

Principal Planning Officer
Planning Department
County Hall
Marine Road
Dún Laoghaire
Co.Dublin
A96 K6C9

Friday 25th November 2022

[By Courier]

Dear Sir/Madam,

RE: RESPONSE TO DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL'S LRD OPINION AND ADDITIONAL INFORMATION REQUIRED, DATED 13TH JULY 2022, IN RELATION TO PROPOSED LARGE-SCALE RESIDENTIAL DEVELOPMENT AT DALGUISE HOUSE, MONKSTOWN, A94 D7D1

DLR Ref. PAC/LRD2/006/22

1.0 INTRODUCTION

GEDV Monkstown Owner Ltd¹ retained Tom Phillips + Associates, Town Planning Consultants², to prepare this *Response to LRD Opinion* issued by Dún Laoghaire-Rathdown County Council on 13th July 2022.

This Response was prepared in association with the following members of the Design Team (note that this list does not represent all members of the design team for this scheme):

- Town Planning (Tom Phillips + Associates, Town Planning Consultants);
- Architecture and Urban Design (Reddy Architecture and Urbanism);
- Civil Engineering (Byrne Looby, Consulting Engineers);
- Transportation (ROD Engineering);
- Ecology (ROD Engineering);
- M&E (Metec Engineering);
- Daylight/Sunlight Analysis (Metec Engineering);
- Landscape Architecture (Cameo Landscape Architects);
- Arborist (Leinster Tree Services).

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Each item is addressed in turn and relevant cross references to other documents in the Planning Application are provided.

Report also refers to the information DLR required to be submitted in accordance with Article 16A(7) of the *Planning and Development Regulations, 2000 (as amended)*.

1.1 LRD Meeting

The LRD Meeting was held with Dún Laoghaire-Rathdown County Council on 16th June 2022, and was attended by representatives of the Applicant, the Design Team and representatives of the Planning Authority from *inter alia* Planning, Conservation, Drainage, Roads, Biodiversity Sections.

The LRD Meeting was informed by the LRD Meeting Request, submitted to the Planning Authority electronically on 24th May 2022, which consisted of a draft Planning Application, including a largely designed scheme and a wide range of supporting documents. The evolution of the development since that time is addressed in the Examination of Alternatives (Chapter 4) in the *Environmental Impact Assessment Report*.

1.2 LRD Opinion

The LRD Opinion prepared by the Planning Authority, issued electronically on 13th July 2022, confirms that the documentation submitted at pre-application consultation does “*constitute a reasonable basis on which to make an application for permission for the proposed LRD*”.

Under the provisions of Section 32D of the Act, the LRD Opinion identifies 6 No. items that require the Applicant’s Response as part of the LRD Planning Application. These are addressed in turn in Section 2 of this Report.

The LRD Opinion also requires the provision of specific information accompany the Planning Application, as provided for under Section 16A(7) of the Act. These 15 No. items have been addressed, and the relevant documents and drawings are cross referenced in Section 3 of this Report.



2.0 RESPONSE TO LRD OPINION

2.1 Item No. 1

Item No. 1 states:

'The applicant is requested to address potential issues and concerns regarding density/design/unit mix/ and layout, and proximity to boundaries.

The report should include details that address potential issues and concerns regarding ownership/tenure, and dwelling size/ mix quantum, and demonstrate if the proposed provision (as a BTR scheme only) is the optimum solution for the site and location.

The report should include any proposals and consideration for improved mix of tenure to include a significant percentage in non BTR units.'

2.1.1 Applicant's Response to Item No. 1

The proposed development inherently complies with the overarching themes of the *National Planning Framework* and RSES policy by proposing a compact well-designed sustainable form of residential development on an underutilised infill site located in close proximity to a range of social and commercial facilities and high quality public transport services. The development accords with the NPF's aims to consolidate Dublin through the development of underutilised infill sites.

The enclosed *Statement of Consistency* details how the proposed development fully complies with National, Regional and Local policy regarding compact urban development and increased residential densities. The *Sustainable Residential Development in Urban Areas Guidelines, 2009*, recommend a minimum net residential density of 50 units per hectare at urban locations in proximity to high quality public transport. Similarly, the *Sustainable Urban Housing: Design Standards for New Apartments, 2020* provide that Central and/or Accessible Urban Locations, such as the subject site, are suitable for higher density development, that may wholly comprise apartments. No maximum residential density is provided for in planning policy. Development Plan policy states that the quality of the open space is of particular importance in higher density residential schemes (in excess of 100 units per hectare).

The residential density of the scheme is 137 units per hectare, set into a high quality environment including c. 6,350 sq m public open space, at nearly 18% of the site area, which exceeds the required public open space requirement (15% and 5,370 sq m). It also provides 3,869 sq m communal open space and 1,933 sq m private open space (i.e., a total of 5,802 sq m private and communal open space, which meets the required combined area of private and communal open space (based on the 2020 Apartment Guideline standards) of 5,656 sq m.

The scale and locational characteristics of the subject site provide a unique opportunity for a sustainable, higher density residential development in a uniquely attractive setting with historic buildings and a mature landscape. The delivery of the proposed scheme will contribute to meeting housing need in Dublin.



The design of the scheme, including the layout and proximity to boundaries has arisen as a direct result of an intensive multi-disciplinary design process and informed by a full *Environmental Impact Assessment Report*. The capacity of the subject site and its context, in addition to the avoidance or mitigation of impacts on adjoining residential dwellings informed the final design. The resultant residential density was an output of the design process and not an input.

The enclosed Planning Application documentation demonstrate the proposed development provides a high-quality residential environment within an attractive site that has regard to the amenities of adjoining existing residential developments.

Justification surrounding the proposed density and layout can be found in the following documents enclosed with this Planning Application:

- *Architectural Design Report*, prepared by Reddy A+U, which includes a response to the Urban Design Manual;
- *Housing Quality Assessment* which includes an assessment of the proposed development against the '*Design Standards for New Apartments – Guidelines for Planning Authorities*' (2020);
- *Statement of Consistency*, prepared by Tom Phillips + Associates, which demonstrates compliance with the full suite of national, regional and local planning policy, including the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual')*; the *Design Standards for New Apartments – Guidelines for Planning Authorities (2020)*; *Urban Development and Building Heights – Guidelines for Planning Authorities (2018)*; the *Dún Laoghaire Rathdown County Development Plan 2022-2028*.
- *Planning Report*, prepared by Tom Phillips + Associates which has further regard to key national, regional and local planning policies and supplements the *Statement of Consistency*; and
- *Housing Market Report*, prepared by KPMG Future Analytics, which quantifies the level of demand for residential development within Dún Laoghaire-Rathdown.

Unit Mix

At the time the LRD Opinion was written, the Development Plan included a requirement that 20% of units in larger residential schemes of 50+ units should be 3+ bed units (Table 12.1), and that this requirement applies to BTR Schemes (Section 12.3.3).

However, a Minister's Direction under Section 31 of the *Planning and Development Act 2000 (as amended)* entitled *Planning and Development (Dun Laoghaire Rathdown County Development Plan 2022-2028) Direction 2022*, signed 28th September 2022, has since been issued which directs, *inter alia*, the Planning Authority to:

"Delete the following text after the first paragraph of section 12.3.3 Quantitative Standards for All Residential Development from the adopted Development Plan:

"That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 233".



The rationale for the Minister's Direction, provided in the *Draft Direction* is that:

"The Development Plan as made is inconsistent with Ministerial Guidelines issued under Section 28 of the Act to which s. 28(1C) applies, specifically Specific Planning Policy Requirement SPPR 8(i) contained in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the requirement for the planning authority to comply with the aforementioned Specific Planning Policy Requirements under section 28(1C) and 12(18), in the performance of its functions."

Furthermore, and irrespective of the Minister's Direction, the *Development Plan* acknowledges that derogations from unit mix may apply for BTR schemes, Section 12.3.6 states:

"Where any derogations in standards including standards relating to unit mix, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant."

[Our emphasis.]

It is therefore possible for the Planning Authority to attach a Condition to any permission requiring that planning permission must be sought for a change of tenure following the period specified in the BTR covenant.

The Minister's Direction and Section 12.3.6 of the *Development Plan* reflects the flexibility provided for in the *Sustainable Urban Housing Design Standards for New Apartments, 2020* and specifically SPPR 8(i), which relates to BTR development and states:

"No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise".

Therefore, it is considered that the proposed mix of uses accords with the *Development Plan*, which does not restrict the unit mix for BTR schemes.

The proposed mix of units has been informed by the operator's experience in Ireland and elsewhere, where demand for BTR units frequently arises from smaller households, which are not catered for by traditional 3-bed family houses that often require groups of adults to form households together out of necessity rather than preference.

Section 2.9.2 of the *Housing Demand Need Assessment (HDNA)*, Appendix 2 of the *Development Plan*, relates to housing mix. The *HDNA* notes that in mature suburban areas the provision of apartments (including a greater proportion of smaller units) to balance traditional housing is appropriate:

"Within the more mature suburban areas of the County it is acknowledged that the existing housing stock which is predominantly semi-detached and detached dwellings, the provision of apartments so as to aid in the mix and allow for downsizing is appropriate."



In addition to the conventional 3 No. 3-bed houses proposed as part of the scheme, there are 488 No. BTR units. The BTR unit mix is as follows:

Unit Type	Number	Percentage of Total BTR Units
Studio	2	0.41
1 bed	288	59.02
2 bed (3 person)	32	6.56
2 bed (4 person)	153	31.35
3 bed	13	2.66
Total	488 No.	100%

The unit mix proposed meets the requirements of the Applicant, which as an experienced BTR operator has designed the scheme to meet the demand for this form of use in Dublin. The unit mix should not be considered in isolation, however. It should be considered in the context of the extensive residential amenities provided and the expectations (of both the operator and the future tenants) that the residential amenity spaces will be actively used by residents and will form part of the reason that tenants select this development over alternatives in the area. Further information relating to the experience of Greystar (the future operators of the scheme) is provided below under the heading 'Ownership/Tenure/BTR Use'.

It is expected that residents of the scheme will choose to remain living in the scheme for extended periods of time as the range of unit types will cater to the changing needs and aspirations of residents. For example, a resident may start living in a 1-bed unit, relocate within the scheme to a 2-bed if they have a child, or simply wish to occupy a larger space. Similarly, someone who frequently utilises the community facilities including the co-working spaces may prefer to reside in Block E where a number of residents' facilities are provided, whereas an older resident may prefer the Block I units, which are smaller blocks located at the rear of the site that are identified as Active Living units.

Dwelling Size

The proposed dwellings conform to the unit sizes required for BTR under the *Apartment Guidelines, 2020*. Some 37 % of the units exceed the minimum sizes required by more than 10% and thus provide high quality housing.

The provision of communal residential amenities in Block E (at Ground Floor Level and at the Top Floor Level) and in Dalguise House, ensures that the residents, regardless of the Block they live in, have easy access to a range of additional amenities that would not be available in a conventional residential development.

The proposed development also incorporates a very high quality landscape provision, which will be open to both residents and the public to enjoy, encouraging an active lifestyle in a range of landscape character areas.



Proximity to Boundaries

The proximity to boundaries is illustrated on the *Proposed Site Layout Plan* (RAU Dwg. No. MKS-RAU-ZZ-XX-XX-DR-AR-002) And Figure 22 of the Reddy A+U *Design Statement*.)

To the north of the site the proposed Blocks A-C are face the side and rear of neighbouring buildings at Purbeck and Heathfield, the distance to boundary along this side of the site ranges in general from 17m to 27m, with some trees retained in the intervening space.

Along the eastern elevation Blocks C is at an oblique angle, with the closest point 10m from the boundary. Block F is 21 m from the boundary and 28m from the rear of the nearest house. Block H is 18m from the boundary, and between 20m and 29m from the nearest adjoining houses (side and rear, respectively). Block I2 is 12m from the boundary and 23 m from the rear of the nearest house, however as a 3 storey building this is considered acceptable. There is existing to be retained, or proposed tree planting between these blocks and the boundaries.

To the south of the site, Blocks I1 and I2 are set back 11m and 15m, but with a distance to the houses to the rear of 23m and 30m. These blocks are 3 storeys in height and with large trees retained in the intervening space (within communal open space areas, and therefore managed by the central management, not an individual's potential preference to remove trees), are not expected to have a detrimental impact on the amenities of the adjoining houses.

The footprint of the re-used Coach House (and adjoining Stableman's House) will be unchanged and there will be no impact arising on adjoining residential units.

Along the western boundary, Block J (a four storey building) is set back by 15m from the boundary; Block G is set back 24m from the boundary and 32m from the front of the nearest house; Block D is set back 19m from the boundary, and 28m from the rear elevation of the nearest house.

The three new houses (in place of the White Lodge) adjoin open space to the west and have a similar relationship to the houses to the rear, which are at a higher level.

In summary, the scale of the proposed development reduces to the south where the proposed structures (3 and 4 storeys, with setbacks) are closest to the boundaries. The highest structure, Block E is located at a central position on the site, with significant set backs to the boundaries.

Furthermore, the existing trees to be retained and the additional tree planting, much of which is along boundaries where poor quality trees are to be removed, will ensure that the proposed development settles into the landscape and that the residential amenities of adjoining dwellings will be retained.

Ownership/Tenure/BTR Use

The proposed development consists of 3 No. conventional houses and 488 No. BTR units (7 of which are located in existing buildings, to be adapted for reuse, and 4 No. of which are identified as having the option of being used for short term lets as an additional facility for the residents of the scheme). The proposed ownership is considered entirely appropriate at this location, which is classified as a Central/Accessible location and, therefore, suitable for BTR use.



As detailed in the enclosed Architects *Design Statement* the proposed units provide for a mix of dwelling needs and there is also provision made for future adaptability. Blocks I1 and I2 are designed to accommodate the need of elderly residents under the Active Living category. Greystar operates a senior housing portfolio of over 20,000 units and Blocks I1 and I2 have been designed to take these requirements into account. These 3 storey Blocks, of 12 No. units each, are attractively positioned in a to the rear of the site between the rear boundary wall and the Walled Garden. Surface Level car parking is available nearby for less mobile residents who require it and communal open space with mature trees are to the rear of the buildings providing a secure and private location.

The existing buildings that are to be retrofitted and restored in the proposed development provide 7 No. units, which are not subject to the standards set out in the Apartment Guidelines, and could therefore be used as build to sell units in future. The units in Block H have been designed to comply with Build To Sell standards (subject to the provision of additional balconies). That Block is also future proofed in terms of the design such that smaller units can be combined to increase the number of larger units in future, subject to any necessary consents. This allows future flexibility in the use of the apartments to cater for potential changes in demographics.

Furthermore, the scheme will provide Part V units, thereby catering to another tenure on the site, and providing much needed social and affordable housing in the Monkstown area.

The scheme provides further services including a Childcare Facility (540 sq m); Café/Restaurant (275 sq m); Residents' Support Facilities (75 sq m) and Residents' Amenities (984 sq m)



Figure 2.1.1: Mix of Uses across the site, including location of potential Build to Sell units, Active Living, Part V, Residential Amenities. (Source: RAU Design Statement, 2022.)

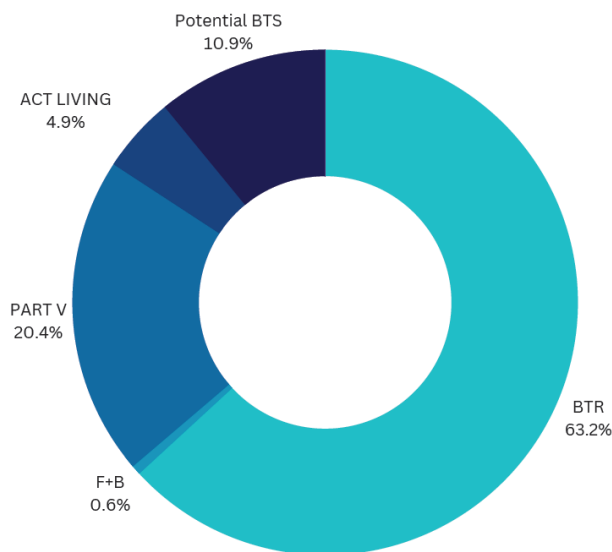


Figure 2.1.2: Mix of Uses across the site, including potential Build to Sell units; BTR-Active Living units; Part V units; Café/Restaurant use and BTR units as a proportion of floor area. (Source: RAU Design Statement, 2022.)



The proposed development will be operated by Greystar, who are long-term investors and developers, with decades of experience in the Private Residential Sector across the globe. Their goal is to create sustainable residential communities that integrate and enhance the areas in which they are located. To date in Ireland, Greystar operate two schemes – Quayside Quarter in Dublin Landings, Dublin 1 and Griffith Wood, Dublin 9. The subject site is the first scheme in Ireland where Greystar have designed and developed the scheme from its inception. Like their existing developments, the living experience at the subject site will be enhanced by the onsite team who work with the scheme residents and provide 24/7 support.

The enclosed Brochure prepared by Greystar, entitled *The Greystar Advantage, Bringing The Build to Rent Evolution to Ireland* explains the importance to the success of their model in creating stable communities, which in turn contribute to the wider community:

“Build-to-Rent is not just about bricks and mortar, it’s about building communities. Our focus is on managing successful rental communities into the future.

The Greystar model for rental housing is predicated on single ownership and single management buildings, with residential and mixed-use placemaking at its heart.

Ongoing operational management is Greystar’s core business, and our developments are designed with a focus on exceptional resident experience – both in the quality of the private space and shared amenities and through the level of service provided to the residents within their communities.

*These on-site services are underpinned by **stable residential leasing options creating the conditions for people to feel comfortably settled into their chosen locale. Surrounding communities are buoyed by this sustained presence**, which is a feature of our Greystar platform, bringing overall alignment with long-term Council objectives.*

Traditionally, owner-occupiers are seen as the bedrock of communities, given that they have long-term investments and assumed commitment to an area. Tenants are generally seen to be more transient and less likely to engage in local networks. However, in reality, many investors buy homes for tenants they have never met and have no affiliation to the community beyond the rental income and capital appreciation.

The success of the Greystar model depends on our ability to retain tenants and to build an inclusive environment that people want to be a part of. Greystar utilises the communal amenity spaces within its developments to bring together residents and encourage long-lasting community interaction.

With a focus on development and operations to support our long-term investment strategy, we bring jobs to the area with teams of on-site staff, while engaging local subcontractors to support our asset management and maintenance programs.” [Our emphasis.]

The provision of a range of dwelling unit types that cater to a wide variety of housing needs is entirely consistent with the Applicant’s business model, which seeks to provide housing that will meet the changing needs of residents, within a high quality well-managed residential environment.



2.2 Item No. 2

Item No. 2 states:

'The applicant should address concerns regarding the proposed density and layout at this location including having regard to the provisions of the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas', 2009; the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2020 and the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, in particular Policy Objectives PHP18 and PHP20.'

2.2.1 Applicant's Response to Item No. 2

Further to the response to Item 1, the proposed development is in full accordance with the policy requirements set out under:

- *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009;*
- *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2020; and*
- *Dún Laoghaire-Rathdown County Development Plan, 2022-2028, in particular Policy Objectives PHP18 (Residential Density) and PHP20 (Protection of Existing Residential Amenities), which respectively state:*

"It is a Policy Objective to:

- *Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*
- *Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development."*

And

"It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments."



This planning application submission provides significant justification surrounding the proposed density and layout, which can be found in the following documents:

- *Architectural Design Report*, prepared by Reddy A+U, which includes a response to the Urban Design Manual;
- *Housing Quality Assessment* which includes an assessment of the proposed development against the '*Design Standards for New Apartments – Guidelines for Planning Authorities*' (2020);
- *Statement of Consistency*, prepared by Tom Phillips + Associates, which demonstrates compliance with the full suite of national, regional and local planning policy, including the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual')*; the *Design Standards for New Apartments – Guidelines for Planning Authorities (2020)*; *Urban Development and Building Heights – Guidelines for Planning Authorities (2018)*; the *Dún Laoghaire Rathdown County Development Plan 2022-2028*.
- *Planning Report*, prepared by Tom Phillips + Associates which has further regard to key national, regional and local planning policies and supplements the *Statement of Consistency*; and
- *Housing Market Report*, prepared by KPMG Future Analytics, which quantifies the level of demand for residential development within Dún Laoghaire-Rathdown.

Further to justification outlined in the supporting documentation, we contend that the proposed development represents an efficient use of land in line with national policy and provides the optimal outcome for the subject lands, especially when considered in the context of the Core Strategy Housing Target of an additional 18,515 units for Dún Laoghaire-Rathdown for the period of 2022-2028.

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.

The proposed development comprises 491 units within a purpose-built BTR scheme, which will also provide social and affordable housing within a compact, high density, high amenity scheme. The scheme's unit composition offers increased capacity to meet the acute housing demand in the area, and in particular the demand for a variety of unit sizes and tenure types to meet the growing number of smaller households in Dún Laoghaire-Rathdown.

The Planning Application documentation also details how the scheme ensures the residential amenity of existing homes is protected.

The design strategy in respect of building heights is to taper heights to the rear of the site (3 and 4 storeys) in closest proximity to existing residential properties in order to minimise potential impacts on the residential amenities of these properties in relation to overlooking, overshadowing and overbearing, and increasing in height towards the centre. The tallest part of the development is 9 storeys and this structure is centrally located.

The topography of the site has also been used, where possible, to minimise visual impact yet deliver buildings to an appropriate height and scale. It is considered that this approach successfully integrates the new development into the area and whilst clearly comprising a new



and higher density form of development than the prevailing two to four storey housing, it will not give rise to significant amenity or visual impacts as evidenced by the enclosed Landscape and Visual Impact Assessment, prepared by Macroworks (Chapter 13 of the EIAR). This assessment considers the visual impact of the development proposed from a range of locations external to the site in summer and winter.

Setbacks (detailed under proximity to boundaries in Section 2.1.1, above) were also informed by the existing site layout (including buildings and trees to be retained) and the potential impact on adjoining residential amenities, including daylighting, which is examined in the enclosed the *Daylight Sunlight and Shadowing Assessment* prepared by Metec.

The proposed development benefits the wider area through the provision of an extensive area of public open space of c. 0.64 ha, which will be open to surrounding residents (as well as the wider public). The Public open space includes play areas (off the ground, natural looking and sculptural play and naturally occurring play (see pages 85-92 of the *Cameo and Partners Design Access Statement*).

The open spaces provide a variety of character areas that work with the existing site characteristics, whilst incorporating unifying design principles (see pages 18-59 of the *Cameo and Partners Design Access Statement*).

The scheme will also include facilities open to the public, including a childcare facility (540 sq m) at Block A close to the Purbeck entrance, and a café/restaurant (275 sq m) at Dalguise House.

It is, therefore, considered that the proposed development represents an appropriate intensification of residential use at a previously underutilised location within the consolidation area of Dún Laoghaire and will ensure increased efficiencies in land management at this desirable location. On this basis, it is our opinion that the proposed development accords with the provisions of the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas', 2009; the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2020 and the *Dún Laoghaire-Rathdown County Development Plan, 2022-2028, in particular Policy Objectives PHP18 and PHP20*' and provides a sustainable urban residential development which optimises the delivery of housing on a well-located underutilised infill site located in close proximity to public transport services, whilst protecting the residential amenities of adjoining existing dwellings.

2.3 Item No. 3

Item No. 3 states:

'Insufficient justification has been provided in relation to the height, and massing of the proposed development having regard to the Dun Laoghaire Rathdown County Development Plan, 2022-2028, in particular to the relevant Height Policy Objectives (including as listed above). Revised plans and details showing potential for some blocks of the proposed apartment scheme across the site reduced in height, which should include consideration of the following;



*Block E, reduced in height by two floors, by the omission of middle floors.
Block B (on the north end of the site), reduced in height by two floors, by the omission of middle floors.
Block C (on the north end of the site), reduced in height by two floors, by the omission of middle floors.
Block J (on the west side of the site), reduced in height by a single floor, by the omission of middle floors.'*

2.3.1 Applicant's Response to Item No. 3

Item 3 requires further consideration and/or justification in relation to:

"the height, and massing of the proposed development having regard to the Dún Laoghaire Rathdown County Development Plan, 2022-2028, in particular to the relevant Height Policy Objectives"

As detailed in the *Statement of Consistency*, prepared by Tom Phillips + Associates, which accompanies this planning application, the proposed height of 3 to 9 storeys fully complies with the policies of the *National Planning Framework, Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy*, and other Section 28 guidance including the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020* and *Urban Development and Building Heights: Guidelines for Planning Authorities, 2018*.

In the context of local policy, Section 6.4 of the *Statement of Consistency* sets out the justification for the proposed height in the context of the *Dún Laoghaire Rathdown County Development Plan, 2022-2028*, and in particular to the relevant Height Policy Objectives. As detailed in the *Statement of Consistency*, Policy PHP42: Building Design and Height Section of the *Dún Laoghaire Rathdown County Development Plan, 2022-2028*, states the following in respect of building height:

"It is a Policy Objective to:

- *Encourage high quality design of all new development.*
- *Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF)."*

Appendix 5 'Building Height Strategy' further details Development Plan policy in relation to building height. Furthermore, Section 4.4 of the Development Plan notes the following in respect of building height:

"The Council policy in relation to building height throughout the County is detailed in three policy objectives as set out in the Building Height Strategy (BHS) (Appendix 5):

- *Policy Objective BHS 1- Increased Height.*
- *Policy Objective BHS2 – Building Height in areas covered by an approved Local Area Plan or Urban Framework Plan (UFP must form part of the County Plan).*
- *Policy Objective BHS 3 - Building Height in Residual Suburban Areas.*

The BHS also contains a detailed set of performance-based criteria for the assessment of height so as to ensure protection of the unique amenities of the County whilst also allowing increased height.



In accordance with the policies set out in the BHS, where an argument is being made for increased height and/or a taller building and the Applicant is putting forward the argument that SPPR 3 of the 'Urban Development and Building Height; Guidelines for Planning Authorities' (2018) applies, the Applicant shall submit documentation to show that compliance with the criteria as set out in Table 5.1 'Performance Based Criteria' of the BHS (see Appendix 5)."

Appendix 5 'Building Height Strategy' further details the Development Plan policy in relation to building height.

Section 4.4 sets out building height policies referred to above (BHS 1, 2 and 3). On the basis that the entirety of the subject site is within 1000m of a Dart Station, Policy Objective BHS 1: Increased Height is considered to apply to the proposed development, which states:

*"It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún Laoghaire and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD **and in suitable areas well served by public transport links (i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route)** provided that proposals **ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area.** (NPO 35, SPPR 1& 3).*

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

Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area."

The proposed site is highly accessible by public transport, located within 500m (5 minutes' walk) of the Salthill and Monkstown Train Station. This station provides service for Dart suburban rail service direct to Connolly Station, where it connects to the national rail network. Bus stops on Monkstown Road are located approximately 140m west of the site, served by routes 7, 7a, 7d and 703, providing links to Brides Glen and Loughlinstown Park to the south, as well as the city centre, and Dublin airport to the north. Bus route 7 and 7a both a frequency of 30 minutes on Monkstown Road, and route 7d operates on morning and evening peak hours from Monday to Friday with a frequency of 30-45 minutes.

The proposed development has been assessed against the 'Performance Based Criteria' outlined in Table 5.1 of the Building Height Strategy in Section 6.4 of the Statement of Consistency prepared by Tom Philips + Associates.

As detailed in this assessment, the proposed development is located on a key infill site along the Monkstown Road, within the existing built-up area of Monkstown. On this basis, it fulfils



the criteria, in terms of focusing development in key urban centres, fulfilling targets in relation to promoting infill development and delivering compact growth in urban areas that benefit from existing services and infrastructure.

The '*Performance Based Criteria*' outlines a number of specific design criteria to be met in order to demonstrate that greater height can be facilitated whilst also protecting the amenities of the local area. In this context, a *Design Statement* has been prepared by Reddy Architecture and Urbanism and accompanies this planning application. As detailed in the *Design Statement*, the proposed scheme is conservation led with an overarching principle to preserve historic routes and linkages, refurbish the existing original historic structures, and retain the existing trees on site where possible.

The architectural proposal responds positively to the setting and respects the principles established in the previously assessed Strategic Housing Development (SHD) of 290 No. units, across 8 No. blocks, ranging in height from 5 to 9 storeys, which was granted by An Bord Pleanála under ABP Reg. Ref. 30694920. Although this planning application was subsequently overturned by the High Court through judicial review, it is worth noting that the proposed development was considered to be in accordance with the policies as set out in the NPF and the Building Height Guidelines. It was acknowledged that the proposed height was a material contravention of the previous *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, however as previously noted the new development plan has removed the maximum heights in order to align with national guidance, thus ensuring increased height in appropriate locations. It is therefore considered that the proposed height of the subject scheme fully accords with the *Dún Laoghaire-Rathdown County Development Plan 2022-2028* on the basis that it meets the performance-based criteria set out in Table 5.1, Appendix 5. The enclosed *Statement of Consistency* provides an overview of how the scheme complies with Table 5.1 of Appendix 5.

The Design Team have carefully reviewed the High Court judgement on the previous scheme. The proposed development at 491 No. units is below the 500 No. unit threshold for *Environmental Impact Assessment Report* but an EIAR has been completed, and this has informed the design of the scheme, and provides a robust assessment of potential environmental effects of the proposed development on the receiving environment.

In this context, we note that the proposed scheme, including the building height, has been carefully considered and based on the comprehensive and robust Environmental Impact Assessment, which includes inter alia, a *Landscape and Visual Assessment*, an *Architectural Heritage Assessment*, and a *Transport Impact Assessment* and the separate *Daylight Sunlight Assessment*.

The subject proposal is considered to respond positively to the setting and respects the positive principles established in the previous scheme. However, this design goes further to address the issues and unique context of this site creating a vibrant long term residential community. The careful arrangement of the blocks, their form, mass, and materiality all respond to the conditions found on site. Alterations to footprints and internal efficiencies have allowed for an increase in unit numbers and the scheme works closely with the landscaping design with a strong emphasis on retaining the existing setting and trees. The careful arrangement of the Blocks that work with the existing site conditions, vegetation, and topography create distinct character areas. At the north of the site the split-level pavilion blocks work with the existing levels and minimise the impact on the ecology, in the centre of the site the linear arrangement of Blocks E, F, G, H create a formal setting for Dalguise House, the linear arrangement and low profile of Blocks H and J frame the walled garden with the



existing wall being retained and cleaned. Blocks J and I reduce further in height and scale to the south of the site in order to mitigate any adverse impacts on adjoining properties.

The performance-based criteria outlined in Table 5.1 of the Building Height Strategy states that the “*proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks*”. The proposed development has been designed in response to the site’s characteristics and context. The site has limited direct connection with the public realm as it is set back from Monkstown Road by c. 80m, and benefits from significant tree coverage and vegetative screening, which has been retained where possible. As detailed in the EIAR Chapter 13 Landscape and Visual Impact Assessment, the most notable landscape/townscape impacts of the proposed development will result from the permanent presence of eleven apartment buildings ranging in height from 9 storeys near the centre of the site, 6, 7 and 4 storeys along the eastern and western sides, down to 3 storeys at the southern end of the site where they abut the rear gardens of lower rise / density residential housing. In this regard, there will be a legible transition of scale from the central to peripheral portions of the site as required by the Building Height Guidelines. Surrounding residences will be further buffered and absorbed by the retention of many of the mature trees and new boundary planting. This is evidenced by the photomontage set, which illustrates that only the nearest apartment blocks, and occasionally the taller central Block E, rise just above or between sections of dense intervening vegetation even when viewed from relatively close by. The terrain of the site, being within the comparatively low lying ground of Monkstown Valley also serves to deemphasise the height of the proposed apartment blocks when seen from beyond the site particularly to the north, south and west. Notably from Monkstown Road and the core of Monkstown Village, the development is barely discernible, if visible at all. The nearby preserved views identified in the Development Plan Maps are at Seapoint Avenue and look out to sea, away from the subject site. Consequently, there will be little effect on the critical character of the Monkstown ACA and the sensitive coastal corridor.

For the reasons outlined above, the *Landscape and Visual Impact Assessment* (Chapter 13 of the EIAR) concludes that given its location within the relatively low lying ground of Monkstown Valley and the degree of enclosure and screening by buildings and vegetation, the contribution of the proposed development to the townscape character of the wider study area is not strong as the scale of the development would suggest. On balance of these factors, the magnitude of townscape impact is deemed to be Moderate-Slight and of a Marginally Negative quality i.e. Neutral-Negative.

It is clearly evident from the submitted planning application documents and the EIAR that the Design Team were more than cognisant of the surrounding scale, pattern and character of the Monkstown ACA. As demonstrated in these documents, the proposed development, and in particular the height, was carefully conceived so as not to be unduly obtrusive, and to be consistent and compatible with the existing grain of development in the wider area.

The *Architectural Heritage Impact Assessment* (Chapter 15 of the EIAR) provides an analysis of the scheme in the context of the site and its surroundings. Due to the topography of the site and the existing development, it is considered that the impact of the proposed development on the Monkstown ACA public realm is slight. The gate lodge on the Monkstown Road is the only building on the subject site, which lies within the Monkstown ACA. It is considered that the proposed works to restore the existing 19th Century Lodges and to give them new use will result in significant positive effects on the heritage of these structures. It is considered that the restoration of the structures, to best conservation practice, will enhance the conservation significance of the site. The impact on the setting of the Protected Structure



should be considered in the context of the pattern of change envisaged by a policy of intensification of suburban development in the wider area, as evidenced by the immediately adjoining sites which were also once single houses on large, landscaped plots. The proposed development is therefore a continuation of that well established intensification process. To mitigate the impact, the apartment blocks will be carefully located so as to retain the spatial centrality of Dalguise House itself and to allow views of the House to visitor as they approach along the historic carriage route. The new apartment blocks are located at such a distance from the house that its form can be still clearly seen and understood. The impact on the Protected Structure will be moderate (removal of non-original fabric) and negative (removal of original fabric). The provision of a long term sustainable use for Dalguise House and the other retained structures will give rise to moderate positive effects on architectural heritage. Works to retained buildings including the lodges, coach house, glass house and stable buildings will give rise to positive impacts on the structures themselves and the heritage of the lands. The construction of a block of apartments in the walled garden will bring about a very substantial change in character, however, works to the fabric of the walled garden will give rise to a positive effect on the architectural heritage of these structures themselves and on the heritage of the Dalguise lands.

The *Traffic Impact Assessment* (Appendix 12.1 of the EIAR) demonstrates that the scheme can be accommodated at the subject site with a negligible impact on the receiving transportation network, which has capacity to cater to the modest volumes of traffic generated.

The detailed *Daylight, Sunlight and Shadowing Assessment* assesses the proposed units and the impact of the scheme on the surrounding area in the context of the BRE Guidelines. The overall conclusion of the Report is that the development achieves excellent results.

In considering the appropriateness of the height and scale, it is important to point out that the detailed assessments undertaken by the Design Team demonstrates that the proposed scheme will not have an adverse impact in relation to loss of privacy, overlooking, and loss of light from the proposed development, which is a reflection that the design considered the surrounding amenities. Specific design measures have been incorporated to ensure that opportunities for overlooking from the proposed development on adjacent existing residential properties are minimised. These measures include orientating the direction of the blocks to minimise the likelihood of direct views on adjacent properties. In addition, appropriate separation distances have been used between the proposed scheme and existing surrounding developments, with landscaping and planting used to soften and screen the proposed apartment blocks. In terms of overbearing, the architects have selected a palette of high quality materials and architectural detailing to create an attractive addition to the Monkstown area.

In light of the foregoing, it is considered that the proposed height of 3 to 9 storeys is permissible at the site as it has been demonstrated that the proposal fully complies with performance criteria outlined in Table 5.1 under Section 5 of Appendix 5, Building Height Strategy of the *Dún Laoghaire-Rathdown County Development Plan 2022-2028*. The Planning Authority's Opinions states that:

'Insufficient justification has been provided in relation to the height, and massing of the proposed development having regard to the Dún Laoghaire Rathdown County Development Plan, 2022-2028, in particular to the relevant Height Policy Objectives (including as listed above). Revised plans and details showing potential for some blocks



of the proposed apartment scheme across the site reduced in height, which should include consideration of the following;

Block E, reduced in height by two floors, by the omission of middle floors.

Block B (on the north end of the site), reduced in height by two floors, by the omission of middle floors.

Block C (on the north end of the site), reduced in height by two floors, by the omission of middle floors.

Block J (on the west side of the site), reduced in height by a single floor, by the omission of middle floors.'

In response to the Planning Authority's request to reduce the height of four of the proposed blocks, it is considered that following the comprehensive and robust assessments undertaken as part of the planning application and EIAR process the Design Team have provided sufficient justification to support the proposed height of 3 to 9 storeys at this location. Monkstown, although a busy sought-after residential area, is limited in the amount of developable residential lands in the area and the development of existing infill sites plays an integral role in providing quality housing without increasing the built footprint of the area. The proposed scheme has been carefully designed to ensure that it utilises the site to its maximum potential whilst ensuring that there will not be an adverse impact on the general residential amenities of the area including visual impact, overlooking, loss of light and loss of privacy. Overall, we firmly consider that that the proposed development is consistent with the relevant Height Policy Objectives of the *the Dún Laoghaire Rathdown County Development Plan, 2022-2028*, is of an appropriate scale and will not have an adverse impact on the residential amenities of the area.

2.4 Item No. 4

Item No. 4 states:

'The applicant should address potential issues and concerns regarding proposed, drainage matters, and location/ access, and if the proposal and layout is the optimum solution for the site, and location.'

2.4.1 Applicant's Response to Item No. 4

In addition to the EIAR, a comprehensive suite of Reports and Drawings are enclosed with this Planning Application in relation to Drainage and related matters, these include:

- *Engineering Services Report*, prepared by Byrne Looby Consulting Engineers;
- *Drainage Impact Assessment*, prepared by Byrne Looby Consulting Engineers;
- *Stormwater Impact Audit*, prepared by JBA;
- *Site Specific Flood Risk Assessment*, prepared by McCloy Consulting Engineers; and
- Associated drawings.

Furthermore, Byrne Looby Consulting Engineers have prepared a response to the issues relating to Drainage and Flooding raised in the LRD Meeting (see Section 3.1 and 3.8 of this Report).



Byrne Looby Consulting Engineers also consulted directly with the relevant Planning Authority Department on 1st March 2022 and 23rd June 2022.

The design of the proposed development has been informed by a team of consultants who contributed towards the preparation of the EIA and the other Application documents and drawings.

The site access and layout of internal roads is established, and the services design acknowledges this and has been discussed with the DLR Drainage department and IW to ensure a design that meets their criteria.

The EIA has supported the drainage design following engagement with DLR and IW by providing verification from associated documentation that potential issues have been addressed (e.g., infiltration of spills leaks during and post construction is considered imperceptible due to the soil make-up) by either clarification of the site itself or application of mitigation measures (SUDs measures).

It is considered that the proposed drainage is the optimum solution for the site having regard to its location, topography (Section 9.3.1 of EIA) (exclusion of pumped systems), accommodation of other design disciplines within the planning requirements and aforementioned discussions with DLR Planning Authority representatives.

Issues such as site flooding have been addressed through a site specific Flood Risk Assessment which DLR reviewed and requested adjustment to the site building layout and update of the flood model to verify the layout of buildings A, B and C did not encroach onto the flood plain.

The design layout utilises existing access routes for during and post construction and has SUDs measure incorporated as per the DLR requests (Seed SUDS dwg W3683-DR-C-1018). The design and construction of the required services infrastructure in accordance with the relevant guidelines and codes of practice will in an attempt to mitigate any potential impacts during the operational phase of the development, with the exception of any routine maintenance of the site services. Residual impacts on the built services during the operational phase given the new infrastructure and upgrades to the existing networks are considered to be permanent with a constant occurrence, positive and beneficial to all the end users.

2.5 Item No. 5

Item No. 5 states:

‘The applicant should address potential issues and concerns regarding proposed Parking Ratio (appearing to be a significant departure from Development Plan, and noting no visitor car parking potential issue), and location/ access, and if the proposal and layout is the optimum solution for the site, and location, etc’.

2.5.1 Applicant’s Response to Item No. 5

Roughan O’Donovan Consulting Engineers have prepared the following response to this issue. The other Reports included in the Application should be referred to also, including the Traffic Impact Assessment and Travel Plan/Mobility Management Plan.

The Table below sets out the car parking requirements based on the *Dun Laoghaire Rathdown County Development Plan 2022-2028*. The site intersects Parking Zones 2 and 3, and the Zone 2 standards have been adopted on the basis of the proximity to high quality public transport services.

	Number / Size	Unit	No.	Parking Standard (DLRCC Development Plan 2022 – 2028)	Total Required
Apartments	491	Studio/1-bed unit	290	1 per 1-bed	290
		2 bed unit	185	1 per 2-bed	185
		3 bed unit/ 3 Bed House	16	2 per 3-bed	32
Childcare Facility	540 sqm	-	540 sqm	1 per 60	9
Restaurant / Cafe	273 sqm	-	273 sqm	1 per 50	5
Total					521

Figure 2.5.1: Table 8.1 Car Parking Standards (County Development Plan) applicable to development. (Source: Roughan O’Donovan Consulting Engineers, Traffic Impact Assessment Report, 2022.)

However, Section 12.4.5.2 of the County Development Plan sets out circumstances under which these parking standards can be relaxed. These include:

- 1) Proximity to public transport services and level of service and interchange available. In this regard, it is noted that the proposed development is served by regular bus services along Monkstown Road in addition to the excellent accessibility afforded by the DART line at Salthill / Monkstown DART station.
- 2) Walking and cycling accessibility / permeability and any improvement to same. In this regard, it is noted that the proposed development intends to increase permeability with adjacent developments, subject to neighbour and County Council support.

- 3) Accessibility of car sharing and bike / e-bike sharing facilities. It is confirmed that both of these facilities will be available on site. In the first instance, 2 car share spaces will be reserved, and this will be increased as demand dictates. Bike / Ebike sharing will also be encouraged and facilitated.
- 4) Potential nature, scale and characteristics of the proposed development. The Greystar model is a unique campus style model for long-term rental accommodation. This model has worked successfully in many other countries but is relatively new to Ireland. The on-site management by the developer means a more serviced model, which lends itself to lower car ownership. The reduced parking provision proposed is in line with what has been successfully implemented at other similar Greystar sites overseas in similarly accessible locations.

With specific regard to Build to Rent developments, Section 12.4.5.6 states:

“For the purposes of the parking standards set out in Table 12.5 [...] Built to Rent development are considered to be residential apartments. Where a Built to Rent scheme avails of lower car parking based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.”

It is confirmed that the developer is satisfied for such a condition to be attached to the planning permission, since it is wholly consistent with the developer’s long-term vision for a sustainable, long-term, settled rental community on the site. The proposed car parking provision for the proposed 491 dwellings is 210 spaces.

Some 224 No. car parking spaces are provided in the scheme, which are distributed as follows:

	Number / Size	Unit	No.	Proposed Provision	Total Proposed
Apartments	491	Studio/1-bed unit	290	0.29 per 1-bed	84
		2 bed unit	185	0.59 per 2-bed	110
		3 bed unit	16	1 per 3-bed	16
Childcare Facility	540 sqm	-	540 sqm	Staff parking only – drop-off facility only for external patrons	6
Restaurant / Cafe	273 sqm	-	273 sqm	8 (to cater for visitors also)	8
Total					224

Figure 2.5.2: Car Parking Provision. (Source: Table 8.2, TTA, ROD Consulting Engineers, 2022.)

The rental agreements will include a surcharge for the provision of a car parking space. Car parking spaces will be allocated on a first come / first served basis for prospective tenants. Basement car park access fobs will only be available to those having paid the surcharge. There is no suitable convenient on-street long-stay car parking in the vicinity, since on-street parking in Monkstown Village is pay and display. Therefore, it is not considered likely that the proposed development will give rise to additional car parking demand external to the site.



While the proposed development parking provision is considerably lower than the prevailing County Development Plan, it is consistent with the *Sustainable Urban Housing: Design Standards for New Apartments*. Sections 4.19 and 4.20 of the Apartment Guidelines, state:

“In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.”

These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops [emphasis added] or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services.”

Section 4.21 states:

“In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net (18 per acre), planning authorities must consider a reduced overall car parking standard [emphasis added] and apply an appropriate maximum car parking standard.”

The proposed development is wholly located within 5 minutes’ walk of the Salthill / Monkstown DART station, thereby permitting a substantially reduced car parking standard to be applied. As outlined above, this is very much in keeping with the sustainability principles at the core of the Greystar Build-to-rent model.

The enclosed Traffic Impact Assessment includes a Travel Plan. As a BTR scheme with a strong central management regime, the operator will be well placed to implement mobility management measures as detailed in the Travel Plan.

Car Parking Ratio Precedents

The operators of the proposed development Greystar, operate two existing BTR Schemes in Dublin: Quayside Quarter, Dublin 1 and Griffith Wood, Dublin 9, both of which are fully occupied. As of a survey in June 2022, the demand for car parking is limited in both schemes, the combined ratio of car park use in both schemes is 0.27. The proposed development

Scheme	No. of Car Parking Spaces	Total Car Parking Spaces	Ratio of Car Park Demand
Quayside Quarter	91 spaces rented	268 available units	0.34
Griffith Wood	35 spaces rented	198 available units	0.18



In the Dun Laoghaire area BTR Schemes have been permitted in recent years with similar or lower car parking ratios. The development at Stillorgan Leisureplex, Old Dublin Road, Stillorgan, Co. Dublin (ABP Ref. 305176-19, granted December 2019) permitted 232 No. BTR units with 92 No. car parking spaces (ratio of 0.41 spaces per unit). The ABP Inspector's Report accepted of the proposed car parking ratio on the basis of the Apartment Guidelines and the site's proximity to high quality public transport:

"Section 4.19 of the apartment guidelines and SPPR8 (iii) states there shall be a default of minimum or significantly reduced car parking provision and a strong central management regime is intended to contribute to establish and operate shared mobility measures. The provision of 0.41 parking spaces per unit complies with national guidance and can be justified at this location having regard to the provision of a high quality public transport corridor within the vicinity of the site." (Section 11.13.)

The proposed development is equally proximate to high quality public transportation and provides access to local services in Monkstown, Blackrock and Dun Laoghaire.

Visitor Parking

In accordance with national policy cycle parking is provided across the site, close to the residential buildings, the childcare facility and the café/restaurant.

Car parking is provided for the childcare facility (6 no.), with a drop off facility for parents. Limited visitor car parking (8 no. spaces) is provided at grade for the Café/Restaurant (to the east of Dalguise House, see Figure 18 of the Reddy A+U *Design Statement*). The site will be managed 24/7 and access to the site controlled by on site staff.

"Access will be managed by the on-site 24 hour management / security team, and visitor spaces will need to be pre-booked. On-street paid parking is available in Monkstown Village and on Albany and Brighton Avenues for occasional car-borne visitors. Exceptional access for special vehicles for the mobility or visually impaired will be arranged by appointment through the on-site 24 hour management / security team."

As noted above, in the operator's experience in Dublin, there has been limited demand for car parking from BTR residents. It is possible that there will be more car parking available at operational stage than is currently identified.

National Policy relating to Sustainable Transport

The *Climate Action Plan, 2021* summarises the extent of national policy which supports the move away from car-based development with a focus instead on compact development, better public transport, better cycle and walking networks supporting active travel choices:

*"The **Climate Action Plan for transport will support and build from several key national policy plans that are driving the necessary changes**, including Project Ireland 2040, the National Planning Framework (NPF), the National Remote Work Strategy, the National Adaptation Framework, Our Rural Future - Rural Development Policy 2021-2025, and the forthcoming Sustainable Mobility Policy. These plans align with*



*climate action goals by supporting **relevant changes such as more compact, connected developments that offer better public transport, as well as safer, longer and better-connected walking and cycling networks to support active travel choices and changes.** The forthcoming land transport investment framework will set out a **hierarchy for making investments in the transport sector, with sustainable travel, starting with active travel and then public transport, being encouraged over the private car.**" (Section 15.1)*

Residents of the proposed development will be encouraged through the Mobility Management measures to rely on active travel and use of public transport, the reduced provision of car parking supports the realisation of national policy.

2.6 Item No. 6

Item No. 6 states:

'The applicant should address potential issues and concerns regarding feasibility of proposed tree retentions, and open space provision, and access within, into and through the site (permeability), and with regard to the location/ access, and if the proposal and layout is the optimum solution for the site, and location.'

2.6.1 Applicant's Response to Item No. 6

Feasibility of Tree Retentions

The Applicants and future operators of the scheme selected the subject site partly due to the the quality of the landscaping including the mature trees at the site, which will contribute to the provision of a very high quality scheme commensurate with the best in class development they wish to deliver. The retention of the good quality trees has informed the design proposal since its inception and has informed the design since its inception.

The due diligence exercise carried out by the current Design Team in respect of the previously permitted development of the site identified some trees that were classified for retention which may not have survived the construction process.

Leinster Tree Service, Arborist, have been a key member of the Design Team from the early stages of the due diligence and design process. During the design process certain alterations to the scheme (such as the exact footprint or location of certain Blocks) were introduced specifically to ensure that as few of the good quality trees on site would be impacted by the proposed development.

Furthermore, the *Construction and Environmental Management Plan (CEMP)*, Landscaping proposals and Ecological Assessments have all been informed by the arboricultural inputs. The CEMP identifies certain locations where, due to the proximity of trees and on the advice of the Arborist, instead of battered excavations, vertical temporary retaining walls including bored piles will be utilised with the intention of protecting specific trees. The CEMP also notes in relation to services installation that in order *'to limit excessively deep narrow foundations, and to minimize disruption of adjacent trees, the Contractor may choose to use micro-boring techniques for services installation. This trenchless form of installing services utilises a*



horizontal auger which traverses between excavated pits. Construction stage mitigation measures are identified by the Arborist and included in the CEMP include the retention of arborist to supervise and implement mitigation measures during the process.

The *Tree Survey, Arboricultural Impact Assessment and Tree Protection Scheme* identifies that there are 346 No. trees on the subject site:

- 24 No. Category A Trees;
- 79 No. Category B Trees;
- 134 No. Category C Trees; and
- 109 No. Category R Trees.

The 109 No. Category R trees, are recommended to be removed irrespective of the proposed development, these are either in immediate danger of falling and/or are deemed to be of no value within 10 years of the assessment.

Some 95 No. trees and tree groups are within the area which needs to be cleared for construction of the proposed development. Of these 95 No. trees/tree groups:

- Less than 1%, or 3 No., are Category A Trees;
- 6.9%, or 24 No., are Category B Trees; and
- 72%, or 68 No., are Category C Trees or groups of trees categorised as Category C-R.

The limited number of Category A and B trees to be removed is a direct result of design considerations during the evolution of the scheme. The arboricultural impact of the scheme is assessed as being Moderate to Low. The assessment notes that of the trees to be removed, only 27 No. (or 8% of the trees currently on site) have any value beyond 10 years.

Leinster Tree Services' *Tree Survey, Arboricultural Impact Assessment and Tree Protection Scheme* identifies 18 No. cases where excavations encroach on the Root Protection Areas (RPAs) of retained trees. Of these, the encroachment into the RPAs of 16 No. of these trees is less than 20% of the RPA and these can be managed using arboricultural methodology.

The excavation works encroach into 23% of Tree No. 637, and it is noted that this "*can be successfully managed using arboricultural methodology and irrigation*".

Tree No. 717 would show an excavation area of 37% if the RPA was a standard circle. However, the RPA of this tree is greatly impeded by a heavy stone wall (to the east of Dalguise House) contemporaneous with the tree. The large area of arboricultural methodology shown on the Constraints Plan is an area of demolition on the other side of that wall, where the swimming pool extension and vine house are to be removed. Arboricultural methodology will be employed to protect any small roots which may exist in this area. This 37% does not represent a loss of 37% of the roots of this tree, but an expected root loss of almost zero. (See Leinster Tree Services *Tree Constraints/Protection Plan*, Dwg No. 03 Rev 3.)

Cameo Partners' landscape proposals provides specifications for planting 213 No. new trees, to complement the trees to be retained on site. The new trees have a variety of characteristics including native trees, large parkland trees, ornamental trees, tolerant of wet soils and edible trees.

The Arborists inputs have informed the proposed development from the outset. While it is acknowledged that there is an impact on certain trees on the site, as is identified in their Report, Leinster Tree Service are confident that the trees identified to be retained post



development can be protected during the construction process. The retained trees, in addition to the new trees selected for their suitability for the site, will contribute to the landscape character of the site into the future, subject to adherence to the mitigation measures identified in their Report.

The Tree Survey notes that the trees at the subject site have not been managed in recent times, which has contributed to the decline of some specimens:

“The landscape has in recent years become unmanaged and derelict with large areas returning to scrub filled with self-seeded species. Woodland has been left unmanaged and filled with light suppressed individuals unsuitable for long term retention. In some instances large specimens particularly conifers have fallen over. Large deciduous specimens have become infested with decay pathogens and have been marked for removal.”

The proposed development will be actively managed by the operators into the future, this will benefit the trees to be retained in the long term.

Open Space Provision

Cameo Partners have prepared the *Design and Access Statement*, which outlines the approach to the landscape at the subject site. A series of Landscape Character Areas are identified and high quality landscape proposals have been specifically designed for these areas, which will provide a range of activities and attractions aimed at different ages and capability. Privacy of ground floor level apartments is assured through the landscaping. A more formal hard and soft landscaped space is provided in front of Dalguise House, which ensures longer views of the front facade are available and which retains a more traditional setting.

The proposed development will open this previously single family landholding to the public for the first time. The pedestrian routes encourage the active use of the entire site in this locally unique setting.

In terms of quantum of open space the scheme provides more private/communal and public open space than the required standard, as detailed in the Table below.

Table 2.1: Open Space Requirements			
	Standard	Required	Provided
Public Open Space	Development Plan requirement - 15% of site area	5,370 sq m	6,350 sq m (c. 18% site area)
Private and Communal Open Space (488 No. Apartments)	As per the <i>Apartment Guidelines, 2020</i> standards	5,656 sq m	5,802 sq m
Total		11,0256 sq m	12,152 sq m



Permeability

The site currently has one access onto Monkstown Road. The proposed development provides for one additional vehicular, pedestrian and cyclist connection, via Purbeck, which also connects to Monkstown Road. The majority of the site's traffic will enter the lands via the new entrance at Purbeck and travel directly to either the undercroft car parking at Blocks B and C, or into the Basement Car Park.

At surface level, a limited number of car parking spaces are proposed, therefore only a limited vehicles will enter the site via the existing access from Monkstown Road and utilise the avenue. This will result in the avenue being retained as a shared surface, to be used by pedestrians, cyclists and a limited number of vehicles. New passing bays are provided to facilitate two-way vehicular traffic along the avenue. An emergency-vehicle connection along the north-western side of the site is provided to connect the existing avenue and the new access from Purbeck, this will be treated with reinforced grass, but will only be for use in case of emergency. Part of the path along the western boundary provides fire tender access to the rear of Block G.

Apart from the connection to Monkstown Road, the site is surrounded by existing residential developments and the delivery of additional pedestrian and cyclist connections are outside of the Applicant's control. However, the proposed scheme has been designed to facilitate three new pedestrian/cycle links to adjoining lands at Arundel to the west, and New Alma Place and Richmond Park to the east. The proposed landscaping design includes paths to these future linkages. The delivery of the connections is outside of the control of the Applicant, but the details of their location are shown on the RAU and Cameo Drawings

Conclusion

The Applicant has fully addressed the retention of trees, the quantum and quality of open space provision and site permeability in this Application and proposes the optimum solution for this site and location.

3.0 SPECIFIC INFORMATION TO BE PROVIDED IN PLANNING APPLICATION

The LRD Opinion includes a section requesting that specific information be provided as per Article 16A(7) with any LRD Application in order to facilitate a full assessment of the scheme. This Section of the Report quotes the relevant section of the LRD Opinion and cross references where the information in question can be found in the Planning Application documentation.

3.1 Item A

'A report and details that address potential issues and concerns regarding proposed, and drainage matters, and location/ access, and if the proposal and layout is the optimum solution for the site, and location, etc. and to include examination of the following potential issues/ potential insufficient information, and the report to address the concerns/comments of Drainage Planning – As listed in full detail below, in Appendix A – and dated 13th July, 2022.'



3.1.1 Applicant's Response

The Report from Drainage Planning, dated 13th July 2022, and attached at Appendix A of the LRD Opinion included 13 No. points relating to Drainage and 5 No. points relating to Flood Assessment. Byrne Looby have provided the following Response to each of these points.

	Surface Water Drainage – DLR Commentary	Byrne Looby Response
1	<i>The discharge rate from the overall site and the blue roofs are not appropriate. The attenuation volume proposed is lower than expected for this site. The applicant is requested to apply an appropriate outfall discharge rate for the site and blue roofs and recalculate the attenuation volume using the revised discharge rates. This may lead to an increase in attenuation storage volume required. Note that in the interest of clarity where the calculated QBAR rate for the site is less than 2 l/s/ha then a minimum value of 2 l/s/ha should be applied, not a flat rate of 2 l/s, subject to the orifice size of the flow control device not being less than 50mm in diameter.</i>	Green and blue roof discharge rates updated to represent each individual block. These have been attached to the appendices of the <i>Engineering Services Report</i> , prepared by Byrne Looby Consulting Engineers.
2	<i>The applicant is requested to resubmit their drainage calculations using the appropriate total contributing area, Cv values of 1.0 for Winter/Summer, climate change factor of 20%, and site specific or local data, such as SAAR, Soil Type, Rainfall Return Period Table (available from MET Eireann), rainfall intensity and other hydrological parameters. The applicant must clearly state and justify all inputs used in the analysis and agree these with Drainage Planning prior to submission.</i>	Noted, models have been updated to show a CV 1.0 and a climate change of 20%. Soil type chosen is relative to the SI results. SI Document appended to the <i>Engineering Services Report</i> , prepared by Byrne Looby Consulting Engineers, for reference.
3	<i>There appear to be significant opportunities across the site to utilise existing and proposed trees and landscaped areas for the management of surface water run-off. The applicant is requested to revisit their surface water design to maximise the use of SuDS measures across the site and reduce the reliance on attenuation systems.</i>	The Site now utilises the proposed trees along the existing avenue as tree pits in retention basins to capture run off from the existing hard standing area.
4	<i>The applicant is requested to submit the complete Site Investigation Report and results, including Infiltration tests, and a plan showing the trial pits/soakaway test locations across the site. The report should address instances where groundwater, if any, was encountered during testing and its impact.</i>	Now included.
5	<i>It is unclear why a petrol interceptor has been proposed if all run-off is intercepted/treated prior to discharge. The applicant is requested to provide a rationale for the inclusion of a petrol interceptor.</i>	These have now been omitted .



	Surface Water Drainage – DLR Commentary	Byrne Looby Response
6	<i>As standard, the applicant is requested to submit long-sections of the surface water drainage system, clearly labelling cover levels, invert levels, pipe gradients and pipe diameters.</i>	Included.
7	<i>As standard, the applicant is requested to demonstrate by calculation and by representation on a drawing that the proposed green roof extents and build up are in accordance with the Council's Green Roof Policy, Appendix 7 of the County Development Plan 2022-2028. The applicant shall also provide details of maintenance access to the green roofs and should note that, in the absence of a stairwell type access to the roof, provision should be made for alternative maintenance and access arrangements such as external mobile access that will be centrally managed. A detailed cross section of the proposed build up of the green roof should be provided, including dimensions. The applicant should comment on the compatibility of the green roof with PV panels if they are to be incorporated into the design.</i>	See appendix for maintenance guide, section through the blue/green roof build-up and calculations associated with each block. The specialist has noted the sedum variety they supply as normal survives under PV panels since this type of shade has very little affect.
8	<i>As standard, the applicant is requested to provide a penstock in the flow control device chamber and ensure that the flow control device provided does not have a bypass door. The applicant shall also clarify whether a silt trap is being provided in the flow control device chamber and if not to make provision for same.</i>	See drawing W3683-DR-1023.
9	<i>As standard, the applicant is requested to submit supporting standard details, including cross-sections and long-sections, and commentary that demonstrates that all proposed SuDS measures have been designed in accordance with the recommendations of CIRIA C753 (The SuDS manual).</i>	The ESR does mention CIRIA 753 but the report has been updated to make additional reference. cross-sections and long sections have also been provided.
10	<i>As standard, the applicant is requested to provide fully dimensioned plans and sections of the attenuation storage system. All relevant inlet and outlet levels, dimensioned clearances between other utilities, and actual depths of cover to the tank shall be provided. The applicant shall include confirmation from the chosen manufacturer of the storage system that the specific model chosen, with the depth of cover being provided, has the required load bearing capacity to support the loading that may imposed upon it.</i>	Cross-section of the tanks has now been included.



	Surface Water Drainage – DLR Commentary	Byrne Looby Response
11	<i>As standard, the applicant is requested to confirm that a utilities clash check has been carried out ensuring all utilities’ vertical and horizontal separation distances can be provided throughout the scheme. The applicant should demonstrate this with cross-sections at critical locations such as junctions, site thresholds and connection points to public utilities. Minimum separation distances shall be in accordance with applicable Codes of Practice.</i>	A Utilities clash check has been carried out. A plan layout drawing showing the foul and storm drainage has been provided showing these have been addressed. Longitudinal sections throughout the foul and surface water have also been prepared.
12	<i>As standard, the applicant is requested to show the options being proposed for interception and treatment with contributing areas on a drawing together with an accompanying text and tabular submission showing the calculations, to demonstrate that the entire site is in compliance with GSDSDS requirements. The applicant should note that over-provision in one location does not compensate for under provision elsewhere.</i>	Additional SUDs measures have been applied to ensure all positively drained areas are captured by interception methods.
13	<i>A Stormwater Audit will be required for this application. In accordance with the Stormwater Audit policy Appendix 7 of the County Development Plan 2022-2028, the audit shall be forwarded to DLRCC prior to lodging the planning application. All recommendations shall be complied with, unless agreed in writing otherwise with DLRCC.</i>	Included.

	SSFRA – DLR Commentary	Byrne Looby Response
1	<i>The applicant is requested to overlay the flood extents and depths for the 1.0% AEP and 0.1%AEP events, for existing and proposed development scenario demonstrating that no highly vulnerable development is located in Flood Zone A or B or less vulnerable development is located in Flood Zone B, based on the existing flood extents and not the proposed flood extents post development.</i>	Included in SSFRA
2	<i>The applicant is requested to show by cross-sections that the topography remains unaltered across the full extent of the flood extents. Any alteration of existing topography within the flood extents zone must be accounted for in the modelling exercise.</i>	Cross-section of the northern tanks has now been included. Ground level changes have been included in the proposed scenario hydraulic model.



	SSFRA – DLR Commentary	Byrne Looby Response
3	<i>The applicant is requested to submit a Construction Management Plan that takes cognisance of the requirement to maintain flood storage and floodpaths and to ensure that adequate temporary measures are adopted, during the construction phase, including: a. the completion of the proposed flood storage works and flood routing works in advance of other construction works, or other acceptable temporary proposal(s) supported by hydraulic analysis, such that it can be clearly demonstrated that the full flood storage volumes and flood routes are available at all stages of the proposed development and, b. the construction of the proposed bridge in such a manner that the full flood storage volumes and flood routes are available at all stages of the proposed development.</i>	See CEMP Report included in the package.
4	<i>The applicant shall confirm whether the outfall from the surface water drainage system is below the 1% or 0.1% flood level. If so, the applicant is requested to expand on how this discharging from a surcharged system is accommodated, if it has been modelled and the impact of this.</i>	We have provided relevant flood levels. The surface water drainage has been modelled with a surcharged outfall.
5	<i>The applicant is requested to comment on the proposed surface water drainage system in the event of blockage or partial blockage of the system, commenting on any surcharging or flood risk that may be identified. The applicant is requested to submit a drawing identifying and showing details of safe overland flow routes both within and without the site. The overland flow route plan should identify drop kerbs or ramps requested for channelling the flow, should address low point areas in the site and should detail how properties, both within the development and on adjacent lands, will be protected in the event of excessive overland flows.'</i>	Surface water drainage details included in pack - overland flow dwg 1034.



3.2. Item B

'A Phasing Plan clearly indicating the proposed development of the residential units, in conjunction with the necessary infrastructure.'

3.2.1 Applicant's Response

A Phasing Plan is enclosed in the Planning Application (RAU's *Proposed Phasing Plan*, Dwg No. MKS-RAU-ZZ-XX-DR-AR-110). The *Construction and Environmental Management Plan* prepared by Byrne Looby Consulting Engineers also addresses the phasing of construction.

Phase 1 will largely consist of the central part of the site including the Basement, Dalguise House the Coach House and Blocks D, E, F, and G. Phase 2 will consist of Block J, I1 and I2 at the rear of the site. Phase 3 will consist of Blocks A, B and C, Gate Lodge, Entrance Lodge and the 3 No. Houses.

Phase 1 (including Dalguise House and the Coach House, both older structures) would be occupied first. The resident amenities in Dalguise House and Block E will be delivered at first occupation. The site works and infrastructure needed to support these Blocks including plant, power, water, roadwork, utilities, and drainage will also be provided. A detailed Health and Safety Plan will be prepared to ensure resident safety as the later phases are built out, including pedestrian, cyclist and vehicular safety.

3.3 Item C

'A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and retail/ crèche area. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.'

The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).'

3.3.1 Applicant's Response

These issues are addressed in the enclosed:

- *Design Statement*, prepared by Reddy A+U (Section 4.8);
- *Housing Quality Assessment and Residential Amenity Report*, prepared by Reddy A+U (Section 2.5);
- *Landscape Design and Access Statement* prepared by Cameo and Partners, Landscape Architects (pgs 60-111, primarily, pgs 93-95 for boundary treatments);
- *Landscape Design Rationale* prepared by Cameo and Partners, Landscape Architects;
- *Building Lifecycle Report*, prepared by Metec Consulting Engineers;



- *Operational Management Plan*, prepared by Greystar.

3.4 Item D

'A complete set of floor plans, elevations, including contiguous elevations, and long sections, in addition with verified views, preferably including winter views, that would assist in understanding the relationship between the proposed development and its context.'

3.4.1 Applicant's Response

Please refer to the enclosed:

- Full suite of planning drawings prepared by Reddy A+U;
- *Photomontages*, prepared by Redline Studios, which include summer and winter views;
- Chapter 13 of the EIAR, Landscape and Visual Impact, prepared by Macroworks.

3.5 Item E

'A Housing Quality Assessment which provides the specific information regarding the proposed apartments required by the Dun Laoghaire County Development Plan 2022-2028 and the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of the Development Plan and the guidelines.'

3.5.1 Applicant's Response

Please refer to the enclosed *Housing Quality Assessment and Residential Amenity Report*, prepared by Reddy A+U, which provides an analysis of the proposed units. Please also refer to the *Statement of Consistency*, prepared by Tom Phillips + Associates.

3.6 Item F

'A Building Lifecycle Report.'

3.6.1 Applicant's Response

Please find enclosed a *Building Lifecycle Report*, prepared by Metec Consulting Engineers.

3.7.1 Item G

'A Traffic and Transport Assessment including, inter alia, a rationale for the proposed car parking provision should be prepared, to include details of car parking management, car share schemes and a mobility management plan.'



3.7.1 Applicant's Response

Roughan O'Donovan Consulting Engineers have prepared the following in this regard:

- Chapter 17 of the EIAR (Roads and Traffic);
- *Transport Impact Assessment Report*, (Appendix 17.1 of the EIAR);
- *Travel Plan/Mobility Management Plan* (Section 6 of the TIA);
- *Greystar Commitment* to the Mobility Management Measures (Appendix B of the TIA);
- *Quality Audit (including Road Safety Audit)*; and
- *DMURS Statement*.

Item 5 above (Section 2.5.1) provides an overview of the rationale for the car parking provision.

The *Transport Impact Assessment Report* provides the rationale for the car parking provision in the context of the primary residential- BTR use and the ability of a strong central management system to control car parking and to encourage and support more sustainable transport methods, having regard to the site's proximity to high quality public transport.

The *Travel Plan/Mobility Management Plan* states that car sharing/car pooling will be promoted by the Travel Plan Coordinator.

The *Monkstown Operational Management Plan* prepared by Greystar (the future operators of the scheme) also details the Transport Management Strategy. The *Greystar Commitment* (Appendix B of the TIA) details the proposal for the operation of car share scheme, the mobility management coordinator, and 24/7 on site management.

3.8 Item H

'A quantitative and qualitative assessment which provides a breakdown of the communal and public open space, and addressing any areas of open space fenced off, and colour-coding of amenity etc. areas. The assessment shall detail the functionality of the play area, clean water in amenity etc. water features, informal play areas, and other spaces, and shall disregard any areas required for circulation space such as footpaths between buildings etc.'

3.8.1 Applicant's Response

The quantitative and qualitative assessment of open space is provided in:

- *Landscape Design and Access Statement* (pg. 111), and
- *Landscape Design Rationale*, (Section 3.2 Public Open Space and Section 3.3 Communal Open Space).

A more detailed analysis of play within these areas can be found in *Landscape Design and Access Statement* (pages 85-91) with further qualitative assessment within the *Landscape Design Rationale*, Section 3.4 Play.



A thorough description of the water features around the site including water source/quality in particular within public open space and play areas can be found in C0135 DAS_ Landscape Design and Access Statement' report, page 102.

3.9 Item I

'Design of the proposed surface water management system including attenuation features and cross sections of all SuDS features proposed on site in the context of surface water management on the site, discharge rates equal to greenfield sites, integration of appropriate phased works.'

3.9.1 Applicant's Response

The proposed surface water system takes advantage of the new works to incorporate various SUDs technologies (as detailed in Byrne Looby Consulting Engineers' *Proposed Utilities Plan Site Wide SUD's System* Dwg No. W3683-DR-1018) where possible across the development:

- Tree pits,
- Permeable paving,
- Swales,
- Green/blue roofs

This is to help reduce the level of run-off across the site and in hand reducing the amount of attenuation required for extreme rainfall events. Details of these design can be found in the *Engineering Services Report*, prepared by Byrne Looby Consulting Engineers, included in the planning package.

3.10 Item J

'Submission of a Taking-in-Charge (TIC) Map (or otherwise stating non-applicable).'

3.10.1 Applicant's Response

It is not proposed that any part of the site would be taken in charge. The BTR Operator intends to manage the proposed development in its entirety.

3.11 Item K

'Submission of Wind and Pedestrian Comfort Study.'

3.11.1 Applicant's Response

Metec Consulting Engineers prepared the enclosed Wind and Pedestrian Comfort Study, which forms an Appendix to the Micro Climate Chapter 16 of the enclosed EIAR.



3.12 Item L

'Submission of a Construction Management Plan.'

3.12.1 Applicant's Response

Please find enclosed a *Construction and Environmental Management Plan*, prepared by Byrne Looby Consulting Engineers with additional input from:

- Roughan O'Donovan Consulting Engineers in respect of Traffic and Ecology;
- Leinster Tree Services in relation to Arboricultural issues;
- AWN in respect of Construction and Demolition wastes.

3.13 Item M

'The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2022, unless it is proposed to submit an EIAR at application stage.'

3.13.1 Applicant's Response

An EIAR is enclosed with the Planning Application documentation.

3.14 Item N

'A letter from Irish Water (IW) confirming that there is sufficient capacity in the public infrastructure to facilitate a connection for the proposed development obtained no more than 6 months before the date of lodgement of the LRD Application.'

3.14.1 Applicant's Response

The *Engineering Services Report*, prepared by Byrne Looby includes the following from Irish Water:

- *Confirmation of Feasibility*, dated 14th September 2022; and
- *Statement of Design Acceptance*, dated 5th September 2022.

3.15 Item O

'A report that addresses the following concerns/comments of the Biodiversity Officer:

- *That any large mammal surveys are completed by suitably qualified ecologists and also that a bat ecologist addresses bat surveys and assessment including lighting impact assessment where relevant.*



- *Consultation with IFI regarding the bridge design and Construction Method Statement.*
- *IAS survey is requested for upstream and downstream of the proposed bridge and areas of construction compounds, access routes etc. to be carried out by an IAS specialist.*
- *Examine ways in which the watercourse can be improved as a result of the proposed development rather than just describing it as poor – (note DLRCC Biodiversity Action Plan theme – Restoration).*
- *Habitats and flora to be surveyed by a suitably qualified botanist (including any riparian or instream) at appropriate time of year.*
- *Breeding bird surveys including riparian birds by a suitably qualified ecologist/ornithologist at appropriate time of year.*
- *Consider any cumulative impacts.*
- *Consider the zone of influence of the proposed development.*
- *Look at any opportunities to improve the area including the riparian habitat within the zone of influence of the proposed development.*
- *Check with IFI is there is a weir for example within the area that may come out as part of enhancement measures and part of this proposed development.'*

3.15.1 Applicant's Response

The following Response has been prepared by the ecological section of Roughan & O'Donovan, Consulting Engineers, who have prepared all ecological inputs to the Planning Application, including Chapter 8 of the EIAR (Biodiversity); AA Screening Report; Natura Impact Statement and all relevant Surveys:

1. *That any large mammal surveys are completed by suitably qualified ecologists and also that a bat ecologist addresses bat surveys and assessment including lighting impact assessment where relevant.*

Response: The qualifications of the suitably qualified ecologists are listed in Section 8.1 of the EIAR Biodiversity Chapter. The EIAR Biodiversity Chapter details the ecological surveys that were carried out on site, specifically in Section 8.3.8. Bat survey methodology, survey results and impact assessment are described in Sections 8.3.8.4, 8.5.2.3 and 8.7.3 of the EIAR Biodiversity Chapter, respectively.

2. *Consultation with IFI regarding the bridge design and Construction Method Statement*

Response: Consultation with IFI regarding the bridge design and Construction Method Statement was received on the 12th January 2022 in the form of a letter. The content of the letter is summarised in Section 8.3.6, Chapter 8 (Biodiversity) of the EIAR.

3. *IAS survey is requested for upstream and downstream of the proposed bridge and areas of construction compounds, access routes etc. to be carried out by an IAS specialist.*

Response: The qualifications of the suitably qualified ecologists are listed in Section 8.1 of the EIAR Biodiversity Chapter. The EIAR Biodiversity Chapter details the ecological surveys that were carried out on site, specifically in Section 8.3.8. Invasive species survey methodology is described in Section 8.3.8.8 of the EIAR Biodiversity Chapter.



4. *Examine ways in which the watercourse can be improved as a result of the proposed development rather than just describing it as poor – (note DLRCC Biodiversity Action Plan theme – Restoration)*

Response: Action 3.6 of the DLRCC Biodiversity Action Plan has been taken into consideration for the Stradbrook Stream – as outlined in Section 8.2.2 under the heading ‘*Dún Laoghaire-Rathdown County Biodiversity Action Plan 2021 – 2025*’. Please see Section 8.8.2.3 of the EIA Biodiversity Chapter for proposed improvements of the Stradbrook Stream.

5. *Habitats and flora to be surveyed by a suitably qualified botanist (including any riparian or instream)*

Response: Please see Section 8.1 of the EIA Biodiversity Chapter for qualifications of the suitably qualified ecologists.

6. *Breeding bird surveys including riparian birds by a suitably qualified ecologist/ornithologist at appropriate time of year.*

Response: Please see Section 8.1 of the EIA Biodiversity Chapter for qualifications of the suitably qualified ecologists and Table 8-2 of the EIA Biodiversity Chapter for details on when the breeding bird surveys were carried out.

7. *Consider any cumulative impacts*

Response: Please see Chapter 21 ‘Cumulative Impacts’ of the EIA for consideration of any cumulative impacts.

8. *Consider the zone of influence of the proposed development*

Response: The Zone of Influence for the proposed development has been considered in Section 8.3.1 of the EIA Biodiversity Chapter.

9. *Look at any opportunities to improve the area including the riparian habitat within the zone of influence of the proposed development*

Response: Please see Section 8.8.2.3 of the EIA Biodiversity Chapter for proposed improvements of the riparian habitat within the Zone of Influence.

10. *Check with IFI is there is a weir for example within the area that may come out as part of enhancement measures and part of this proposed development.*

Response: Please see Sections 8.8.2.1 and 8.8.2.3 of the EIA Biodiversity Chapter for enhancement measures which are being implemented as part of the proposed development.



3.0 CONCLUSION

This submission addresses, in full, issues raised by the Planning Authority in the *LRD Opinion*, dated 13th July 2022.

It is submitted that the proposed development is in accordance with the proper planning and sustainable development of this area and that the issues raised in the Planning Authority's *LRD Opinion* have been fully addressed by this Response, and the accompanying Planning Application.

We trust you will find this Application in order and look forward to your decision.

Yours sincerely

Tom Phillips
Managing Director
Tom Phillips + Associates

Encl.