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PLANNING REPORT

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25 November 2022

PLANNING REPORT: PROPOSED BUILD TO RENT

LRD Application on behalf of GEDV Monkstown Owner Limited, 3rd Floor, Kilmore House, Spencer Dock, Dublin 1

DALGUISE HOUSE, MONKSTOWN, Co Dublin



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Planning Department
Dún Laoghaire-Rathdown County Council
County Hall
Marine Road
Dún Laoghaire
Co. Dublin
A96 K6C9

Friday, 25th November 2022

[By Hand]

Dear Sir/Madam

RE: LRD APPLICATION IN RESPECT OF A PROPOSED RESIDENTIAL DEVELOPMENT ON A SITE OF C. 3.58 HA LOCATED AT DALGUISE HOUSE, MONKSTOWN ROAD, MONKSTOWN, DUBLIN

1.0 INTRODUCTION

1.1 LRD Application

GEDV Monkstown Owner Limited¹ (the Applicant) has retained Tom Phillips + Associates² (Planning Consultants) in association with Reddy Architecture and Urbanism (Architects) and a multi-disciplinary team to submit this Large-Scale Residential Development Application in relation to the proposed BTR development at a site of c. 3.58 hectares at Dalguise House (Protected Structure RPS No. 870), Monkstown Road, Monkstown, County Dublin, A94 D7D1 (the lands include the following structures identified as Garage (A94 N3A1); Gate Lodge (aka Brick Lodge) (A94 R9T1); Dalguise Lodge (aka Entrance Lodge) (No. 71 Monkstown Rd, A94 TP46); White Lodge (A94 V6V9)); and on-street car parking in front of Nos. 6 and 7 Purbeck (A94 C586 and A94 HT99, respectively), with the provision of vehicular and pedestrian access and egress at two points on Monkstown Road: the existing entrance to Dalguise; and at Purbeck.

1.2 Overview of Key Site Statistics

The Key items include:

1. Site Area: c. 3.58 hectares (c. 8.8 acres)
2. No. of residential units proposed: 491 No. of which
 - i. 484 No. new build
 - ii. 7 No. from structures retained/repurposed
3. Density per hectare: 137
4. Car Parking: 224 No.
5. Cycle Parking: 1,071 No.
6. Motorbike Parking: 8 No.



Figure 1.1: Boundary of the Dalguise Site. (Source: Google Maps, annotated by TPA.)



Figure 1.2: Site Layout Plan – Garden Level. (Source: Reddy Architecture and Urbanism, Dwg No. MKS-RAU-ZZ-00-DR-AR-100, 2022.)

¹ 3rd Floor, Kilmore House, Spencer Dock, Dublin 1.

² No. 80 Harcourt Street, Dublin 2, D02 F449.

1.3 Applicant – An Experienced International Operator

It is proposed that the Applicant GEDV Monkstown Owner Limited will operate the proposed BTR scheme as part of the Greystar group.

Greystar is the global leader in rental housing: it provides a full suite of services including design, development and operation of high-quality residential assets worldwide, with developments in Europe, North and South America, Asia and Australia.

With over 750,000 No. units managed globally, Greystar has been delivering residential rental opportunities for over 30 years and has been operating in Ireland since 2019.

Greystar currently operates two schemes in Ireland:

- Griffith Wood, Dublin 9 (342 No. units) operational since December 2021; and
- Dublin Landings, North Wall Quay (268 No. units) operational since December 2019.

Dalguise will be Greystar's first bespoke scheme in Ireland: brought from design to operation. The scheme will reflect Greystar's long-term experience as a world-class operator, and will deliver the quality of residential units and associated amenities that residents of Greystar's schemes expect within an accessible, high-quality environment, all of which result in an exceptional living experience.

Greystar are long term operators and holders of residential communities. This is a very different approach to other developers in the market whose investment ethos is to sell on completion.

Greystar is highly motivated by the long-term success of a scheme as a high quality, well integrated residential community that is directly managed by a team of on-site, directly hired personnel.

Greystar's central management system is critical to its success. Each development has dedicated on-site staff, including 24-hour security. This ensures that any repairs or operational difficulties can be addressed promptly. Management staff are familiar with the specific development and residents, which also improves residents' experiences and supports Greystar's high-quality services. The on-site management also ensures that car, motorcycle and cycle parking can be managed effectively, and that mobility measures set out in a Travel Plan can be implemented successfully.

The provision of publicly accessible services such as the Café/Restaurant, Childcare Facility and public open space accords with Greystar's goals to integrate its developments with the local community and area.

The Applicants for this scheme are market leaders in the delivery and operation of Build to Rent (BTR) developments and they consider this development will be their flagship development in Ireland, and that it will set the standard for BTR developments in the country.

1.4 Encouragement of Build to Rent

Whilst BTR has been widely debated recently, it must be remembered that *Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)* set out a table (Table 2) of "key actions to be delivered under the Action Plan" (RIAPHH, pg. 17).

The fourth "pillar objective" sought to "address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents". That set out seven "key actions". Action six is to "Encourage "build to rent"."

The replacement *Housing for All (September 2021)* starts its Executive Summary as follows:

"Right now, Ireland's housing system is not meeting the needs of enough of our people.

- *There are not enough houses to buy or rent in the private sector*
- *There are not enough housing being built by the State for those who need social housing."* (Pg. 16)

The subject proposal will clearly provide bespoke rental property in a desirable location.

In addition, TPA having previously authored the Urban Land Institute (Ireland) on BTR, authored the town planning section of Linesight's *The Build to Rent Sector in Ireland. Analysis and prospective from key industry stakeholders* (November 2018).

"Several key planning-related publications (Circulars, Ministerial Guidelines and the Government's Housing Action Plan³⁵) demonstrate the Government's commitment to not only facilitate³⁶, but to promote BTR as an important element of the housing market. However, despite a growing understanding of the sector, backed by the Government's initiatives, it is evident that some developers are electing to secure planning permission to build BTR schemes, but basing the scheme on conventional apartment schemes. This allows flexibility to sell or break up schemes at a later date, without the restriction of BTR covenants.

Those who are electing to 'forsake' flexibility (to sell on units on an individual basis) in order to secure BTR-specific allowances, are at the early stage of BTR development in Ireland, similar to the 'Innovators' or possibly 'Early Adaptors of Rogers' Bell Curve (or 'Diffusion of Innovations') (Figure 15). Accordingly, despite the increase in apartment development, many of those schemes launched and marketed as BTR are, in fact, apartment schemes with the characteristics of BTR in terms of facilities and management, from a town planning perspective. Many retain the inherent flexibility to be sold off in individual units, in clusters or in whole at any time without restrictive 15-year covenants in place." (pg. 33)

1.5 Rationale for Proposed Development – New Design by New Owner, following SHD JR

Planning permission was previously issued under the SHD system for an apartment development, which was then overturned by way of JR³.

Greystar considers that the high-quality environment and site's location and access to high quality public transport is an appropriate location for a quality Build to Rent proposal. This will result in a form of development in Monkstown that is not currently available, which is largely characterised by traditional family housing. The Applicant and Design Team undertook a detailed due diligence review of the previous scheme, including the proposal builds on the site's planning history. Considering the planning issues that arose in its assessment and determination as strong points of reference.

The new approach is the delivery of a Build to Rent scheme, as facilitated by the *Sustainable Urban Housing: Design Standards for New Apartments, 2020*. The document notes that such proposed Build to Rent developments are a feature of housing provision in many counties and “*have a potential role to play providing choice and feasibility to people and in supporting economic growth and access to jobs in Ireland*”.

The provision of a BTR proposal for Dalguise in Monkstown, therefore, fully reflects adopted Government Policy.

1.6 Description of Proposed Development

The description of the proposed development is outlined below:

GEDV Monkstown Owner Limited intends to apply for permission for development on a site of c. 3.58 hectares at Dalguise House (Protected Structure RPS No. 870), Monkstown Road, Monkstown, County Dublin, A94 D7D1 (the lands include the following structures identified as Garage (A94 N3A1); Gate Lodge (aka Brick Lodge) (A94 R9T1); Dalguise Lodge (aka Entrance Lodge) (No. 71 Monkstown Rd, A94 TP46); White Lodge (A94 V6V9)); and on-street car parking in front of Nos. 6 and 7 Purbeck (A94 C586 and A94 HT99, respectively), with the provision of vehicular and pedestrian access and egress at two points on Monkstown Road: the existing entrance to Dalguise; and at Purbeck.

Alterations will be made at Purbeck including the relocation of 4 No. existing car parking spaces to facilitate the construction of a new vehicular and pedestrian bridge over the Stradbroke Stream.

The development, with a total gross floor area of approximately 46,940 sq m (including a basement of 5,230 sq m and undercroft parking of 1,344 sq m) (of which some 45,712 sq m is new build, and 1,228 sq m retained existing buildings), will consist of the construction of 491 No. residential units, consisting of 484 No. new build and 7 No. residential units (the latter within existing structures (repurposed from Dalguise House, Gate Lodge (Brick Lodge) and Coach House)).

The residential provision will comprise: 3 No. two storey 3-bed terraced houses (GFA 569 sq m), and 488 No. Build-to-Rent units (consisting of 2 No. studio units; 288 No. 1-beds; 32 No. 2-beds/3 persons; 153 No. 2-beds/4-persons; and 13 No. 3-beds) (with an option for the use of 4 No. of the BTR Units to cater for

short-term stays of up to 14 days at any one time to cater inter alia for visitors and short-term visits to residents of the overall scheme) residential amenities and residential support facilities; a childcare facility; and restaurant/café.

The development will consist of:

the demolition and partial demolition of existing structures (total demolition area 967 sq m, comprising: two residential properties (White Lodge (A94 V6V9), a 2 storey house (192 sq m); and a residential garage (A94 N3A1) and shed to the southwest of Dalguise House (285 sq m)); swimming pool extension to the southeast of Dalguise House (250 sq m); lean-to structures to the south of the walled garden (142 sq m); part-demolition of Lower Ground Floor at Dalguise House (9 sq m); single storey extension to the south of the Coach House (29 sq m) and three ancillary single-storey structures (8 sq m, 8 sq m, and 31 sq m) within the yard; potting shed (13 sq m); removal of 2 No. glasshouses; and alterations to, including the creation of 3 No. opes and the removal of a 12.4 m section of the walled garden wall to the east);

the construction of: 11 No. residential blocks (identified as: Block A (total GFA 2,015 sq m) 7 storey, comprising 19 No. apartment units (15 No. 1-beds, 4 No. 2-beds) and a childcare facility (540 sq m over Ground and First Floor Levels); Block B (total GFA 3,695 sq m) 7 storey over undercroft car parking, comprising 48 No. apartment units (33 No. 1-beds, 6 No. 2-beds/3 persons, 9 No. 2-beds/4-persons); Block C (total GFA 3,695 sq m) 7 storey over undercroft car parking, comprising 48 No. apartment units (33 No. 1-beds, 6 No. 2-beds/3 persons, 9 No. 2-beds/4-persons); Block D (total GFA 4,150 sq m) 7 storey over basement level car park, comprising 50 No. apartment units (24 No. 1-beds, 26 No. 2-beds); Block E (total GFA 5,904 sq m) 9 storey over basement level car park, comprising 66 No. apartment units (40 No. 1-beds, 26 No. 2-beds), with residents' support facilities (75 sq m) and residents' amenities (gym, yoga studio, residents' lounge/co-working space; lobby 494 sq m) at Ground Floor Level, and residents' amenities (residents' lounge; games room; screen room; private lounge; kitchen 333 sq m) with roof terrace (106 sq m) at Eighth Floor Level; Block F (total GFA 5,469 sq m) 7 storey over basement level car park, comprising 76 No. apartment units (46 No. 1-beds, 5 No. 2-beds/3 persons, 23 No. 2-beds/4-persons, 2 No. 3-beds); Block G (total GFA 5,469 sq m) 7 storey over basement level car park, comprising 76 No. apartment units (46 No. 1-beds, 5 No. 2-beds/3 persons, 23 No. 2-beds/4-persons, 2 No. 3-beds); Block H (total GFA 4,252 sq m) 5 storey over Lower Ground Floor, comprising 54 No. apartment units (30 No. 1-beds, 5 No. 2-beds/3 persons, 17 No. 2-beds/4-persons, 2 No. 3-beds); Block I1 (total GFA 1,038 sq m) 3 storey, comprising 12 No. apartment units (3 No. 1-beds, 2 No. 2-beds/3 persons, 7 No. 2-beds/4-persons); Block I2 (total GFA 1,038 sq m) 3 storey, comprising 12 No. apartment units (3 No. 1-beds, 2 No. 2-beds/3 persons, 7 No. 2-beds/4-persons); and Block J (total GFA 1,844 sq m) 4 storey, comprising 20 No. apartment units (13 No. 1-beds and 7 No. 3-beds));

the refurbishment, adaptation and reuse of: two storey Dalguise Lodge (Entrance Lodge) (GFA 55 sq m) comprising residential support facilities; a single storey Gate Lodge (GFA 55 sq m) comprising 1 No. 1-bed unit; and two storey Coach House and single storey Stableman's House (GFA 319 sq m) to provide 3 No. apartment units (1 No. 1-bed, 2 No. 2-bed/4 persons); the refurbishment, adaptation and change of use

³ An Bord Pleanála granted an SHD Permission for 290 No. residential units on 25 August 2020 (ABP 306949-20). The permission was quashed as a result of Judicial Review proceedings Ref. 2020/756 JR.

of Dalguise House (GFA 799 sq m) from a single residential dwelling to provide: 3 No. apartment units (2 No. studios and 1 No. 2-bed/3 person) at First Floor Level; a restaurant/cafe at Lower Ground Floor Level (GFA 273 sq m); and residents' amenities at Ground Floor Level (library, residents' lounge, events space, bar/bookable room, 157 sq m);

works to the existing structures include: removal of existing internal partitions and doors, alterations to internal layout including provision of new partitions and doors to Dalguise Lodge (Entrance Lodge); the removal of the western chimney and chimney breast, removal of existing internal partitions and doors, and alterations to internal layout including provision of new partitions and doors to Gate Lodge (Brick Lodge); replacement of existing roof, windows and doors, non-original mezzanine floor and stairs of Coach House, creation of new internal and external opes, reconstruction of chimney, construction of new stairs, provision of new internal partitions and doors, replacement of the demolished single storey structure to south of Coach House with a 42 sq m single storey extension, including construction of a link between Coach House and Stableman's House; replacement of existing roofs, windows, doors, creation of new external opes and provision of new internal partitions and doors to Stableman's House; restoration of Coach House yard walls; removal of security bars from windows, internal partitions, doors, two secondary staircases, non-original fireplaces; and the reconfiguration of internal layout including introduction of new partitions, doors and fireplaces, in-fill of former secondary staircases; removal of an existing window at rear facade of Lower Ground Level, alterations to ope and replacement with a new external door; reinstatement of external wall fabric in place of demolished lean-to at the rear facade; and removal of external door to swimming pool on eastern facade and closure of ope at Dalguise House).

The development will also consist of: the construction of a garden pavilion; the provision of balconies and terraces, communal open space including roof gardens, public open spaces, hard and soft landscaping, landscaping works including the removal of trees, alterations to boundaries; the provision of: 224 No. car parking spaces (148 No. at basement level; 20 No. at undercroft; and 56 No. at surface level); motorbike spaces; level changes; ESB Substations (at Block D and Block H); plant areas; waste storage areas; provision of cycle parking (including cargo bike spaces) at basement and surface level; and all ancillary site development works above and below ground.

Provision is made in the landscaping proposals for potential future pedestrian and cycle connections that would facilitate permeability through the site boundaries with the residential estates of Arundel and Richmond Park, respectively, and the former Cheshire Home site, subject to agreement with those parties and/or Dún Laoghaire-Rathdown County Council, as appropriate.

1.7 Multi-disciplinary Project Team

In addition to Tom Phillips + Associates, Town Planning Consultants, the Applicant has assembled an interdisciplinary team of experienced consultants to design and evaluate the scheme, including Reddy Architecture and Urbanism who designed the proposed development, in association with:

- Landscape Architects (Cameo and Partners)
- Conservation Architects (Mullarkey Pedersen Architects)
- Consulting Engineers (Byrne Looby Consulting Engineers)
- Project Managers (Corcom)
- Transport Engineers (ROD Consulting Engineers)

- Ecology/Biodiversity (ROD Consulting Engineers)
- Waste (AWN Consulting)
- M&E and Daylight (Metec Consulting Engineers)
- Archaeology (IACL)
- Visual Impact Assessment (Macroworks)
- Photomontages (Redline Studios)

1.8 Part V

The proposed development is subject to the requirements of the *Part V* of the *Planning and Development Act 2000 (as amended)*. Social housing provision requirements have been the subject of consultation with Dún Laoghaire-Rathdown County Council.

1.9 Statutory Fee

The statutory Fee of €80,000 was paid by EFT on 3rd November 2022. This is the maximum fee payable for an LRD Application.

1.10 Schedule of Documents

A full schedule of all contents of this Application is enclosed with the Planning Application documentation.

1.11 Letters of Consent

We can confirm that the Applicant, GEDV Monkstown Owner Limited, is the legal owner of the majority of the site.

Letters of Consent have been provided by the following entities to include White Lodge and part of the adjoining Purbeck estate in the Planning Application site:

- Dr Goodwin Francis McDonnell, White Lodge, Monkstown Road, Monkstown, Co. Dublin, Eircode A94 V6V9.
- Lulani Development Limited, owner of Purbeck Estate
- Michael and Siobhan Sweeney, 6 Purbeck Estate, Monkstown Road, dated 26 January 2022.
- Bernard Doyle, 4 Purbeck Estate, Monkstown Road, dated 26 January 2022.
- Myles Crofton, 3 Purbeck Estate, Monkstown Road, dated 26 January 2022.

1.12 BTR Draft Legal Covenant

A Draft Legal Covenant is provided in respect of the 488 No. Build to Rent units. The 3 No. houses are conventional dwellings and are subsequently excluded from that Covenant.

1.13 Pre-Application Consultation and LRD Meeting

A Section 247 Meeting was held between representatives of the Planning Authority and the Applicant and Design Team on Friday 25th February (Ref PAC/LRD1/002/22).

A subsequent LRD Meeting (DLR Reference: PAC/LRD2/006/22) was held with the Planning Authority on 16th June 2022. The main issues discussed related, *inter alia*, to Conservation, Transportation, Drainage, Landscaping, and Part V.

1.12 Consultation With Prescribed Bodies

The following consultation with Prescribed Bodies was undertaken:

- ROD Consulting Engineers consulted with Inland Fisheries Ireland (12th January 2022) and the Development Applications Unit of the NPWS (24th March 2022) in preparing the ecological inputs.
- Byrne Looby liaised with Irish Water in relation to the drainage, resulting in the *Confirmation of Feasibility* letter from Irish Water enclosed as Appendix A of the Engineering Services Report prepared by Byrne Looby Consulting Engineers.

1.13 Format of the Planning Report

This *Planning Report* is laid out in four sections, as follows:

1. **Introduction to Proposal.** Section 1 provides an introduction to the Application.
2. **Site Context.** Section 2 outlines the physical and planning context of the site.
3. **Planning History.** Section 3 provides an overview of the site's planning history and that of surrounding sites.
4. Section 4 provides the **Conclusion**.

2.0 SITE CONTEXT AND DETAILED DESCRIPTION

2.1 The Urban Context: Well Located Close to Village Centre

The subject site of c. 3.58 ha, lies on an existing residential property within the built-up area of Monkstown approximately 1.5 km west of Dún Laoghaire town centre and c. 1.5 km southeast of Blackrock village. The site is within walking distance of Monkstown Village, c 250 m, which provides a range of local services.

The site is connected to Monkstown Road to the north by an avenue of c. 80m, which serves as the vehicular and pedestrian access.

It is bounded to the north by modern residential dwellings at Drayton Close, Purbeck and Heathfield; to the south by rear gardens of houses at Brook Court; to the east by the rear gardens and sides of houses at Richmond Park and family hub housing; and residential developments to the west, Southdale, Arundel and The Orchard.

The housing in the area is a mix of ages, with more modern infill developments to the rear of large older structures along Monkstown Road.

The site accommodates Dalguise House (Protected Structure RPS No. 870) and a number of associated structures including: two gate lodges, one at the entrance from Monkstown Road (referred to in this Submission as 'Entrance Lodge'), the other inside the main portion of the site (referred to in this Submission as 'Brick Lodge'); a modern two storey house (White Lodge) inside the entrance avenue; a coach house/stable block to the southwest of the site; modern garage to the rear of the house; delapidated vinehouse; green house and a walled garden with small lean-to outbuildings. The site includes mature trees, landscaping and a tennis court.

2.2 Zoning Context – Compliant

The site is zoned Objective A (Residential), the objective of this zoning is to '*provide residential development and improve residential amenities while providing the existing residential amenities*'.

'Residential' and 'Childcare Service' uses are 'permitted', and 'Residential - Build to Rent' and 'Restaurant' uses are 'open for consideration' under the Land Use Matrix under the Objective A Zoning.

The site currently accommodates two dwellings: Dalguise House (a Protected Structure, RPS No. 870), the historic house; and White Lodge, a modern 2 storey detached house close to the entrance.

The wider area is largely residential in nature with buildings between two and four storeys in height.

2.3 Accessible Site: High Quality Existing Transport Services

The site is located less than 400 metres from the Salthill and Monkstown Dart Station.

There are also a number of bus stops within 200 metres of the site, served by routes 7 and 7A, which connect the site to Mountjoy Square to the north to Brides Glen Luas/Loughlinstown.

A further bus stop at Temple Hill (c. 800 m to the west) is served by routes 4; 46E; 84; 84A.

Furthermore, as per the *Dún Laoghaire-Rathdown County Development Plan 2022-2028*, there are existing and proposed bus priority routes within 1km of the site.



Figure 2.1: Location of the subject site. (Source: MyPlan.ie, Cropped and Annotated by Tom Phillips + Associates 2022.) (TPA OS Licence No.: AR0008622.)

2.4 Detailed Description

The proposed development has been designed in response to the site's characteristics and context. The site is an infill site and has limited direct connection with the public realm as it is set back from Monkstown Road by c. 80m.

The scheme successfully integrates into the area, it utilises the topography of the site which is lower than some of the adjoining sites. The site layout has had regard to the setting of Dalguise House and has persevered a formal open space in front of the house and provided glimpsed views of the house from the avenue. Mature trees are also retained where possible.

The proposed development is a Large Scale Residential Development comprising 3 No. two storey 3-bed terraced houses (GFA 569 sq m), and 488 No. Build-to-Rent units (consisting of 2 No. studio units; 288 No. 1-beds; 32 No. 2-beds/3 persons; 153 No. 2-beds/4-persons; and 13 No. 3-beds) (with an option for the use of 4 No. of the BTR Units to cater for short-term stays of up to 14 days to cater inter alia for visitors and short-term visits to residents of the overall scheme) residential amenities and residential support facilities; a childcare facility; and restaurant/café.

The table below provides the key development statistics.

Development Statistic	Proposed Development
Site Area	3.58 ha
No. of Residential Units	491 (488 no. apartments and 3 no. houses)
Density	137 units per hectare
Height	3 – 9 storeys
Dual Aspect	53%
Balconies	63%
Plot Ratio	1.13:1
Site Coverage	22%
Car and Cycle Parking	224 no. spaces (20 no. undercroft car parking spaces, 148 no. basement car parking spaces, 42 no. surface car parking spaces, 8 no. car spaces for food & Beverage, 6 no. Creche car parking spaces) 1, 071 No. Bicycle Spaces

Demolition

The development will consist of the demolition and part-demolition of existing structures (total demolition area 815 sq m), including:

- White Lodge a 2 storey house (192 sq m);
- Swimming pool extension to the southeast of Dalguise House (250 sq m);
- Residential garage and shed to the southwest of Dalguise House (285 sq m);
- Lean-to structures to the south of the walled garden (13 sq m);
- Part demolition of basement area at Dalguise House (8 sq m);
- Part demolition at the Coach House (67 sq m);
- Removal of a glasshouse; and

- Alterations to and removal of sections of the walled garden.

Residential Development

The development with a total gross floor area of approximately 46,940 sq m (including a basement of 5,230 sq m) (45,712 sq m excluding retained existing buildings of 1,228 sq m), will consist of the provision of 491 No. residential units comprising:

- 3 No. two storey 3-bed terraced houses;
- 488 No. Build-to-Rent units, residential amenities and residential support facilities;
- A childcare facility; and restaurant/café.

The proposed housing mix is as follows:

	Apartments	Houses	Total	
Studio	2		2 (0.4%)	
1 bed	289		289 (58.8%)	
2 bed (3 person)	31		31 (6.3%)	
2 bed	153		153 (31.1%)	
3 bed	13	3	2.6 (%)	3 (0.6%)
	488	3	491	

The proposed residential units will be arranged as follows:

Northwest Houses

The proposed development includes 3 No. 3-bed terraced houses located at the north west of the site at the main Dalguise House entrance. The 3 no. houses are two-storey in height and have a total gross floor area of 569 sq m.

Block A

Block A is located at the Purbeck entrance to the south of the site and is 7 storeys in height. The building has a gross floor area of 2,015 sq m and comprises a creche, which is 540 sq m over Ground and First Floor Levels; and 19 no. apartment units, including 15 No. 1-beds and 4 No. 2-beds.

Block B & Block C

Block B & Block C are located to the south of the site at the main vehicular entrance and are 7 storeys over undercroft parking. Each building has a gross floor area of 3,695 sq m and comprises 48 no. apartments units (total 96 no. apartment units) including, 33 No. 1-beds, 15 No. 2-beds in each block.

Block D

Block D is located at the access to the site to the east and is 7 storeys over lower ground. The building has a gross floor area of 4,150 sq m and 50 no. apartment units, including 24 No. 1-beds, 26 No. 2-beds.

Block E

Block E is located in the centre of the southern part of the site and is 9 storeys over a basement level car park. The building has a gross floor area of 5,904 sq m comprising:

- 66 No. apartment units including 40 No. 1-beds, 26 No. 2-beds;
- Residents' support facilities including a concierge/lobby;
- Management office including staff room and IT;
- Post room;
- Residents' amenities (yoga studio, gym, co-working space; boardroom; lounge) at Ground Floor Level; and
- Residents' amenities (residents' lounge; games room; screen room; private lounge; kitchen) with roof terrace at Eighth Floor Level;

Block F & G

Block F and G are the central blocks flanking the main lawn area creating a formal setting to Dalguise House. Each building is 7 storeys over basement level car park and has a gross floor area of 5,469 sq m. Each building contains 76 No. apartment units including 46 No. 1-beds, 28 No. 2-beds and 2 No. 3-beds.

Block H

Block H is located at the southern end of the site and forms a courtyard with the walled garden. The building is 5 storeys over lower ground and has a gross floor area of 4,252 sq m. The building contains 54 No. apartment units including 30 No. 1-beds, 22 No. 2-beds and 2 No. 3-beds.

Block I (1 & 2)

Block I (1 & 2) are mews style apartment buildings located at the southern end of the site behind the Garden Wall. Each building is 3 storeys with a gross floor area of 1,038 sq m. Each building comprises 12 No. apartment units including 3 No. 1-beds and 9 No. 2-beds.

Block J

Block J is a mews style apartment building located at the southern end of the site to the west of the Garden Wall. The building is 4 storeys in height and has a gross floor area of 1,844 sq m. It comprises of 20 No. apartment units including 13 No. 1-beds and 7 No. 3-beds.

Dalguise House and other Historic Buildings

The development includes the refurbishment, adaptation and change of use of Dalguise House, which has a gross floor area of 799 sq m. The single residential dwelling will be adapted to provide 3 No. apartment units, including 2 No. studios and 1 No. 1-bed Unit, at First Floor Level; a restaurant/cafe with a gross floor area of 273 sq m at Basement Level; and residents' amenities with a gross floor area of 157 sq m at Ground Floor Level including a residents' lounge, library, events space, bar/bookable room.

The development also includes the refurbishment, adaptation and reuse of:

- A single storey Brick Gate Lodge (GFA 55 sq m) comprising 1 No. 1-bed unit;
- Two storey Entrance Gate Lodge (GFA 55 sq m) comprising residential support facilities; and
- Two storey Coach House (GFA 319 sq m) to provide 3 No. apartment units (1 No. 1-bed, 2 No. 2-beds).

Non-Residential Development

The proposed development will deliver non-residential provision which includes the proposed café /restaurant (273 sq m) located at the Lower Ground Floor of Dalguise House at the center of the site, and the creche (540 sq m), located at the ground and first floor of Block A at the Purbeck entrance to the site.

The proposed non-residential uses will serve both the residents of the proposed development and be accessible to the existing community.

3.0 KEY PLANNING HISTORY

3.1 Site Planning History – The SHD Permission ABP Reg. Ref. 306949-20

One previous application has been made in respect of the subject site: a Strategic Housing Development (SHD) of 300 No. units, subsequently reduced by ten to comprise: a total of 290 No. units; 266 No. apartment units across 8 No. blocks, ranging in height from 5 to 9 storeys; and 24 No. houses, including within the existing structures on the site.

A creche was also provided under that Application, as well as communal recreational facilities and 314 No. car parking spaces and 654 No. bicycle parking spaces.

In addition to the existing vehicular and pedestrian access, it was proposed to provide a further access to Monkstown Road, via Purbeck, and to facilitate additional pedestrian/cycle connects to adjoining roads to the east and west. The scheme was for ‘conventional’ residential units – not BTR. That decision was the subject of Judicial Review and was subsequently quashed for technical reasons, which are examined below.

That Application was granted by An Bord Pleanála, subject to 31 No. conditions. This included a condition requiring a reduction in height (by one storey) of 2 No. blocks. The condition meant the removal of 10 No. apartments, reducing the overall number of dwelling units to 290 No.



Figure 2.2: Dalguise 2020 Application Site Plan. (Source: Horan Rainsford Architects, 2020.)

3.1.1 ABP Inspector's Comments on Principle of Development, Residential Density and Housing Mix – Acceptable Density

The *Inspector's Report* (dated 24 July 2020) identifies that Monkstown is within the Dublin Metropolitan Area, as well as being “located within a ‘strategic development corridor’ of Dublin as it is within the North-South Corridor around the DART facility”.

The Report concludes:

“I am of the opinion that given its zoning objectives, the delivery of residential development on this prime, infill, underutilised site, in a compact form comprising well-designed, higher density units would be consistent with policies and intended outcomes of the NPF...”

The proposed quantum of residential development, residential density and housing mix are considered to be acceptable in the context of the location of the site in an established residential area that is 1 km or less from Monkstown village, Salthill/Monkstown DART station and is considered to be in accordance with relevant development plan and national policies.

The County's Settlement Strategy seeks to gain maximum benefit from existing transport, social and community infrastructure through the continued consolidation of the city and its suburbs. The proposal serves to widen the housing mix within the general area, and, if permitted would improve the extent to which it meets the various needs of the community. The proposed development is considered acceptable in principle”.

It is considered that similarities between the current proposed development and the previous development (such as location, proximity to existing public transport, principle of development, and use of an underutilised infill site to provide compact residential development) would indicate that the currently proposed development is also acceptable in principle.

3.1.2 How this Proposal Learns from and Builds Upon the Inspector's Comments on Residential Amenity of Future Occupiers – High Standard of Amenities

The Inspector comments that the development is of a high standard in terms of amenities. The Inspector also considers that “a high standard of landscape is proposed throughout the scheme provide future occupiers with good quality amenities”.

We submit that the proposed development offers an even higher level of residential amenity (as well as public amenity provided though public open space) than the previously permitted development.

There is a particular focus on amenity provided through outdoor spaces, and extensive care and consideration has been given to the design of these spaces, with a view to retaining a number of mature trees which provide a high level of visual amenity. The scheme provides for public open space, thereby opening this previously private site to public use.

Cameo and Partners have identified Character Areas within the site and the landscaping is designed to work with the best characteristics of the site and enhance the landscaping. There are also extensive indoor residential amenities provided for the residents of the proposed scheme.

3.1.3 Inspector's Comments on Architectural Heritage and Archaeology – Supports Modern Intervention

The July 2020 Report recognises several observations made in relation to the alleged potential loss of architectural heritage with the development of Dalguise House and removal of other structures. The Report notes that a number of these structures were/are in a state of disrepair. The Report concludes:

“I support the case for a modern intervention that contributes to and adds to the narrative of the area...the proposal for a modern intervention at this location which introduces a high quality design through the appropriate use of materials and finishes. Any development of this site will have an impact. In this instance I consider the impact to be a positive one that will contribute positively to the architectural narrative of the area by providing a development that is contemporary and of its time”.

In the current November 2022 proposal, we submit that the proposed development provides a high-quality intervention on a strategic infill site, which encompasses a high standard of design which, while being modern in nature, is sensitive to the architectural heritage of Dalguise House. It is also considered that the proposed design attempts to reinvigorate several elements of the subject site, including the walled garden, thus providing a high-quality environment which is not only sensitive to structures on site, but attempts to highlight this heritage. The scheme also provides for the active use of the two Gate Lodges (the ‘Entrance Lodge’ and the ‘Brick Lodge’), and the Coach House.

Dalguise House is proposed to be used for a publicly accessible café/restaurant at Lower Ground Floor Level, residential amenities for the BTR residents at Ground Floor, and BTR units at First Floor Level.

The provision of a café/restaurant at Lower Ground Floor Level will allow the public access to the original house and to the walled garden to the rear, which is designed by Cameo and Partners to provide edible plants. There is potential to provide outdoor seating to the rear of the house, which is south-facing.

3.1.4 Inspector's Comments on Traffic and Parking – “...will not create a traffic hazard...”

Similar to the proposed development, the previous application proposed an access through Purbeck with a bridge over the Stradbroke Stream providing access to the lands.

The *Inspector's Report* indicates that the planning authority did not raise concerns in respect of the potential impact of the development on the existing nature of traffic experienced in the area. The Inspector stated:

“I am satisfied, in particular having regard to the TTA and comments from the Planning Authority, that the proposed development will not cause a traffic hazard or unduly impact on the carrying capacity of the surrounding road network, and that subject to conditions, the development is acceptable from a traffic/roads perspective”.

While the proposed development contains a proposal for 201 No. extra units in comparison to the previous application, there are 90 No. fewer car parking spaces.

A residential unit car parking ratio of 0.43 is achieved in the current proposal (this figure excludes car parking assigned to the Childcare Facility and Café/Restaurant). Therefore, it is considered that the proposed development would not cause a traffic hazard or impact the capacity of the surrounding road network, and will have less of an impact than the previously permitted application.

The *Inspector's Report* also notes:

"Given the location of the serviced site in a suburban area where good public transport links exist within comfortable walking distances, future residents will be well served by public transport and encourages a modal shift away from the private car. I am satisfied that the proposal is in compliance with national, county and local objectives with respect to transport".

As the proposal for development has a reduced number of car parking spaces provided when compared to the previously permitted application, it is considered that the current proposal will encourage a modal shift. This shift can be comfortably accommodated through the public transport which lies within comfortable walking distances of the subject site. While the parking ratio is 0.43, it is considered that the manner in which the proposed development encourages a modal shift.

3.1.5 Inspector's Comments on Grounds, Gardens and Trees – Grounds Lend Themselves to Redevelopment

The July 2020 *Inspector's Report* notes the local objective for the protection and preservation of mature trees on the site. The Report also notes a number of observations made in relation to the loss of trees and vegetation in relation to the previously permitted application.

However, the *Inspector's Report* states:

"I note that in this instance for the most part the development is designed to have cognisance of the sensitive and restricted nature of the site. The fact remains however, that the only way to develop the site is by the infilling and loss of the grounds and gardens of Dalguise House. Furthermore, the proposal involves the retention of significant number of trees with additional landscaping proposed where required.

In my opinion the grounds of Dalguise House lend themselves to redevelopment, the sustainable use of a zoned serviced site and also ensure the continued use of protected structures that otherwise may fall into further disrepair".

It is noted that the Inspector was of the opinion that the development of the site was necessary to ensure that the protected structures on site do not fall into a state of disrepair, and that the removal of trees and vegetation on site is necessary to facilitate development. Furthermore, the Report states that a significant number of trees are retained, and that additional landscaping is proposed.

It is considered that the current proposal improves on the landscaping design which was previously proposed. Particular care has been given to existing trees of significant value, and the overall architectural and landscape heritage has been respected in a manner which allows for elements of the landscaping to be emphasised as central to the overall development.

3.1.6 Inspector's Comments on Appropriate Assessment – No Significant Nature 2000 Impact

The *Inspector's Report* gives a comprehensive assessment of the potential effects of the previously permitted development and the potential for negative effects on a number of European Sites (SAC and SPA) within 15km of the site. The Report also considers the potential for cumulative negative effects.

The Report concludes:

"The proposed development site lies outside the boundaries of the Natura 2000 sites identified above and therefore there will be no reduction in habitat. The project is not directly connected to the management of any Natura 2000 site. It is concluded with the Appropriate Assessment Screening that the proposed development will have no significant impact upon any Natura 2000 sites. Having regard to 'source-pathway receptor' model, the proposal either individually or in combination with other plans or projects could not be considered to have likely significant effects in view of the sites conservation objectives".

It is considered that, as the proposed development is concerned with the same site as the previously proposed development, the conclusions of the *Inspector's Report* are still applicable. This is particularly the case for hydrological links and adjoining boundaries to Natura 2000 sites (or lack thereof).

ROD Consulting Engineers have prepared the enclosed *Natura Impact Statement* in respect of the proposed development, which concludes:

"It is the considered opinion of ROD, as the author of this NIS, that, in making its AA in respect of the proposed Dalguise House Residential Development, Dún Laoghaire-Rathdown County Council, as the Competent Authority in this case, may determine that, given the full and proper implementation of the mitigation prescribed in this NIS, the proposed development, either individually or in combination with other plans or projects, will not adversely affect the integrity of the South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC or the Dalkey Islands SPA. Furthermore, ROD recommends that it be a binding condition of any consent granted in respect of the proposed development that the mitigation prescribed in this NIS be fully and properly implemented."

3.1.7 Inspector's Concluding Comments: acceptable principle; zoned; serviced; visual amenity etc.

The *Inspector's Report* concludes:

"I consider the principle of residential development to be acceptable on this site. I am of the opinion that this is a zoned, serviceable site within an established suburban area where a wide range of services and facilities exist. I have no information before me to believe that the proposal, if permitted, would put undue strain on services and facilities in the area. In my opinion, the proposal will provide a high-quality development, with an appropriate mix of units and notwithstanding my opinion in relation to height, provides an acceptable density of development catering to a range of people at varying stages of the lifecycle. The provision of the public open spaces will enhance the amenity of the area for both existing and future occupiers.

I am satisfied that the proposal will not impact on the visual or residential amenities of the area, to such an extent as to warrant a refusal of permission. The reduction in height of Block B, C and E and the revised siting of Block F from its proposed position is such that it will aid in providing a more appropriate setting for the Protected Structure, making it more visible from the public realm as was the intention of its original layout and design and address concerns raised in the Observer Submissions relating to visual impact when viewed from the surrounding area.

I consider the proposal to be generally in compliance with both national and local policy, together with relevant section 28 ministerial guidelines. I also consider it to be in compliance with the proper planning and sustainable development of the area and having regard to all of the above.

It is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area”.

The Design Team has had regard to the previous scheme and has sought to improve on the previous proposals and adapt them to the specific needs of the Applicant, in addition to addressing the technical issues which arose at Judicial Review.

The heights of the proposed blocks are very similar to those previously permitted, with the height of some buildings reduced when compared with the previously permitted scheme.

The revised entrance to the Basement Car Park ensures the majority of vehicles accessing the site (79%) will travel directly from the Purbeck entrance to the basement level, thereby leaving the existing access Avenue as a shared surface that caters to pedestrians, cyclists and a reduced number of vehicles. The existing Avenue will be altered to provide occasional passing bays, which ensures that the Avenue can retain its tree lined character.

The footprints of Blocks D and E in particular were reorientated in order that views to Dalguise House are available from the Avenue. The 6 No. South West houses have been replaced with a four storey block providing 20 No. apartments (Block J). The 11 No. South houses (3 storeys) have been replaced with 2 No. three storey blocks (I1 and I2), including a setback upper level, which provide for c. 12-17m distance to the boundary wall. The existing boundary trees to be retained will be in communal not private open space and their retention is more certain as they will be managed as part of the wider landscape.

3.1.8 Judicial Review: Unlike this Proposal, the Previous did not include an EIAR

The previous application, lodged under ABP Reg. Ref. 30694920 was granted by An Bord Pleanála, subject to 31 No. conditions.

This included a condition requiring a reduction in height (by one storey) of 2 No. blocks. The condition meant the removal of 10 No. apartments, reducing the overall number of dwelling units to 290 No.

The decision was, however, subjected to Judicial Review and was subsequently overturned by the High Court.

According to the Judgment, the judge found that ABP had erred in its conclusion that the submitted EIA Screening Report adequately described the effects that the proposed development would have on the environment. He also found that ABP had not given adequate reasons for its EIA Screening decision that the proposed development would have an insignificant effect on cultural heritage. The Judge further held that in its decision to grant permission ABP erred by relying on a Specific Planning Policy Requirement concerning building height guidelines and found that the height of the proposed development did materially contravene Dún Laoghaire-Rathdown’s building height policy.

In light of the foregoing, the Design Team has reviewed the previously permitted development in order to improve the design where possible, and to ensure that the development can be constructed as proposed

and can adapt the principles of the development to meet their requirements as the owner and developer of Build to Rent developments.

Furthermore, the Design Team has carefully reviewed the High Court judgement on the previous scheme and is preparing this comprehensive EIAR to ensure that the application provides a robust assessment of any potential environmental effects of the proposed development on the environment.

In relation the Building Heights, the Development Plan’s Building Height Strategy acknowledges that greater height can be provided on lands where it can be demonstrated that the proposal complies with criteria outlined in Table 5.1 under Section 5 of Appendix 5, Building Height Strategy. The accompanying *Statement of Consistency*, prepared by TPA provides a detailed assessment of the proposed development in relation to the ‘Performance Based Criteria’ outlined in Table 5.1 of the Building Height Strategy to ensure that the proposed heights are in accordance with the Development Plan.

3.1.9 Relevance to the Proposed Development

The Applicants retained the Design Team to review the previously permitted development in order to improve the design where possible, ensure the development could be constructed as proposed and adapt the principles of the development to meet their requirements as the owner and developer of Build to Rent developments.

The site layout has been adjusted to provide narrower buildings that are mostly orientated on a north-south axis, providing for views of Dalguise House from the avenue. Building heights are largely unchanged from the previously permitted scheme, following the reduction in height as per the Board’s Order.

The access arrangement is altered so that cars entering the basement carpark arrive and leave via the Purbeck entrance. Limited car access and services remaining at grade and utilise the Avenue, which will be a shared surface, in order to retain its character as a lightly trafficked space. Rather than widen the entire avenue, a number of passing bays and turning areas are provided. The previously proposed vehicular connection between the Avenue and the access from Purbeck has been omitted, although an emergency fire tender route is provided between the two roads, at the northeast end of the site.

The unit mix has been reconsidered with a greater proportion of one and two bed units, which reflects the proposed Build to Rent use. The proposed development also provides a range of resident support facilities (including concierge, management facilities and waste management facilities) and resident services and amenities for residents within Block E and Dalguise House.

The proposed childcare facility (now increased to 540 sq m in area) is located in Block A instead of at Dalguise House, close to the Purbeck entrance, in order to provide ease of access to the wider local community as well as residents of the scheme. The Lower Ground Floor Level of Dalguise House will instead be a Restaurant, which will be open to residents and the public, thereby opening part of the House to public access.

The landscaping proposals have been reconsidered, with the identification of character areas identified by Cameo and Partners to provide various experiences throughout the site, including an edible garden within the walled garden adjoining the restaurant; a more formal garden in front of Dalguise House and the provision of walkways through the wooded areas.



The proposed development seeks to build on and improve the previously permitted scheme and adapt it to provide a high quality Build To Rent development that is of comparative quality to the schemes operated by the Applicant in Ireland and internationally.

3.2 Relevant Nearby Planning History

There is an extensive planning history for sites adjacent to the one in question, the most relevant are as follows:

1. **DLRCC Reg. Ref. D19A/0378 + ABP 305843-19** - Permission **granted** for demolition of nursing home and construction of 72 No. residential units in four apartment blocks.
2. **DLRCC Reg Ref D17A/0590 + ABP 301533-18** - Permission **granted** for demolition of existing nursing home and construction of 56 No. residential units in two apartment blocks (to east at Cheshire Home).
3. **DLRCC Reg Ref D16A/0724** – Permission **granted** for 7 No. residential units within the curtilage of Purbeck Lodge, a protected structure (RPS No. 718).

A live application has been made in respect of the adjoining site at:

D22A/0070 + ABP 313363 – Richmond Cheshire Home, Richmond Park, Monkstown, Co. Dublin - Permission refused (25th March 2022) for 96 No. apartment units - subject to First Party Appeal and a Third Party Appeal (seeking additional Reasons for Refusal).

3.2.1 Unit Delivery Analysis

As detailed *Housing Market Report*, prepared by KPMG Future Analytics, which accompanies this submission the current residential planning pipeline for Dún Laoghaire-Rathdown comprises 15,007 units across 114 schemes. As only c. 32% of the pipeline units have commencement notices and historic completions rates within the Local Authority are low, there is a potential shortfall of in excess of c. 3,200 units in Dún Laoghaire-Rathdown by 2028.

3.3 Analysis of Scheme in Context of Precedents for Decisions to Grant/Refuse Permission

A research study conducted by Tom Phillips + Associates, titled “*LRD: Red Carpet or Red Tape*” published in late September 2022, examined the 512 No. SHD applications submitted to An Bord Pleanála between September 2017 and August 2022.

The Report examined the 413 No. determined Applications by that date, looking at emerging and repetitive common themes for the granting or refusing of SHD Applications, having examined the 307 No. granted Applications and 94 No. refused applications.

We refer to this analysis to show how this LRD scheme complies and has similar merits to the criteria of granted applications, and shows how it overcomes and addresses some of the common reasons for refusal.

3.3.1 Reasons for Granting

As found in the TPA research study, all developments are context-specific and therefore must be judged on their respective merit and constitute an appropriate response to the site in question. A well-designed application and quality response to a site must always look at the broader scale and impact of the development on the receiving environment, not explicitly the site in question.

Good design considers the implications of the development, such as increased traffic volumes, increased populations and impacts on local infrastructure and services, addressing these issues appropriately throughout the application.

LRDs, due to their unique scale and nature of development, offer significant opportunities for social and economic development and vitality. LRDs can potentially improve the local communities' socio-economic relationships by providing new housing and, in some cases, adding amenities and services. There is always a need to think beyond the immediate designated site and to have a broader idea of what the scale of such a development may have on the local community, infrastructure, aesthetics, and amenities of the area.

Whilst planning can be a highly unpredictable practice, plans that are a well-designed and appropriate response to the site in question and support the greater character, vision and growth of the area whilst adhering to statutory policies (should) have the best chance of being granted permission.

We submit that the Dalguise LRD is a perfect example of a scheme complying with policies and past reasons that SHDs were granted, taking the learnings of the past on board – learning from past successes to make the best possible plan, as well as to avoid common mistakes, shortcomings and reasons for refusal.

Having reviewed the 307 No. granted SHD applications, the following documents are referenced by the Board to the sections of the Orders (as applicable). Lessons learnt from a review of those documents (listed alphabetically) informed the subject Application:

1. *Design Manual for Urban Roads and Streets (DMURS) (2020).*
2. *Guidelines for Planning Authorities on Flood Risk Management (2009).*

3. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).*
4. *Housing for All: A New Housing Plan for Ireland (2021).* (See Item 11 below.)
5. *Ministerial Planning Guidelines* (over 30 sets of guidelines, of which some are included in this list).
6. *National Development Plan 2021-2030.*
7. *National Planning Framework: Project Ireland 2040 (2018).*
8. *National Student Accommodation Strategy (2017).*
9. *Planning and Development Act 2000* (as amended).
10. *Planning and Development (Housing) and Residential Tenancies Act 2016.*
11. *Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)* (superseded by *Housing for All, 2021*). (See Item 4 above.)
12. *Sustainable Urban Housing: Design Standards for New Apartments (2020).*
13. *Urban Design Manual. A best practice guide (2009).*

3.3.2 General Design Cues

Looking more specifically to why An Bord Pleanála granted apartments and Build to Rent units, as are proposed in the Dalguise LRD, the following list of reasons were compiled:

1. The overall design and layout of the proposals complied with those areas delineated and the vision of the relevant statutory plan. The visual impact of the development had been carefully considered, not explicitly for its architecture and materials used, but for its scale, massing and context within its setting. Granted applications have presented developments with strong, but sensitive frontages to its location's existing urban/suburban environment. The proposed development has a very limited road frontage, the currently unused gate lodge on Monkstown Road will be reused as a resident support facility on foot of this development.
2. The development will not result in undue adverse traffic impacts and would have a slight to moderate traffic impact on the local road network overall. The development would be acceptable in terms of traffic, pedestrian safety, and convenience.
3. The development would have a sufficient provision of amenities, and the development would be viable due to the availability of a wide range of social infrastructure.
4. The proposed density of the site was within the appropriate range for its respective urban/suburban site. Furthermore, the housing mix and typology complied with the requirements of the sustainable residential guidelines and enhanced the diversity of the development. Higher plot ratios and densities were deemed acceptable, where high-quality public transport infrastructure and corridors were in the vicinity.
5. The development maintained the existing character and aesthetic of the immediate streetscape. Cases where designs are not in keeping with current character but are complementary to and of

quality design, which not injure the aesthetic or nature of the area have been deemed acceptable in a number of applications.

6. The development is of the strategic importance to the area and is critical for the provision of population growth, employment, service centre and the economic viability and prosperity of the area.
7. The phasing of the development has been duly considered to minimise disturbances and impacts on its surroundings and to facilitate the developments sequentially.

We believe that the application shares the same values as the common reasons for granting found on the aforementioned list, many of which have been addressed in the enclosed complementary *Statement of Consistency Report*.

3.3.2 Reasons for Refusal

The TPA Research Paper also examined the reasons why SHD applications were refused. Of the 94 No. refused SHD applications, seven overarching themes and issues / reasoning for refusals were identified:

1. Substandard design concerns & contextually insensitive
2. Storm water issue / Flood Risk
3. Impact on an SAC, SPA, existing habitat or protected structure
4. Contravenes materially local Development Plan or statutory policy
5. Overshadowing, overbearing & privacy concerns
6. Premature development
7. Density concerns (too high/ too low)

We will now discuss how the Dalguise House LRD covers and addresses these potential and common reasons for refusal through planning and mitigation measures.

1. Substandard Design Concerns & Response to Context

52.1% of all refused SHD applications were due to design issues.

Some common reoccurring terms and phrases used in the *Inspectors' Reports* of the refused SHD applications include:

1. Poor variety of adaptable housing types, sizes, and tenures.
2. Orientation of buildings not maximised.
3. Developments not 'stepped down' in height to meet adjacent buildings.
4. Poor physical form and layout of proposed development.
5. Poor disposition of open space within proposed development.
6. Lack of sufficient high quality appropriately landscaped usable open space for active and passive uses.
7. Inadequate level of public open space proposed, therefore the proposal represents the overdevelopment of the site, which would lead to conditions injurious to the residential amenities of future occupants.

The proposed scheme is compliant with the *Urban Design Manual. A Best Practice Guide* (2009, DHPLG), successfully incorporating the twelve urban design criteria set the core principles of urban design and sustainability insofar as they relate to residential development across all elements of the scheme.

Furthermore, the subject development comprises a series of buildings all designed to reflect the site's character areas, with a variety in scale and materiality and height. There are no '*uninterrupted walls of building in the form of slab blocks*'.

The orientation of the buildings provides for views of Dalguise House from the entrance avenue. Within the site, the buildings are broken down in scale by introducing steps in the facades in both plan and elevation. Each building is designed to relate to its character area through scale, materiality and dwelling mix. A simple palette of materials, the use of setbacks at penthouse levels provides appropriate visual variety to the elevations and the massing of the buildings. The proposed buildings at the rear of the site step down in height to 3 storeys (2 with a setback penthouse level), and are therefore in keeping with the nearby two storey houses.

2. Storm Water Issue / Flood Risk

McCloy Consulting Engineers prepared the enclosed *Site Specific Flood Risk Assessment* in accordance with the *Guidelines*. In summary, the *Flood Risk Assessment* concludes:

"It has been demonstrated through site-specific hydraulic modelling that proposed development will be resilient to flooding; lying outside the present day and climate change 1% AEP and 0.1% AEP fluvial floodplain of the Stradbroke Stream. Furthermore, hydraulic modelling has shown that the proposals will not increase flood risk elsewhere."

No other significant flood mechanism exists at the site."

The proposed development is acceptable from a flood risk assessment perspective.

3. Impact on an SAC, SPA, Existing Habitat, or Protected Structure

Some 27 No. of the refusals were refused on the grounds that the application imposed on an SAC, SPA, existing habitat, or protected structure, whether it be in the immediate vicinity or through knock on effects of the development that may be seen further afield.

As is the case with refusals pertaining to protected habitats and areas of conservation, there are two observed overarching reasons for their refusals, either:

1. The issue pertains to the location of the site in due proximity to the protected area, or by the potential impacts and disturbances that a development of this nature would have on a local protected habitat, or
2. Issues with the submitted analysis and deficiencies of information supplied in the application, therefore meaning that an accurate and comprehensive decision about the potential impact of the development could not be made.

The proposed development is supported by a significant landscaping proposal which ensures the delivery of high-quality open space, including the retention of special landscape features such as mature trees, and local biodiversity enhancements and the delivery of a significant SuDS scheme and management of invasive species. Furthermore, from an ecological and Habitats Directive perspective, the submission is supported by an *Appropriate Assessment Screening* and *Natural Impact Statement* (NIS) and full ecological impact assessment contained within the Biodiversity Section of the EIAR.

Furthermore, the architectural context of the Protected Structure is respected through the nearby building heights and separation distances and formal organisation of apartment blocks. The landscaping around the Protected Structure and particularly within the walled garden will be a positive contribution. The scheme brings a number of ancillary buildings within the site back into active reuse (two Lodges and Coach House) and will ensure their ongoing upkeep. Modern interventions such as the Swimming Pool extension and the Garage will be removed revealing the original form of Dalguise House.

4. Contravenes materially local Development Plan or statutory policy

A material contravention of a development plan arises where a planning application is made to a planning authority that would breach the objectives of the development plan in a material way. Local Planning authorities are obliged to secure the objectives in the development and local area plans.

The Dalguise LRD application is largely compliant and complimentary with the statutory plan for the area, the *Dún Laoghaire-Rathdown County Development Plan 2022-2028*. The enclosed Reports, including *Statement of Consistency* and *Response to LRD Opinion* provide an overview of the rationale and justification for any departures, which are minor in nature. The proposed BTR use is facilitated by the sites' zoning objective, the unit mix accords with the Development Plan as per the Minister's Directive and the building heights are assessed in the context of the Development Plan performance criteria. The Development Plan acknowledges that BTR units may deviate from open space and car parking standards by providing a Condition controlling the change of use of the site in the absence of further planning permission.

5. Overshadowing, Overbearing & Privacy Concerns

Some 21.3% of SHD refusals cited the proposed development overshadowing surrounding developments, having an overbearing impact upon adjacent structures and / or impacting privacy.

In the case of Dalguise House LRD, the proposed development responds to the scale of adjoining development through the graded use of heights which lower around the periphery, particularly to the rear where the scheme reduces to 3 storeys including setbacks, and at locations closer to the Protected Structure.

The scheme retains many of the mature trees and reinforces the landscaping where removals are required, which will assist to settle the proposed development in the site's context.

The proposed development will deliver a significant new public open spaces that can be accessed by pedestrians and cyclists, in addition to communal open space and walks.

The creation of these spaces enables new buildings ranging in height from 3 to 9 storeys to be established on the site. The framing of the significant public space by buildings in this height range provides an appropriate sense of scale and enclosure in a 3.58 ha landholding.

6. Premature Development

Premature infrastructure development refusals are complex due to the open-ended nature of the alternatives, which obscures the assessment of economic, social, and environmental trade-offs.

In saying this, the site of the premature development either remains unchanged and does not add any additional benefits, or the site is developed, however, the local infrastructure may be inadequate and unable to manage an increased population associated with the development.

The subject site is located within a mature neighbourhood, which is an existing built-up area, its development contributes to the compact development of Dublin. The site is also an infill site, in close proximity to high frequency public transportation and is zoned for residential development. In its current form the site is a private landholding, which has no direct benefit to the surrounding area. The proposed development will contribute a childcare facility, access to the public café/restaurant within Dalguise House and extensive public open space to the local area.

7. Density (Too High / Too Low)

Three recurring themes occurred where Applications were refused for reasons relating to density:

1. Proposed application would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the built-up area.
2. Proposed application would be developed at too high a density for the site in question.
3. Proposed density of the application is acceptable for the site; however, the implications of this development would result in the injuring of local character and would burden existing amenities, services and transport networks.

The scheme will deliver a residential density of 137 units per hectare, which is appropriate for a large infill site within the built-up area of Dublin and in proximity to high quality public transport and a local centre.

TPA's SHD research identified varying levels of density for BTR Schemes in the DLRCC area.

In the DLRCC Local Authority Area some 99 No SHD Applications were lodged with An Bord Pleanála between 21 September 2017 and 31 August 2022. Some 80 No. Applications were decided within that time. Some 17 No. of the Applications were BTR Schemes (12 No. of which were ultimately granted permission). There was an average of 256 No. units per development across the 17 No. BTR Applications. The Tables below show that the density of the proposed scheme (137uph) is lower than the average density of a BTR Scheme in DLRCC (258uph for all BTR Schemes; 261uph for Permitted BTR Schemes).

Density of all 17 No. BTR Schemes (including 1 No. withdrawn)	Units per hectare
Average Density – Total BTR Schemes	258
Lowest Density Scheme	102
Highest Density Scheme	628

12 No. Granted BTR Schemes	Units per hectare
Average Density – Granted BTR Schemes	261
Lowest Density Scheme	102
Highest Density Scheme	628

4 No. Refused BTR Schemes	Units per hectare
Average Density – Refused BTR Schemes	249
Lowest Density Scheme	123
Highest Density Scheme	428

This Application, particularly the EIAR, confirms that the proposed development has been designed to an appropriate scale to ensure it does not give rise to unacceptable impact upon the surrounding context from both a residential amenities and visual impact perspective.

Having regard to the cumulative grounds for refusals, we believe that the Dalguise House LRD proposal satisfactorily addresses and refutes common reasons why large-scale developments have been refused, addressing these reasons to create a well-rounded and quality design, contextually suited to the exiting character and demeanour of the area.

4.0 CONCLUSION

The proposed development has regard to the previously assessed planning precedent for the 290 No. apartment scheme at the subject site, whilst addressing the issues considered at Judicial Review stage.

It also learns from a detailed project by project of the 401 No. SHD Applications determined by 31 August 2022.

The form, overall height, scale and massing of the now proposed development is similar to the previously assessed scheme. The Design Team has made the internal design more efficient and change the unit mix, which results in a higher density scheme. Certain blocks have been reorientated to create an improved setting for Dalguise House and to allow certainty around tree retention.

The proposed development provides for a total of 491 No. dwellings consisting of 3 No. conventional houses and 488 No. Build to Rent apartments and a range of residential amenities and services across 11 No. apartment blocks ranging from 3 to 9 storeys and within the existing structures which will be restored and actively uses, including Dalguise House, two Lodges, and the Coach House.

The Scheme will also include a publicly accessible Café/Restaurant in Dalguise House, and a Childcare Facility at Block A close to the entrance to the site. Furthermore, the Scheme will provide substantial public and communal open spaces and open this site to public access.

The proposed development will introduce a new form of building tenure to the Monkstown area and will support the creation of a community within the site, which will be integrated with the surrounding area. The Scheme is designed and delivered by an operator with long experience in the sector. The Scheme will be managed by a dedicated onsite management team by and experienced operator to ensure the quality of residents' experience.

The provision of BTR is still a tenant of adopted Government policy, especially given its stated concern in the observation that *"there are not enough housings to buy or rent in the private sector"*.

In conclusion, we contend that the development of the site, as per the enclosed plans and particulars, is fully in accordance with the proper planning and sustainable development of the area.

We trust that you will find this LRD Application in order.

Yours faithfully



Tom Phillips
Managing Director
Tom Phillips + Associates

Encl.