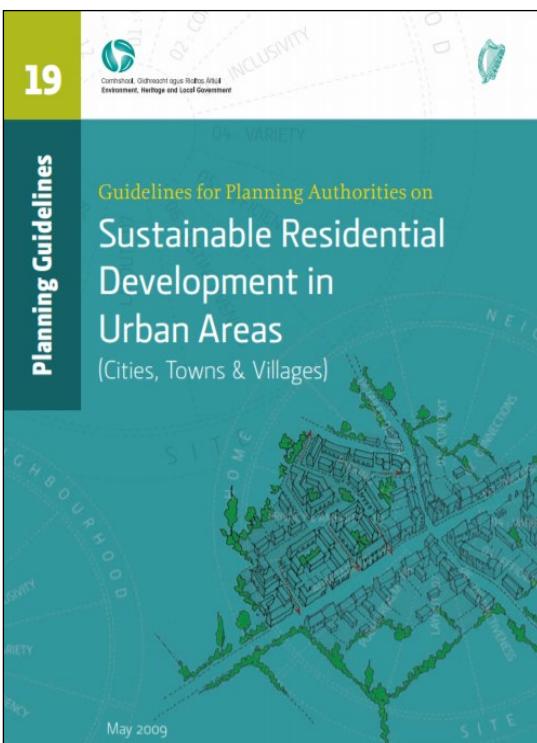
The proposed development is aligned with the aims of the *Rebuilding Ireland* Plan.

7.7 Sustainable Residential Development in Urban Areas, 2009

The aim of the *Guidelines* is to set out the planning principles that should be reflected in development plans and local area plans and guide the assessment of planning application for residential developments.

Specifically, the *Guidelines* promote the development of high-quality places that seek to provide the following key goals:

- “Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Deliver a quality-of-life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;
- Provide a good range of community and support facilities where and when they are needed and that are easily accessible;
- Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained;
- Are easy to access for all and to find one’s way around;
- Promote the efficient use of land and of energy, and minimise transport demand;
- Promote social integration and provide accommodation for a diverse range of household types and age groups;
- Enhance and protect the green infrastructure and biodiversity; and
- Enhance and protect the built and natural heritage.”



Additionally, the *Guidelines* specifically reference the promotion of high-quality designs.

Paragraphs 5.4, 5.5 and 5.6 of the *Guidelines* state, *inter alia*:

“Where there is good planning, good management, and the necessary social infrastructure, higher density housing has proven capable of supporting sustainable and inclusive communities. In general, **increased densities should be encouraged on residentially zoned lands** and particularly in the following locations:

City and Town Centres

The increase of population within city or town centres with their range of employment, recreation, educational, commercial and retail uses can help to curtail travel demand; therefore, **these locations have the greatest potential for the creation of sustainable patterns of development**. Increasing populations in these locations can assist in regeneration, make more intensive use of existing infrastructure, support local services and employment, encourage affordable housing provision and sustain alternative modes of travel such as walking, cycling and public transport. While a mix of residential and other uses will often be desirable in city and town centres, particular care is needed to ensure that residential amenity is protected. The infilling of "gap" sites will also contribute to the improvement of the architectural form.

In order to maximise inner city and town centre population growth, **there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site**, subject to the following safeguards:

- **compliance with the policies and standards of public and private open space adopted by development plans;**
- **avoidance of undue adverse impact** on the amenities of existing or future adjoining neighbours;
- **good internal space standards** of development;
- **conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;**
- **recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and**
- **compliance with plot ratio and site coverage standards adopted in development plans.”**

[Our emphasis.]

In our opinion, the proposed development is compliant with the principles set in the *Guidelines*.

7.8 Urban Design Manual – A Best Practice Guide (2009)

The *Urban Design Manual*, 2009 compresses the various design features integral to good residential development into 12 No. criteria. (See Figure 7.4, below.)



Figure 7.4: The Twelve Urban Design Criteria. Source: *Urban Design Manual*, 2009. Cropped by TPA, January 2021.

These 12 No. criteria have been informing elements at all stages of the subject proposal, from original design concept through design iteration and consultation to the subject final proposal.

The approach to the site layout and landscape masterplan prioritises a clear and legible public realm combining pedestrian streets and spaces with high quality landscaping and a central pocket park.

In short, the proposal's response to the various criteria set out by the *Urban Design Manual* may be summarised as follows:



1. Context

The layout of the proposed development includes pedestrian streets across the CB9 Block, which are configured to capture views of proposed landscape features and open spaces amenities. The proposed design is reflective of adjacent Blocks' layouts but proposes its own unique character and sense of place.

2. Connections

The layout of the proposal seeks to maximise the connectivity of the site through the provision of pedestrian linkages in a north-south and east-west direction.

3. Inclusivity

The provision of universal accessibility has been a key consideration from early design stages. A range of public and communal open spaces will cater for a wide range of future users namely residents, visitors and passers-by. The pedestrian connections across the Blocks will open up the site to the locality and encourage use by the wider community.

4. Variety

The housing mix proposed intends to cater for a variety of housing needs and create a strong and sustainable mixed community.

5. Efficiency

The development aims to maximise the potential of the site by providing landmark buildings that can enhance the townscape and protect sensitive views whilst accommodating an appropriate density to such a central and well-connected location.

6. Distinctiveness

The proposal is sympathetic to the existing urban setting and enhance the streetscape with high quality design and street level offering an interesting and enjoyable experience for pedestrians. Furthermore, the landmark buildings proposed, particularly Block C fronting onto the Liffey, will create a feature on the townscape that will enhance Dublin's skyline.

7. Layout

The layout is based on the provision of non-vehicular movement on internal streets, thereby providing a high-quality public realm for pedestrians' enjoyment. Attractive landscape features are provided inviting pedestrians to enter the development. A welcoming internal environment is put forward to invite members of the public to stay, experience and admire a unique environment in the city.

8. Public Realm

The design of the development has been carefully considered so as to provide a high level of passive surveillance on areas of open space and publicly accessible areas. The team has followed best international practice to design attractive public spaces.

9. Adaptability

Unit types are designed to be adaptable and capable of catering for diverse users. The unit types proposed will cater for a variety of users, including single professionals and small families.

10. Privacy & Amenity

All apartments enjoy dedicated private open space which are not unduly overlooked. A large number of communal amenity areas are also provided that will cater for a wide range of needs.

11. Parking

The quantum of parking spaces provided at basement level is cognisant of the site's central location and has been designed to ensure no negative traffic impacts. CS Consulting have analysed its impact.

12. Detailed Design

The proposed design of the development has been subject to a pre-application consultation between the Planning Authority and the design team. The design rationale



from an architectural perspective is explained in the *Design Statement*, prepared by Henry J Lyons.

The landscape design rationale is set out in the *Landscape Design & Access Statement*, prepared by Cameo & Partners, dated Monday, 4 January 2021.

We consider the end result of this collaborative process has resulted in a high-quality scheme, which will provide an exemplary living environment for future residents.

7.9 The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)

The key stated objectives of the *Guidelines* are set out at Section 1.6 of that document (Figure 6.10 below):

Objectives of the Guidelines

1.6 The core objectives of the Guidelines are to:

- :: Avoid inappropriate development in areas at risk of flooding;
- :: Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- :: Ensure effective management of residual risks for development permitted in floodplains;
- :: Avoid unnecessary restriction of national, regional or local economic and social growth;
- :: Improve the understanding of flood risk among relevant stakeholders; and
- :: Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

Figure 7.5: Extract of the Planning System and Flood Risk Management – Guidelines for Planning Authorities, 2009 (p.5).

The *Site Specific Flood Risk Assessment*, prepared by CS Consulting and dated Tuesday, 5 January 2021 (carried out in accordance with the requirements of “*The Planning System and Flood Risk Management Guidelines for Planning Authorities*” 2009), concludes that:

“A review of historical data compiled by the Office of Public Works did not indicate on site flooding for the development.”

Tidal and fluvial mapping prepared by the Office of Public Works as part of the CFRAMS project addressing the potential for future flooding events indicated that the subject site is not located in the 0.5% Tidal or 0.1% fluvial flood zones.

As part of Dublin City Councils recently adopted development plan, Dublin City Development Plan 2016-2022, a Strategic Flood Risk Assessment (SFRA) was issued, giving guidance for areas of the city which have been deemed to be located in potentially vulnerable areas to flooding. The flood maps indicated that the subject site is located in Flood Zone C.

The site was reviewed for pluvial/fluvial/groundwater and infrastructure flooding sources and any risk associated risk is deemed to be within acceptable limits.”

[Our emphasis.]

7.10 Design Manual for Urban Roads and Streets (DMURS), 2013

The *Design Manual for Urban Roads and Streets (DMURS)*, published by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government, 2013, provides guidance relating to the design of urban roads and streets. It presents a series of principles, approaches and standards that are necessary to achieve balanced, best practice design outcomes with regard to networks and individual streets.

The design of the proposed development has taken into account the principles set-out by *DMURS*. The development layout put forward improves the existing roads’ environs and ensures pedestrian permeability through the development site along both the north-south and east-west axes: the development includes a large open space at surface level, accessible to pedestrians and cyclists from North Wall Quay, North Wall Avenue, Mayor Street Upper, and Castleforbes Road.

Accordingly, we submit that the proposed development is in compliance with *DMURS*, as confirmed by the *DMURS Statement of Consistency to An Bord Pleanála – Proposed Strategic Housing Development – North Wall Quay* prepared by CS Consulting, dated Tuesday, 5 January 2021.

Following the second Tripartite Meeting and following observations by Dublin City Council at that meeting, the Applicant commissioned Space Syntax to prepare a *Pedestrian Capacity Analysis*, dated January 2021.



Figure 7.6: Front cover of Waterfront South Central Pedestrian Capacity Analysis, prepared by Space Syntax and enclosed with this Application.

That document states, *inter alia*:

"We have also tested the internal public realm and external pavements using the Fruin standard and all of the spaces have a Grade A which means there are less than 23 people per minute per metre passing through the internal spaces and pavements around the site.*

This means pedestrians can freely select their own walking speed to bypass slower pedestrians and to avoid conflicts with others.

Given there is no concern with regards to pedestrian comfort in relation to the combined SDZ and SHD scheme it can be deducted that the SDZ and SHD on their own would also not present any issues related to pedestrian capacity."

[Our emphasis.]

7.11 Quality Housing for Sustainable Communities, 2007

The *Quality Housing for Sustainable Communities* document was published by the Department of Environment, Community and Local Government in 2007. A key objective of that document

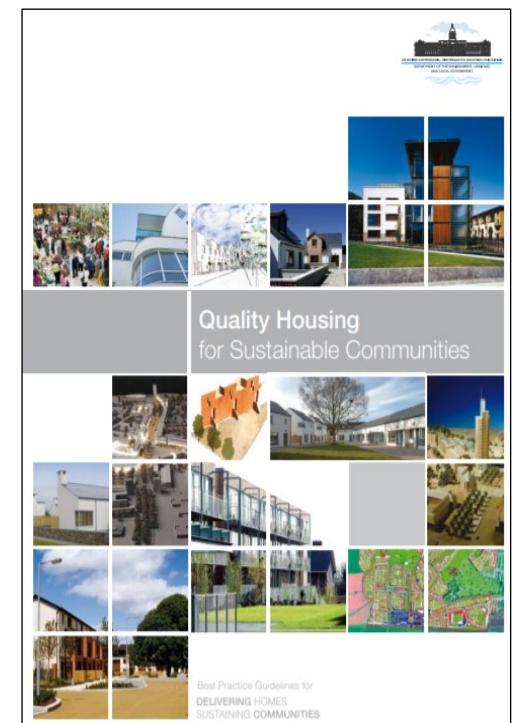
is to expand choice through a modernised private rental sector and to provide a range of good quality social housing options.

The foreword of that document states:

"The successful design of a good quality sustainable housing project depends on the balance struck between a range of factors. Issues such as accessibility, security, safety, privacy, community interaction, availability of appropriate services and the provision of adequate space, should be given due weight."

The proposed development takes account of these factors through the provision of a centrally located, mixed-use Strategic Housing Development. It proposes a managed residential scheme in a city centre location, which provides high quality public open space through innovative landscaping and architectural solutions.

Furthermore, the Part V requirements for the proposed development will see 100 No. social housing units being provided on site – significantly contributing to DCC's social housing stock.





8.0 CONCLUSION

The Statement set out herein demonstrates the proposed development compliance of with the relevant planning policy, in particular with key National and Regional policy.

The proposed development is also consistent with local policy, namely the *Dublin City Development Plan 2016-2022* and the *North Lotts and Grand Canal Dock Planning Scheme, 2014*.

The proposed development represents a high-quality scheme on a strategically-located underutilised brownfield site within Dublin's Docklands and is proximate to high quality public transport services and a wide range of amenities.

We submit that apart from the criterion of height – which the Ministerial Guidelines specifically seek to redress – overall compliance is demonstrated with the policies and provisions of the *North Lotts & Grand Canal Dock Planning Scheme, 2014*, which is a relevant policy document at local level.

In particular, the Applicant has demonstrated that the proposed development is consistent with the provisions of the NPF. Accordingly, in determining the SHD planning application to be submitted, the Board can and should rely on the NPF as justifying a material contravention of the Development Plan / Planning Scheme. This should be referred to in the reasons and considerations to be furnished by the Board in its decision, if the Board is minded to grant permission.

Where it diverges from the height limitations set out in the *North Lotts and Grand Canal Dock Planning Scheme, 2014*, it is done so in recognition of the Planning and development (Housing) and Residential Tenancies Act 2016, and in particular, the NPF, which is not underpinned by the *Ministerial Guidelines for Planning Authorities on Urban Development and Building Heights* (December 2018).

In the introduction to the latter document, the Minister specifically cautions against “*blanket limitations*” in terms of height.

At a national and regional level, this Statement demonstrates compliance of the development with the following:

1. *Project Ireland 2040 - National Planning Framework* (2018);
2. *Eastern and Midlands Regional Spatial Economic Strategy 2019-2031* (2019);
3. *Urban Development and Building Heights – Guidelines for Planning Authorities* (December 2018);

4. *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* (December 2020).
5. *Rebuilding Ireland: Action Plan for Housing and Homelessness* (July 2016).
6. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, May 2009*.
7. *Urban Design Manual - A Best Practice Guide* (2009).
8. *The Planning System and Floor Risk Management Guidelines for Planning Authorities* (2009).
9. *Design Manual for Urban Roads and Streets (DMURS)* (2019).
10. *Quality Housing for Sustainable Communities* (2007).
11. *Dublin City Development Plan 2016-2022*.
12. *North Lotts and Grand Canal Dock SDZ Planning Scheme* (2014).

I trust the content of this Statement is in order.

Signed:

Tom Phillips
Managing Director
Tom Phillips + Associates