

**Statement of Response to DLR LRD Opinion
Reg Ref.: LRD2/002/24**

In respect of

Proposed Large-scale Residential Development

at

Vector Motors, Goatstown Road, Dublin 14, D14FD23

Prepared for

Orchid Residential Ltd

Prepared by

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Table of Contents

1.0 INTRODUCTION.....	2
2.0 RESPONSE TO LRD OPINION.....	2
Item 1 – Appropriate Scale and Impact on Adjacent Residential Amenity	3
Item No. 1:.....	3
Item 2: Open Space and Landscaping	13
Item 3:	16
Item 1:	27
Item 2:	27
Item 3:	28
Item 4:	28
Item 5:	28
Item 6:	28
Item 7:	30
Item 8:	31
Item 9:	32
Item 10:	32
Item 11:	32
Item 12: Transportation.....	32
Item 13 - Drainage:.....	35
Item 14 – Public Lighting.....	37
Item 15 – Parks and Landscape:	38
Item 16 - Environmental Matters	40
3.0 CONCLUSION.....	41

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1.0 INTRODUCTION

This Statement of Response report seeks to address individually the issues and items raised within the LRD Opinion, issued by Dun Laoghaire Rathdown County Council (DLRCC) under Ref.: LRD2/002/24 on 26th July 2024, following the LRD Meeting held on 12th June 2024 in respect of the proposed large-scale residential development at Vector Motors site (formerly known as Victor Motors), Goatstown Road, Dublin 14.

This Statement will refer to other documentation which forms part of the final LRD application pack and will direct the reader to the relevant information within the application documentation, which demonstrates that the issues raised in the LRD Opinion have been fully and satisfactorily dealt with as part of the final LRD application.

2.0 RESPONSE TO LRD OPINION

The LRD Pre-Application meeting took place on 12th June 2024 in respect to a proposed development which as submitted at Stage 2 LRD Opinion Request consisted of a purpose-built student accommodation scheme, open space, cycle parking, landscaping and all associated development.

The LRD Opinion on the pre-application stage for the proposed development was issued by DLRCC under Ref.: LRD2/002/24 on 26th July 2024. The Opinion stated that; *“Following consideration of the issues raised during the consultation process the Planning Authority is of the opinion that, whilst the proposed scheme is underpinned by a number of key elements that are deemed to have the potential to result in a development proposal that is consistent with the proper planning and development of the area, having regard to the level of detail provided at this point in the process the documentation submitted is - **not deemed to constitute a reasonable basis** on which to make an application for permission for the proposed LRD”.*

In addition, the LRD Opinion further states; *“The Applicant is advised that the above issues, in addition to the issues set out below, if addressed by the relevant documents could result in the documents constituting a reasonable basis on which to make the application for permission for the proposed LRD.”*

The below response to the DLRCC LRD Opinion sets out how each of the items raised have been fully addressed. This response document should be read alongside the accompanying supporting information and specialist consultant inputs submitted with the application which are referenced as relevant throughout the response.

A Planning Report & Statement of Consistency with relevant objectives of the development plan for the area has been prepared by John Spain Associates and accompanies this application and should be read in conjunction with this LRD Opinion Response.

Documentation has been prepared and/or updated in response to this request to ensure that the Planning Authority have all the information it requires to come to a reasoned decision on the proposed development.

A summary of the responses provided to each of the items of the LRD Opinion is set out in the sections below with reference to accompanying application documentation.

Summary of key changes to the scheme since LRD Pre-Application Submission

A summary of the key changes to the development in response to the Planning Authority's LRD Opinion are listed below and discussed in greater detail thereafter:

- Increased set back on the northern elevation at 5th floor level resulting in a 10.4m setback from the boundary;
- Reduced number of bedspaces from 221 to 220 resulting in a density of 161 units per hectare (net);
- Increased bicycle parking area provided on the northern boundary of the site and redesign of the courtyard bicycle parking area to provide additional Sheffield stands;
- Amended finishes on the northern elevation including the introduction of additional brick elements;
- Redesign of all roof terrace areas to provide terraces on the western elevation only fronting Goatstown Road.

Item 1 – Appropriate Scale and Impact on Adjacent Residential Amenity**Item No. 1:**

“It is considered that insufficient evidence has been provided in submitted CGI, elevation, and plan drawings to mitigate concerns- regarding overbearing and excessive height upon dwellings/buildings particularly directly to the north of the scheme and along streetscape.

Strong rationale must also support deviating from previously recommended conditions under Ref. ABP-313235-22, which were recommended by the Planning Authority to address these concerns.’

Response

In response to Item No. 1 of the LRD Opinion, we refer the Planning Authority to the accompanying CGIs and Verified Views prepared by 3D Design Bureau (3DDB), the Townscape and Visual Impact Assessment (TVIA) prepared by ParkHood and the Urban Design Statement prepared by Reddy Architecture and Urbanism (RAU) all of which include a detailed assessment of the proposed development in the context of the surrounding area.

We refer specifically to the below CGI by 3DDB which shows the change in treatment of the northern elevation, including an additional setback at the fifth-floor level, the introduction of brick elements on the angled windows and reconfiguration of the apartment layout and reduction in the number of bedrooms at this location. We refer to the Urban Design statement prepared by RAU which states that:

“This change has significantly reduced the massing of the top floor along the northern boundary mitigating any overbearing or excessive height upon the neighbouring property.”

Further detail is also included in the Urban Design statement.

Figure 1 - View looking south illustrating the changes made to the northern elevation following the issue of the LRD Opinion



View South Along Goatstown Road Pre-App



Revised View South Along Goatstown Road with set-back upper floor

Source: RAU and 3DDB

The submitted addendum to the updated TVIA prepared by ParkHood concludes that:

“It is reasonable to suggest the amended layout does constitute an improvement particularly in relation to the set back of the northern elevation towards Trimbleston. This was originally six storeys but it has been reorientated to allow the sixth storey to be set back with angled windows and changes to the brick detail and pattern breaking up the façade providing it with

more architectural interest. This has lessened any potential overbearing aspect of the building in this area. (Note that the nearest façade directly to the north within the Trimbleston development comprises a largely blank wall with no windows)."

In relation to the second part of item 1 of the opinion response the following is response is provided:

Condition 2 of the Planning Authorities Chief Executive Report in relation to Reg. Ref. ABP-313235-22, which included a recommendation to grant permission, is detailed below with a response provided to each items raised;

2. Prior to the commencement of development, the applicant shall submit revised drawings for the written agreement of the planning authority, complying with the following requirements:

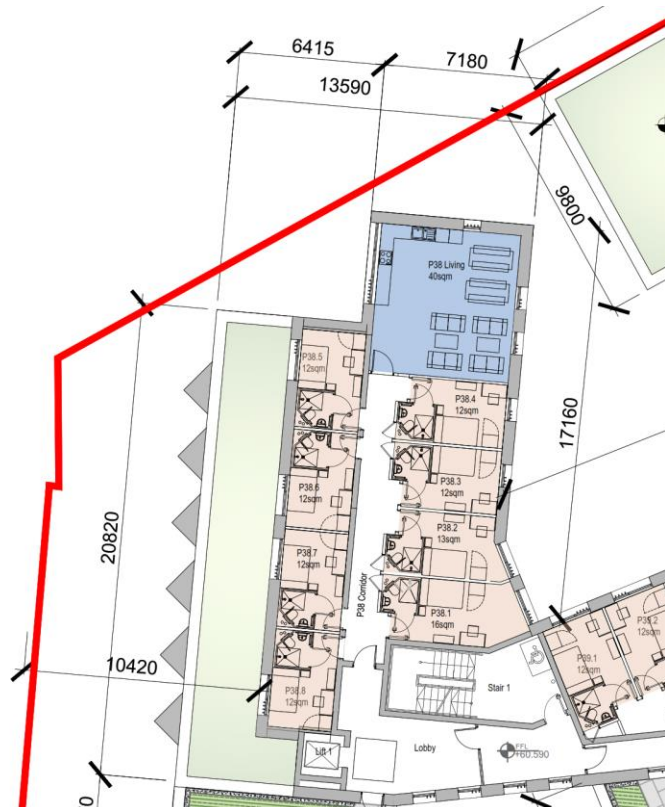
- i. The Cluster P38 (5th Floor) shall be omitted to recess the upper floor from the north boundary.***

Response: Cluster 38 was removed from the fifth-floor level and the remaining cluster was reconfigured to provide for an increased setback from the northern boundary. The revised fifth floor plan includes an additional setback to the northern boundary resulting in a 10m setback from the site boundary as required above. This results in an 18m setback from the adjoining Trimbleston building. The roof space adjoining the newly configured cluster to the north is a green roof and not accessible to residents. The drawing extracts below provide a comparison between the scheme discussed at the LRD Opinion meeting and the revise proposal as submitted. The images illustrate the changes made to the proposal in response to the above.

Figure 2 - SHD Application ABP 313235_22 - Fifth Floor Level



Figure 3 - Proposed LRD application - Fifth Floor Level



- ii. The roof garden on the block to the rear (southeast) of the site shall be omitted and not be accessible to residents of the building, and shall comprise a green roof in accordance with the requirements of the Drainage Planning Section.***

Response: The proposed roof garden has been removed from the 4th floor at the south-eastern corner of the site and replaced with a green roof as required. All roof terraces are now provided on the western elevation only overlooking Goatstown Road to minimise any overlooking of nearby residential properties.

Figure 4 - Extract - proposed roof gardens and fourth and fifth floor level on the western side of the side.



- iii. The applicant shall clarify the extent of screening provided to prevent any additional overlooking from the roof gardens into adjoining properties.**

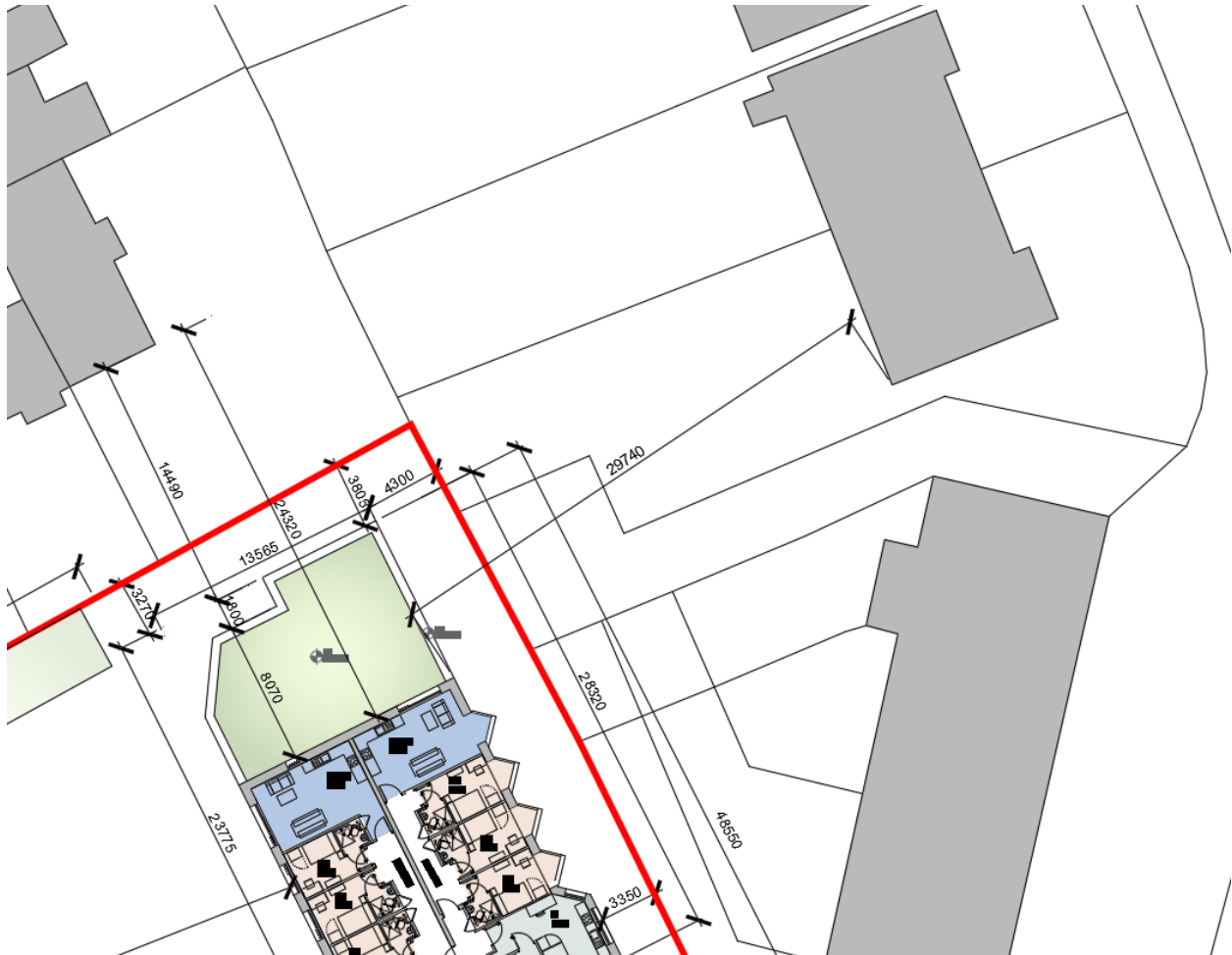
Response: The proposed roof garden on the 4th floor level (south-eastern corner) has been removed as above. The proposed roof gardens are located to the west of the site fronting Goatstown Road only and will not result in overlooking of adjoining properties.

The roof garden at fourth floor level (south-western corner of the site) does not directly adjoin any residential properties. It is also noted that the narrowest point between paving and the roof garden railing is over 3m, meaning the closest anyone can stand while using the space is minimum 3m away from the railing. This is more than sufficient to prevent overlooking into the southern properties, which are commercial in any case. Should the Council be minded to grant permission for the proposal, the applicant would be willing to accept a condition to include additional screening should this be deemed necessary.

- iv. Views towards the rear garden of No. 10 Willowfield Park from the south facing living room windows on the second and third floors of the block to the rear (southeast) of the site shall be obscured by way of louvers.

Response: The windows are setback more than 30m from the boundaries. The development plan requires a setback from adjacent windows on neighbouring properties only. The proposal complies with the requirements of the development plan including a setback of more than 30m from the nearest window of No. 10 Willowfield Park. The applicant is willing to accept a condition to include louvers if required.

Figure 5 - Extract - Setback from 10 Willowfield Park



- v. *Clusters P3 & P4 and Studio S2 on the ground floor of the block to the rear (southeast) of the site shall be omitted and the proposed refuse store and long-stay bicycle parking incorporated within the ground floor of this block.*

Response: The bicycle parking area has been redesigned to accommodate additional Sheffield stands for resident long-stay parking adjacent to the northern boundary of the site. A total of 218 no. cycle parking spaces are provided across the site for resident and visitor use.

34 no. Sheffield stands are provided at the northern boundary for visitor use. An additional 8 Sheffield stands are provided within the courtyard for visitor use and 2 no. short stay cargo spaces resulting in a total of 44 no. visitor spaces.

2 no. e-bike parking spaces and 2 no. cargo-bike parking spaces are provided in the courtyard for resident use. A further 170 no. bicycle spaces are provided in the courtyard and adjacent to the northern boundary. 85 no. of these spaces are Sheffield stands and an additional 85 no. stacked spaces are also provided. This exceeds the requirements of the DLR CDP.

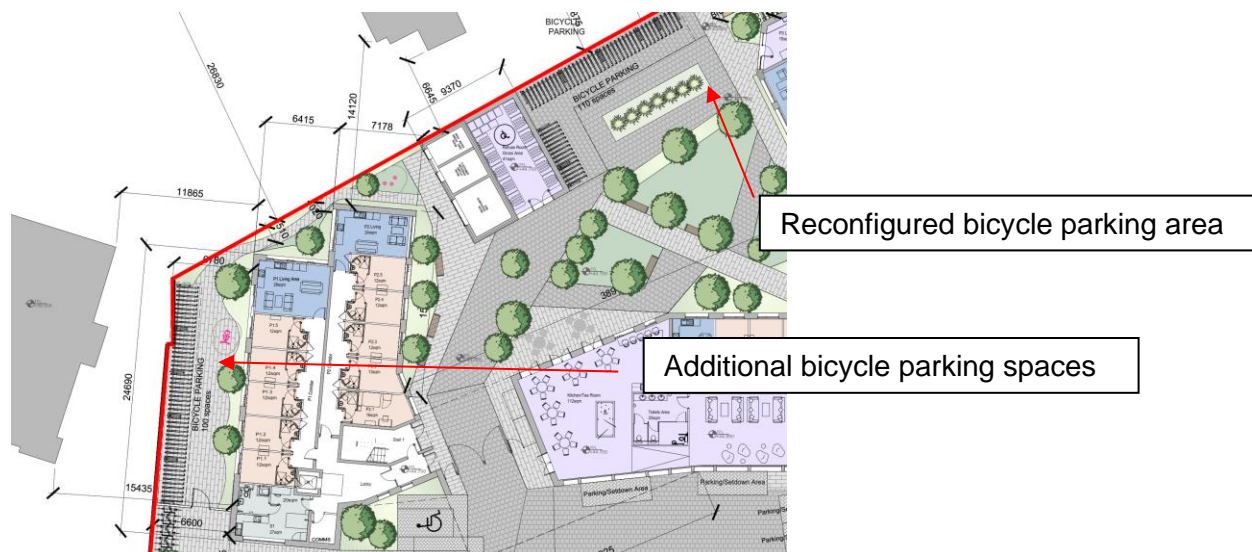
The amendments result in an additional 8 no. spaces when compared to the proposal as discussed at the LRD Opinion meeting. It is also noted that the majority of resident spaces required under the provisions of the development plan (105 spaces) have been provided in the form of Sheffield stands.

We also refer to the NRB Traffic and Transport Report which includes a cycle audit of the site. the report also confirms that the proposal delivers an appropriate type, number and style of parking arrangement which exceeds the quantum required under the “*Standards for Cycle Parking and associated Cycling Facilities for New Developments*” – January 2018”. We refer to the Urban Design Statement by RAU which includes details of the type of bicycle parking arrangement proposed.

Figure 6 - Sample images of the proposed bicycle parking arrangement on the site



Figure 7 - Extract site layout plan showing the location of bicycle parking on the site



- vi. Cluster P2 (ground floor) shall be omitted to accommodate additional undercroft car parking of 6-8 spaces.

Response: The proposed car parking numbers comply with the development plan standards which seek to provide a reduced number of carparking spaces at this location. No change is proposed to the proposed car parking provision on the site. We refer to the accompanying NRB Traffic and Transport Report which includes a full justification for the proposed car parking numbers at this location. The report concludes that:

“In terms of the relevant Policy, and our assessment, the subject site meets all the requirements for significantly reducing the provision of Private Car Parking, under the headings.”

- vii. The ground floor plan shall be amended to provide for an access point to the shared lounge directly from the archway.

Response: We refer to the amended ground floor plan which includes the above requested access point.

Figure 8 - Amended Ground Floor plan



- viii. *The 2 no. of large blank wall elevations situated on the eastern elevation be provided with high level / clerestory windows to assist in breaking up the solid brick wall elevation. These windows shall be non-openable and located at a minimum of 1.7m above finished floor level across all floors to prevent any overlooking.*

Response: The elevations have been reviewed by the design team and it has been proposed to include a textured brick wall elevational treatment on this elevation. We refer to the Urban Design Report by RAU which includes details of this elevation treatment. It is respectfully submitted that inclusion of additional clerestory windows, albeit at a high sill height level would raise concerns from adjoining property owners. Accordingly, louvered windows have been included to break the mass of the elevation as required by the planning authority. The figures below indicate the change at the dashed redline.

We refer to Section 2.11 of the accompanying Urban Design Report by RAU which includes further details on the proposed finishes.

Figure 9 - View of the eastern elevation as previously proposed (ABP 313235_22)



Source: RAU

Figure 10 - View of the eastern elevation as proposed



Source: RAU

- ix. The windows situated at fourth floor level on the northern elevation (directly abutting Trimbleston) shall be angled to the west to prevent direct overlooking into the adjoining penthouse level windows. These angled windows shall be similar/same design to those provided on the southern elevation.

Response: We refer to the updated elevation drawings prepared by RAU (extract at figure 12 below) which include angled windows on the northern elevation as requested above.

Figure 11 - Angled windows included at 4th floor level on the northern elevation

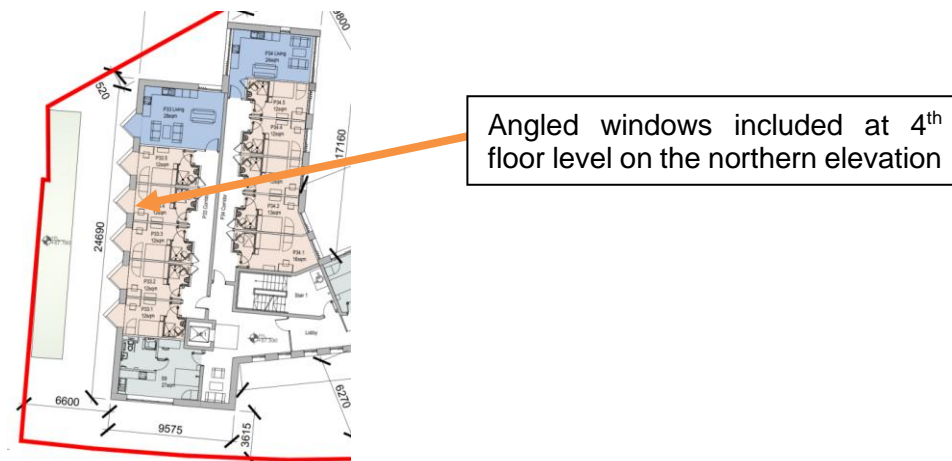


Figure 12 - View looking south showing angled windows on the northern elevation at 3rd and 4th floor levels.



Item 2: Open Space and Landscaping

“It is considered that the applicant has not provided adequate provision for public open space as per section 12.8.2 and Section 12.8.3 of the CDP 2022 - 2028. It is noted that a contributions in lieu of public space may be applied in the event of a subsequent grant of permission.”

Response:

It is respectfully submitted that the County Development Plan does not include specific requirements relating to the provision of public open space for student accommodation schemes. From the outset, it is noted that ‘student accommodation’ is a separately defined land use within the CDP. There are separate sections included in the CDP (discussed below) which guide the development of student accommodation and are independent of the residential development criteria.

This is due to the almost commercial like form of purpose-built student accommodation which is transient in nature with students only staying for short periods during the years of university attendance.

It is noted that the proposed scheme has been designed to meet the criteria outlined within ‘*The Guidelines of Residential Developments for 3rd Level Students, Section 50 of the Finance Act 1999*’ as demonstrated in the accompanying Planning Report and Statement of Consistency prepared by John Spain Associates and the Housing Quality Assessment prepared by Reddy Architecture. The proposed scheme is considered a ‘*purpose-built student accommodation*’ as defined under the Act.

The Planning and Development Act 2000 (as amended) defines a 'house' as:

"House" means a building or part of a building which is being or had been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;"

The Planning and Development (Housing) and Residential Tenancies Act 2016 introduces a definition of "Student Accommodation" to the Planning and Development Act as follows:

"student accommodation – Means a building or part thereof used or to be used to accommodate students whether or not provided by a relevant provider (within the meaning of Qualification and Quality Assurance (Education and Training) Act 2012), as that is not for use - as permanent residential accommodation, or subject to paragraph (b), as a hotel, hostel, apart-hotel or similar type accommodation, And includes residential accommodation that is used as tourist or visitor accommodation but only if it is so used outside of academic term times".

We also refer to the High Court decision in *Jennings v An Bord Pleanala* [2023] IEHC 14, Holland J (albeit in the context of the potential application Part V), specifically found that student accommodation is not a house. At para. 310 of that judgment Holland J stated:

"310. That said, I am left with the impression that the 2016 Act, despite the wide definition of houses in the PDA 2000, in introducing to the Planning Code the concept of Student Accommodation – and doing so in terms limited to accommodation of at least 200 bedspaces – did so intentionally and repeatedly in terms which distinguished Student Accommodation from houses. For reasons I have explained, neither can I see a purposive reason to include Student Accommodation of at least 200 bedspaces in the Part V system. Ultimately this leads me to the conclusion, hesitant but conclusion nonetheless, that such Student Accommodation does not fall within Part V and S.96 PDA 2000 and, specifically the concept of "houses" found in S.96".

Therefore, student accommodation is a clearly defined land use, separate and distinct from the definition of a "house". The definition of student accommodation states explicitly that student accommodation excludes the use as permanent residential accommodation. Therefore, student accommodation is not a "dwelling", does not fall under the definition of a "house".

It is noted however, that the applicant is willing to accept a condition should the Council be minded to grant planning permission, to provide for the upgrade of the public domain area directly in front of the site.

National Student Accommodation Strategy – Rebuilding Ireland (2017)

We also refer to the National Student Accommodation Strategy – Rebuilding Ireland (2017) which is designed to ensure that there is an increased level of supply of purpose-built student accommodation (PBSA) to reduce the demand for accommodation in the private rental sector by both domestic and international students attending our Higher Education Institutions (HEIs). The scheme is not built to accommodate families or non-student residents and is designed to specifically cater for the needs of university and higher education students

Table 12.7 of the CDP states the following in relation to public open space:

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

Table 12.8 sets out the following in relation to Public Open Space Requirements for residential developments:

Location:	Public Open Space Standards (minimum):
Residential Development in new residential communities as shown in the Core strategy – figure 2.9.	15% (of site area)
Residential Development in the existing built up area.	15% (of site area)
Institutional and Redevelopment of SNI use	25% (of site area)

Section 12.8.2 of the CDP sets out the ‘Open Space Categories for **Residential Development**’ (our emphasis) as follows:

“In relation to Development Management, there are three categories of open space: public open space, communal open space, and private open space. This is provided or conditioned by way of a grant of planning permission, to serve the needs of the local population, and is categorised in the table below.”

Section 12.3.7.11 of the CDP sets out the design and development management requirements specifically relating to Student Accommodation. Section 12.3.7.11 of the CDP does not include a requirement for the provision of public open space.

Accordingly, given the separate definition of ‘purpose built student accommodation’ (PBSA) in the Act and noting, there is no specific requirement for public open space to be provided with PBSA schemes, it is respectfully submitted that Sections 12.8.2 and 12.8.3 do not apply to the subject proposal.

We also refer to the chief executive report in relation to Ref. ABP-313235-22 (as referenced in Item 1 of the opinion above), which states:

“It is considered that no requirement for public open space arises as Section 12.8.3 of the plan applies to residential development. Student Accommodation is not considered to be residential development from the perspective of open space requirements.”

1,247sqm of communal open space has been provided in the form of a central courtyard and a smaller courtyard to the south of the site, in addition to roof terraces on the western side of the building. The proposed allocation of communal amenity space is considered suitable to address the needs of the residents of the site.

The applicant is willing to accept a condition to upgrade the public domain area directly in front of the site in consultation with the Parks Department in the Council.

Item 3:

“Compact Settlement Guidelines: Robust commentary should be provided demonstrating compliance of the proposed development scheme with the relevant/comparable parameters of the ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’ 2024. Where deviation from County Development Plan standards are sought in relation e.g. density, and to car parking provision, compliance with the provisions of ‘the Guidelines’ should be thoroughly set out.

Response:

The Sustainable and Compact Settlement Guidelines were published by the Department of Housing, Local Government and Heritage on the 15th of January 2024. The guidelines replaced the previous Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009).

The Guidelines provide for different densities to respond to settlement size, greater flexibility in residential design standards, setting national standards that support innovation in housing design and a greater range of housing typologies, and more compact urban development. This in turn supports higher densities across all areas.

It is noted that a footnote at page 18 of the Compact Settlement Guidelines state that “*When calculating net densities for shared accommodation, such as student housing, four bed spaces shall be the equivalent of one dwelling*”. There is no rationale set out for this statement, nor is it included in any Specific Planning Policy Requirement within the Guidelines. The proposed density is considered appropriate having regard to the PBSA nature of the proposed development and its proximity to UCD, Irelands largest university.

Section 3.2.1 sets out a methodology to assist planning authorities in the assessment of individual planning applications and states:

*“This section sets out a methodology to assist planning authorities in appropriately integrating national planning policy in relation to settlement growth and residential density into statutory development plans and in the assessment of individual planning applications. **The policies and objectives are intended as a tool to guide the appropriate scale of development at different locations, rather than as a prescriptive methodology.** Flexibility is offered so that planning authorities can operate a plan-led approach and take the circumstances of a plan area or an individual site into account as part of the decision making processes prescribed under the Planning and Development Act 2000 (as amended)”*

*“The densities should generally be within the ranges set out in Section 3.3 and can be refined further in accordance with the guidance set out in Section 3.4. It may be necessary and appropriate in some **exceptional circumstances** to permit densities that are above or below the ranges set out in Section 3.3. In such circumstances, the planning authority (or An Bord Pleanála)*

should clearly detail the reason(s) for the deviation in the relevant statutory development plan or as part of the decision-making process for a planning application, based on considerations relating to the proper planning and sustainable development of the area.”

An assessment has been carried out using the density assessment tools set out in the guidelines for residential development in the following section. Again, the somewhat commercial nature of student accommodation is noted, with residents only in situ for a number of months at a time.

The Compact Settlement Guidelines outline at Table 3.1 in relation to City – Urban Neighbourhoods that:

(i) the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses,
(ii) strategic and sustainable development locations,
(iii) town centres designated in a statutory development plan, and
*(iv) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall **generally** be applied in urban neighbourhoods of Dublin and Cork.”*

Table 3.8 of the guidelines is included below. Importantly, the section states that: ‘The characteristics detailed in Table 3.8 are not exhaustive and a local assessment will be required’.

Table 3.8: Accessibility

High Capacity Public Transport Node or Interchange

- Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail¹¹, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects ‘Core Bus Corridor’¹² stop.
- Highest densities should be applied at the node or interchange and decrease with distance.
- ‘Planned public transport’ in these Guidelines refers to transport infrastructure and services identified in a Metropolitan Area Transport Strategy for the five cities and where a public authority (e.g. National Transport Authority, Transport Infrastructure Ireland or Irish Rail) has published the preferred route option and stop locations for the planned public transport.

Accessible Location

- Lands within 500 metres (i.e. up to 5-6 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services.

The subject site is located within 800m of the largest university in Ireland and is proximate to public transport in the form of the no. 11 bus route on Goatstown Road and S6 bus route located on Taney Avenue, in addition to being 1.3km from the Dundrum green line Luas stop and 1000m

from the S4 bus stop on Bird Avenue. Given the requirements of table 3.8 above, coupled with the public transport options available from the site, namely the 11 no. bus route on Goatstown Road, the S6 bus route (Taney Avenue), the S4 bus route on Bird Avenue and the future radial bus route 86, when strictly applying the guidelines, the site is not considered to be adjacent to a high-capacity public transport node or interchange within the meaning of the Guidelines. We do note that these are 'guidelines'.

Strict application of the Guidelines would therefore consider the site as being located in a "City - Suburban/Urban Extension Suburban area" under the parameters of the Guidelines as follows:

"City - Suburban/Urban Extension Suburban areas are the lower density car-orientated residential suburbs constructed at the edge of cities in the latter half of the 20th and early 21st century, while urban extension refers to the greenfield lands at the edge of the existing built up footprint that are zoned for residential or mixed-use (including residential) development⁸. It is a policy and objective of these Guidelines that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork, and that densities of up to 150 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8)."

Accordingly, the indicative net density range for residential development on the subject site would be 40-80 dwelling per hectare (dph), as per the below. We again note the proposal relates to a PBSA.

	Centre	Urban Neighbourhood	Suburban / Urban extension
Dublin/Cork City and Suburbs	100-300 dph	50-250 dph	40-80 dph (+ 150 dph)*
Limerick / Galway / Waterford	100-250 dph	50-200 dph	35-50 (+ up to 100 dph)*
Metropolitan Towns (>1,500)	50-150 dph	50-150 dph	35-50 dph (+ up to 100 dph)*
Metropolitan Area Villages (<1,500)	Reflect existing density and/or built form not below 25 dph		
Regional Growth Centres	50-150 dph	50-150 dph	35-50 dph (+ up to 100 dph)*
Key Towns and Large Towns (5,000+)	40-100 dph	40-100 dph	30-50 dph (+ up to 80 dph)*
Small to Medium Sized Town (1,500 – 5,000)	Respond to existing context.	n/a	25-40 dph
Rural Towns and Villages (<1,500)	Respond to existing context.	n/a	Respond to existing context.

The Compact Settlement Guidelines state (in a footnote on page 18) that when calculating net densities for shared accommodation, such as student housing, four bed spaces shall be the equivalent of one dwelling. Using this metric the proposed development would result in a net density of c.161 units per hectare. We note that An Bord Pleanála granted permission for a density of 176 units per hectare on the site under ABP – 305353-20 on 3rd of February 2021.

The subject site is located within 800m of UCD campus which will be the end destination for residents living in the proposed PBSA. In addition, the site is 700m from the S6 bus route on Taney Avenue, 1.3km from the green line Luas at Dundrum and 1000m from the S4 bus top on Bird Avenue. It is expected that students will walk or cycle to UCD given the direct connectivity and proximity to the site. The proposed density of 161 uph meets the overall 'intent' of the guidelines which is to support compact growth at suitable locations, in this case being the sites proximity to UCD.

It is submitted that the purpose of the density guidelines is to provide for higher residential densities in locations that have easy access to meet the day to day needs of the population such

as shops, social infrastructure, access to employment, schools etc. This can include locations which have easy access to high-quality public transport which deliver residents to their required employment, services etc. Section 4.4 (i) states that:

*“In order to meet the targets set out in the National Sustainable Mobility Policy 2022 for reduced private car travel and increased active travel, it will be necessary to design settlements at every level to support the **transition away from private car use and to support ease of movement for pedestrians, cyclists and public transport**. Local authorities should plan for the development of well-connected neighbourhoods and a distribution of activities **to ensure that day-to-day services and amenities are accessible within walking distance of homes and workplaces**. In addition to sustainable travel objectives, this will ensure that settlements are vibrant, and when applied alongside the principles of Universal Design, will allow vulnerable users to move about and access services with ease.”*(our emphasis)

As noted above, Section 3.2.1 sets out a methodology to assist planning authorities in the assessment of individual planning applications. Again we note the following extract from the guidelines:

*“It may be necessary and appropriate in some **exceptional circumstances** to permit densities that are above or below the ranges set out in Section 3.3. In such circumstances, the planning authority (or An Bord Pleanála) should clearly detail the reason(s) for the deviation in the relevant statutory development plan or as part of the decision-making process for a planning application, based on considerations relating to the proper planning and sustainable development of the area.”*

Accordingly, the guidelines recognise that deviation from the guidelines may arise on certain occasions, in ‘exceptional circumstances’. It is important to note that (as stated earlier) other than the footnote reference to student accommodation, the Guidelines do not purport to address student accommodation. It is also stated that there are no strict density upper limits in either the local area plan (albeit expired) or the county development plan insofar Policy Objective PHP 20 requires an assessment where the density is greater than 50 per hectare (again, not directly related to student accommodation).

It is respectfully submitted that the subject proposal constitutes an ‘exceptional circumstance’ given its location in what is clearly an urban neighbourhood. The proposal constitutes purpose-built student accommodation which is a clearly defined land-use different to a ‘house’ as described in the Planning and Development Act 2000.

Therefore, in this ‘exceptional circumstance’, the proposed density is considered appropriate given the location of the site and proximity to the relevant services specific to students needs. The following provides a clear justification and reasons outlining the case for increased density in this particular instance:

It is respectfully submitted that the main methods of travel to and from UCD will be walking or cycling, with only set-down spaces available at the site. This complies with the overall intent of the guidelines to provide suitable development at locations which do not rely on private car travel.

We refer to the below diagram from the NRB Traffic and Transport Report which shows the site within a 6 minute cycle of UCD Belfield Campus. It is further noted that there are direct and protected cycle lanes leading directly from the site to the campus. The site is served by a Primary Radial Cycle Route on Goatstown Road, leading directly to the Greenway Route at Wynnsward Drive, being the western entrance to UCD. These links ensure that the site is highly accessible by bicycle to both UCD and to the entire of Dublin City and environs.

This coupled with the excellent provision of cycle parking facilities on the subject site and the provision of c. 5,000 cycle spaces across UCD, in addition to end of trip facilities, will encourage cycling as the main mode of transport to the campus. We also refer to the accompanying Student Management Plan prepared by Fresh Property which encourages and supports cycling on the site.

Figure 13 - Aerial view showing the sites proximity to UCD



Figure 14 - Images of the extensive cycle parking options available at UCD.



We again refer to the NRB Traffic and Transport Report which states that:

“Based on the UCD Campus Travel Plan figures, the predicted modal split will be 22% walking, 29% cycling and 49% by public transport”.

Accordingly, cycling is greatly encouraged and supported to and from the campus. We refer to Section 1.3.2 of the Guidelines which states that:

“international experience shows that compact settlements with an integrated network of well-designed and mixed-use neighbourhoods have many benefits. These neighbourhoods tend to offer improved access to services and amenities, better integration with existing infrastructure and public transport, more efficient use of land, and facilitate and support a transition to lower carbon living. The term ‘15 minute city’ has been used in recent years to describe compact neighbourhoods with a range of local services and amenities and access to public transport all within a short walk or cycle of homes”.

Accordingly, the subject site meets the intent of the ‘15 minute city’ principle with all of the services and amenities required by students located a 6 minute cycle away on the UCD campus. The subject proposal relates to purpose built student accommodation which does not represent a permanent form of residential accommodation and is transient in nature with a changing population over a short period of time. In this regard, it is essentially a form of commercial development in some respects and it is respectfully submitted that residents will have different needs to that of a traditional residential development. The key focal point of future residents of the subject site will be UCD, the largest university campus in Ireland.

It is noted that the site, being a brownfield site, is considered suburban as opposed to urban extension (ie. greenfield) under the guidelines. Suburban areas are then defined "lower density car-oriented residential suburban...". However, the present development being purpose built student accommodation in close proximity to UCD, is not a car orientated residential development and therefore it does not raise potential planning concerns concerning transport which might otherwise arise with a higher density development. This is due to students likely walking and cycling to campus and the very limited parking provided at the site. It is essentially a car free development. We refer to *Jennings v An Bord Pleanála* [2023] IEHC 14 where the court noted at paragraph 475 of the judgement:

“The Proposed Development, consisting of specifically student accommodation, is intended and expected to primarily serve students attending UCD’s nearby Belfield campus.”

The Court went on to reject the grounds of challenges relating to alleged inadequacy of transport capacity when applying SPPR3 stating at para 475:

“477. Counsel for the Board submits that the Inspector’s conclusions must be viewed in the context of the profile of the intended occupants of the Proposed Development and the profile of their transport needs. I see no reason to criticise this analysis.”

Therefore, it is respectfully submitted that, given the type of development, location and ‘exceptional circumstances’ as set out, the rationale for limiting density in the manner indicated in 2024 guidelines is not applicable to this planning application.

Access to Amenities and Services

It is submitted that the purpose of the density guidelines is to provide for higher residential densities in locations that have easy access to meet the day to day needs of the population such as shops, social infrastructure, access to employment, schools etc. The subject site meets these requirements and it is therefore submitted that the proposed increased density is entirely acceptable at this location.

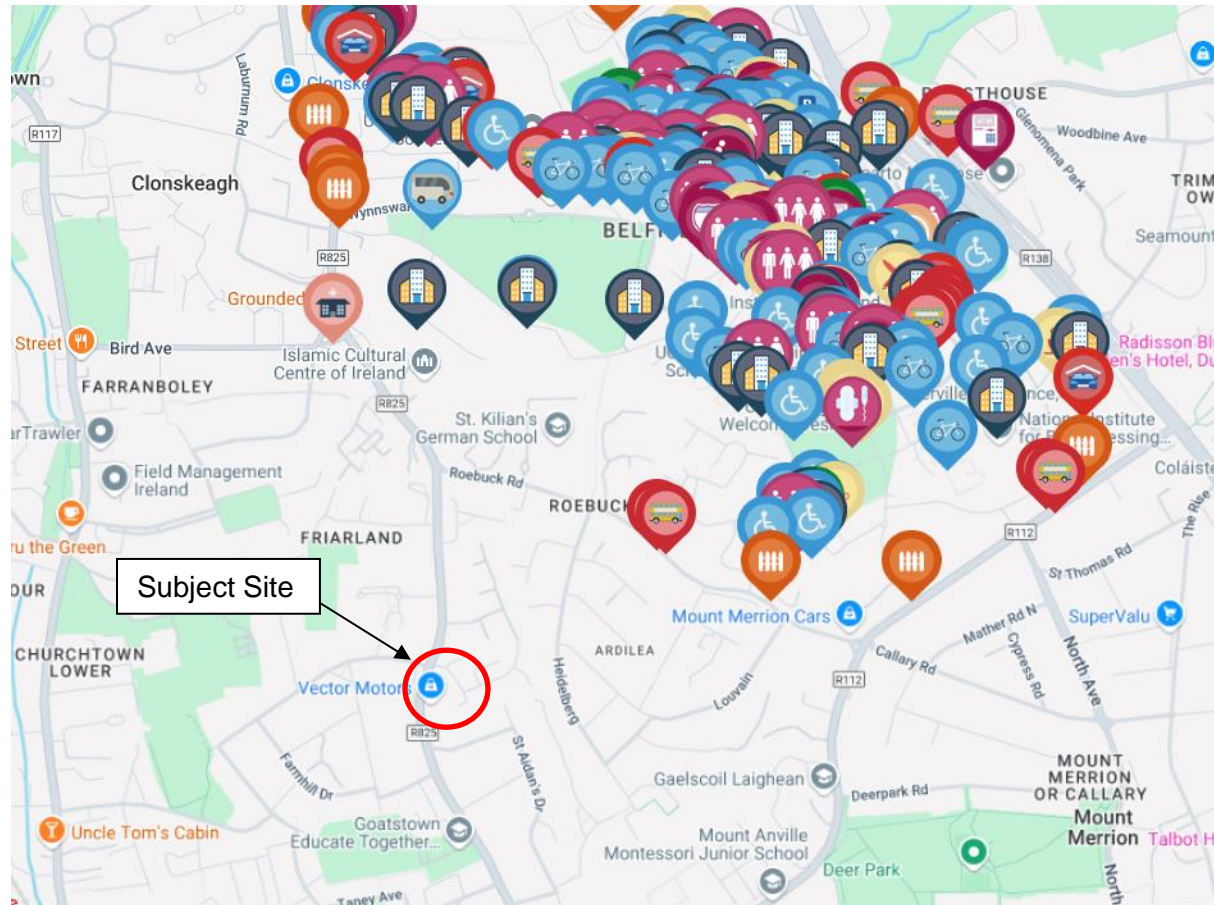
This is further supported by the draft revised NPF (July 2024) which states that:

*“Demand for student accommodation exacerbates the demand pressures on the available supply of rental accommodation in urban areas in particular. In the years ahead, student accommodation pressures are anticipated to increase. **The location of purpose-built student accommodation needs to be as proximate as possible to the centre of education, as well as being connected to accessible infrastructure such as walking, cycling and public transport.** Student accommodation also contributes to the financial, cultural and social fabric of regions, cities and towns. The adaptive reuse of existing buildings and brownfield sites for student accommodation can assist with the reduction of vacancy and dereliction, thereby promoting vitality and vibrancy in settlements, in support of Town Centre First principles. The National Student Accommodation Strategy supports these objectives”*

The density provisions as they relate to height, scale and massing have been discussed in detail at section 7.4 below are not repeated here.

The following is map from the UCD student website showing all of the services and facilities available on the Campus including but not limited to; Centra, Village Foodhall, CII Restaurant, The Clubhouse Bar, Freshers Deli, Smurfit Restaurant, 2 x Earls Deli, Insomnia, Pi Restaurant, Science Coffee Dock, Law Café, The Poolside Café, Leopold, Blue Bird Coffee Roasters, Readers Café, Pulse Café, Heath Centre, Book shop, Numerous Libraries, Roasted Notes, Airstream, Coffee Dock, Roebuck Castle Coffee, G+G Coffee Van, Roasted Notes, UCD Student Centre, Sports and Fitness Centre, Swimming Pool, Student Health Centre, Procure Pharmacy.

Figure 15 - Extract - UCD Estate Services Map



(Source: <https://ucdestates.ie/information/ucd-maps/>)

Figure 16 - UCD Cinema and pharmacy



Figure 17 shops and student health centre in UCD



Figure 18 - Sports fields and amenity space



In addition to the extensive range of facilities available at UCD, the end of trip location for residents of the PBSA, there are a number of neighbourhood centres proximate to the site (as illustrated in the figure below) including:

- Larchfield Road Neighbourhood Centre
- Clonskeagh Neighbourhood Centre (Bird Avenue)
- Goatstown Road Neighbourhood Centre
- Willowfield Park Neighbourhood Centre

The above are in addition to Dundrum Town Centre which is 1.9km from the site.

Larchfield Road neighbourhood centre is within a 5 minute walk of the site. The neighbourhood centre comprises a convenience shop, dentist, beautician, solicitors office and pharmacy. A neighbourhood centre is also located to the south of the site on Willowfield Park providing a café and other clothes shops. Further to north (c. 900m) is Clonskeagh Neighbourhood Centre on Bird Avenue including a Spar shop, off-licence, take away and pharmacy. Goatstown Road Neighbourhood Centre is 700m to the south of the site and includes a the Goat Bar and Restaurant, Circle K including a convenience store, a print shop and garden shop.

Figure 19 - Map showing the neighbourhood centres proximate to the site



Figure 20 - Location of the existing neighbourhood centre on Larchfield Road



In conclusion, the submitted documents set out a robust rationale for the development at the proposed scale and density having regard to the location of the site and the development pattern and prevailing heights and densities in the local surrounding area.

The proposal presents a high-quality architectural scheme with a clear urban design rationale which will regenerate an underutilised brownfield site proximate to UCD and relates directly to the existing and established heights and densities in the area. A full assessment of the proposed development against the criteria set out at Table 5.1 of the Building Height Strategy at Appendix 5 of the DLR County Development Plan 2022-2028 is set out below in the following sections.

In addition, the proposed development will deliver much needed purpose built student accommodation which will alleviate rental pressure in the area as recognised in the Government's 'Housing for All – A New Housing Plan for Ireland' published on the 2nd of September 2021;PBSA 'can alleviate pressure on the private rental market' and supports the 'diversification of housing stock and increase availability of rental stock by supporting the development of Purpose-Built Student Accommodation'.

The opinion further states that:

"The Applicant is advised that the above issues, in addition to the issues set out below, if addressed by the relevant documents could result in the documents constituting a reasonable basis on which to make the application for permission for the proposed LRD:"

Item 1:

"A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, and e.g. any impacts on perception of bulk, and the treatment of balconies in the (student) apartment buildings, landscaped areas, pathways, entrances, and boundary treatment/s. 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 student accommodation 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 (2023)."

Response

In response to Item no. 1, we refer the Planning Authority to:

- Architectural Design Statement and Building Lifecycle Report prepared by Reddy Architecture + Urbanism
- Student Management Plan prepared by Fresh Property

The above documents provide a detailed response to the above item.

Item 2:

"A complete set of floor plans, elevations, including contiguous elevations, and long sections, in addition with verified views, preferably including more winter views (noting some existing views show non-winter/summer views, and proposal views appear to show summer views including tree foliage on proposed, and existing trees, inside and outside the site respectively), that would better assist in understanding the relationship between the proposed development and its context."

Response

In response to Item no. 2, we refer the Planning Authority to:

- Architectural Drawings and Design Statement prepared by Reddy Architecture + Urbanism
- Verified Views prepared by 3D Design Bureau

The (14) verified views contain winter and summer views of the site and its surrounding context. An addendum Townscape and Visual impact Assessment prepared by ParkHood has also been prepared in response to the above and states:

"winter views" for all photomontages from the representative viewpoints were provided by 3D Design Bureau. The baseline photos were taken in January when leaf cover was at a minimum. However, as noted in the original TVIA, due to site location and townscape context, site surveys and visualisation work established that vegetation was not a factor in the assessment of magnitude. Irrespective, the TVIA conclusions were based on the winter and not summer photomontages."

Item 3:

***“A Housing Quality Assessment (HQA)/similar which provides the specific information regarding the proposed (student) apartments required by the Dun Laoghaire County Development Plan 2022-2028 (e.g. Policy PHP29 & Section 12.3.7.12), and the 2023 Guidelines on Design Standards for New Apartments where relevant/comparable. The assessment should also demonstrate how the proposed (student) apartments comply with the various requirements of the Development Plan and the guidelines where relevant.*”**

Response

In response to Item no. 3, we refer the Planning Authority to the Housing Quality Assessment Prepared by Reddy Architecture + Urbanism contained at Section 3.0 of the Urban Design Statement which includes a full assessment of the proposal against the numerical requirements of the development plan and Guidelines on Design Standards for New Apartments where relevant/comparable.

Section 8.4 of the accompanying Planning Report and Statement of Consistency prepared by John Spain Associates addresses Policy PHP29 and Section 12.3.7.12 of the County Development Plan.

Item 4:

“A Building Lifecycle Report”

Response

In response to item 4 we refer the Planning Authority to the accompanying Building Lifecycle Report prepared by Reddy Architecture + Urbanism

Item 5:

***“Details regarding the long-term management of the student accommodation development and its communal facilities.*”**

Response

In response to item 5 we refer the Planning Authority to the accompanying Student Management Plan prepared by Fresh who are a residential management company established in 2010. The Plan sets out in detail how the property will be managed during operation.

Item 6:

“A Traffic and Transport Assessment including, inter alia, a rationale for the proposed car parking (or lack thereof) provision should be prepared, to include details of car parking management, car share schemes and a mobility management plan.”

Response

In response to Item 6, we refer the Planning Authority to the submitted Traffic and Transport Report prepared by NRB and to Section 7.5 of the Planning Report and Statement of Consistency

by John Spain Associates. Section 7.5 includes justification for the proposed parking provision on the site. The NRB report states that:

“Limited Car Parking is proposed as part of this development, with all trips expected to be by walking, cycling or using public transportation. Based on the UCD Campus Travel Plan figures, the predicted modal split will be 22% walking, 29% cycling and 49% by public transport.

We have extracted information from the Census Data for the Local Electoral Area in order to establish the usage and Modal Split for Students within the Catchment, based on stated mode of travel. A summary of this exercise is illustrated below as Figure 2.11.”

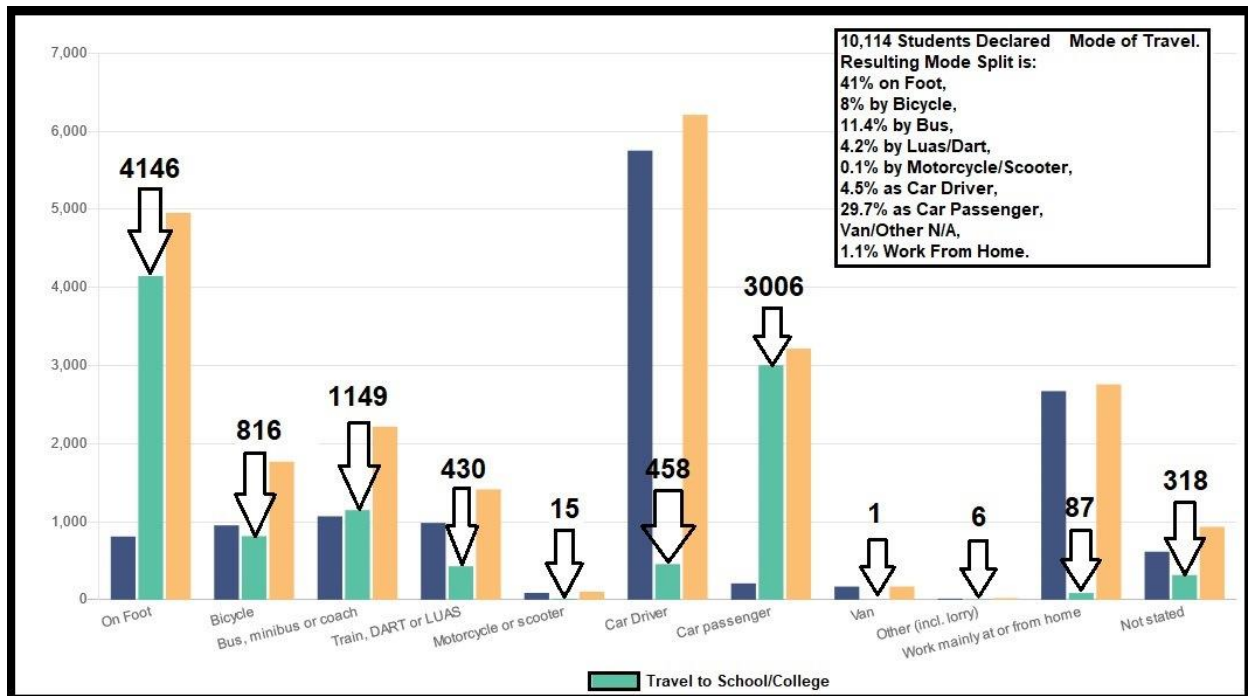


Figure 2.11 – Student Mode of Travel to School / College

“The above assessment confirms that, based on the 2022 Census Data, 95.5% of Students within the local catchment currently travel to College or School by means other than a car driver. This underscores the highly sustainable nature of the proposed Student Accommodation development in this location.”

The subject site is located within 800m of UCD campus which will be the end destination for residents living in the proposed PBSA. In addition, the site is 700m from the S6 bus route on Taney Avenue, 1.3km from the green line Luas at Dundrum and 1000m from the S4 bus top on Bird Avenue. It is expected that students will walk or cycle to UCD given the direct connectivity and proximity to the site.

We also refer to the response provided to Item 3 above which includes a detailed description of all amenities available to students proximate to the site. We also refer to the accompanying Student Management Plan by Fresh which includes a Travel Plan and detailed management plan at Section 3.3 for moving days at the start and end of term. An extract from the plan states:

“Prior to arrival, all students are contacted by email to confirm the arrival arrangements and move-in procedure. They are provided with details of travel arrangements from key airports, the main

line train stations, and cost of taxis from these key arrival hubs. We will also provide information about the location and cost of public paid car parking facilities close to the site.

Fresh encourage students to spread their arrival to the accommodation by offering the facility to arrive up to three days prior to the tenancy start date at no additional charge.

Students are required to book their arrival online through the student portal. Limited time slots are built into the system to avoid congested arrival periods."

Accordingly, given the proposed nature of the development and the rationale included above, the proposed nominal parking provision on the site is considered acceptable.

Item 7:

"A quantitative and qualitative assessment which provides a breakdown of the communal and public open space, or otherwise. The assessment shall detail the functionality of the public space and shall disregard any areas required for circulation space such as footpaths between buildings etc.."

Response

In response to Item 7, we refer the Planning Authority to the submitted Urban Design Statement by RAU which illustrates the breakdown of the communal open space areas throughout the site.

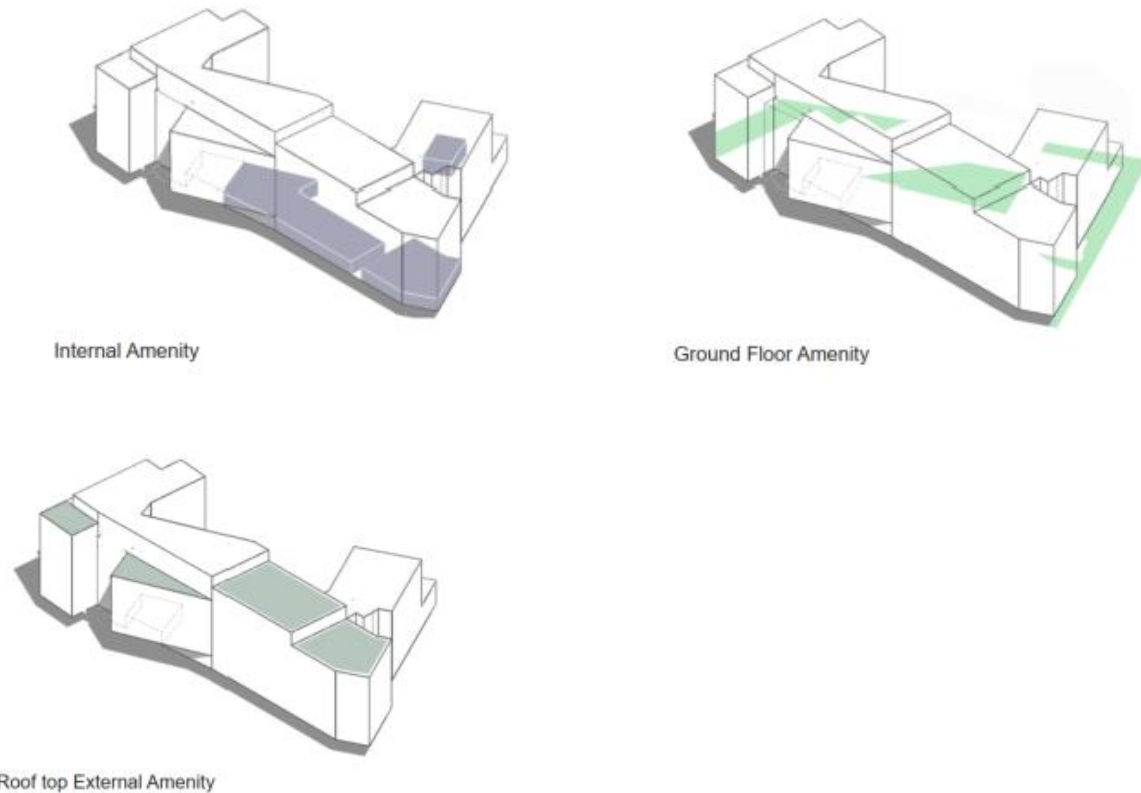
Amenity space is provided in a variety of internal and external forms for both passive and active use. External amenity space within the development amounts to 1,247 sqm. This is comprised of a large central courtyard within the development, a smaller courtyard space adjacent to Student Lounge 2 and four roof garden spaces all adjacent to Goatstown Road. These spaces provide green space within the development for a communal meeting point and restful space.

Student Accommodation - Residential Amenities

Floor Level	Facilities	Area (m2)
Ground Floor	Kitchen/ Tea Room	112
	Multi- functional Space 01	122
	Multi- functional Space 02	161
	Laundry	15
	Office / Concierge	11
	Communal Toilets	20
	Refuse	44
1st - 5th	Store	24
Ground Floor	Communal Terrace (External)	694
Fourth Floor	Communal Terrace (External)	170
	Communal Terrace (External)	50
Fifth Floor	Communal Terrace (External)	333
Total Amenity		1,247 (c.6sqm per person)

Internal amenity space (538sqm) is divided into study spaces, a laundry and a lounge with a communal kitchen. This provides students with quiet study areas, external to their private rooms, as well as useful amenities such as laundry facilities and a shared kitchen. This kitchen and lounge area creates an internal meeting area for groups and individuals, similar to the roof gardens, while the study spaces allow for education-based meetings for study sessions or group work.

Figure 21 - Location of Communal Amenity Space throughout the site



Source: Urban Design Report by RAU

The accompanying landscape plan illustrates the proposed treatment of these spaces. As noted in response to item 2 above, public open space is not required for student accommodation.

Item 8:

***“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.*”**

Response

In response to Item 8, we refer the Planning Authority to Section 2.3 and Appendix 1 of the Civil Engineering Infrastructure Report prepared by Barrett Mahony Consulting Engineers which includes a detailed response to the above.

Item 9:

“Submission of a Taking in Charge Map if applicable..”

Response

In response to Item 9 we note that there are no areas of the site to be taken in charge as part of this proposal.

Item 10:

“Submission of a Construction Management Plan (CMP)(see also Transportation report below).”

Response

In response to Item 10, we refer the Planning Authority to the Draft Construction Environmental Management Plan prepared by AWN Consulting.

Item 11:

“A letter from Irish Water (IW/ UE) 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.”

Response

In response to Item 11 we refer the Planning Authority to Appendix IV of the Civil Engineering Infrastructure Report prepared by Barrett Mahony Consulting Engineers.

Information/documentation which address the following concerns of the Transportation Engineer:

Item 12: Transportation**Cycle Parking**

“The provision of cycle parking is significantly over-reliant on “stacked” type cycle parking. This is not in accordance with the requirements of DL RCC’s “Standards for Cycle Parking and associated Cycling Facilities for New Developments” – January 2018, nor is it in accordance with the requirements outlined in Section 6, Cycle Parking of the NTA’s Cycle Design Manual – September 2023.

210 No. cycle parking spaces are proposed to serve the 211 No. bedrooms, with 26 No. of these spaces proposed as Sheffield stands located to the north of the site.

The level of provision is lower than all required standards and the provision of 87% of stacked cycle parking does not provide for universal access. It appears that only the short-term cycle parking is proposed as the preferred “Sheffield” type, which would mean that all long-term cycle parking is proposed as the inferior “stacked” type.

A mix of long-term cycle parking types should be provided with at least 50 Sheffield stands included in the provision. Visitor cycle parking should be covered.

This item should be addressed in any further submission.”

Response

The bicycle parking area has been redesigned to accommodate additional Sheffield stands for resident long-stay parking adjacent to the northern boundary of the site. A total of 218 no. cycle parking spaces are provided across the site for resident and visitor use.

34 no. Sheffield stands are provided at the northern boundary for visitor use. An additional 8 Sheffield stands are provided within the courtyard for visitor use and 2 no. short stay cargo spaces resulting in a total of 44 no. visitor spaces.

2 no. e-bike parking spaces and 2 no. cargo-bike parking spaces are provided in the courtyard for resident use. A further 170 no. bicycle spaces are provided in the courtyard and adjacent to the northern boundary. 85 no. of these spaces are Sheffield stands and an additional 85 no. stacked spaces are also provided. This exceeds the requirements of the DLR CDP.

The amendments result in an additional 8 no. spaces when compared to the proposal as discussed at the LRD Opinion meeting. It is also noted that the majority of resident spaces required under the provisions of the development plan (105 spaces) have been provided in the form of Sheffield stands.

We also refer to the NRB Traffic and Transport Report which includes a cycle audit of the site. the report also confirms that the proposal delivers an appropriate type, number and style of parking arrangement which exceeds the quantum required under the “*Standards for Cycle Parking and associated Cycling Facilities for New Developments*” – January 2018”. We refer to the Urban Design Statement by RAU which includes details of the type of bicycle parking arrangement proposed.



Car Parking

“4 No. set-down spaces are proposed and a further 2 No. accessible car parking spaces. The proposed development is located within Zone 3 of the DLRCC parking zones, which prescribes a maximum level of car parking provision of 1 parking space per 10 bed spaces. In this case the maximum level of parking provision would be 22 No. spaces.

The low provision of car parking should be examined and justified in accordance with the criteria outlined within Section 12.4.5.2 Application of Standards (i) of the current DLRCC County Development Plan 2022-2028 and any other relevant applicable standards.”

Response

In response to the above item, we refer the planning authority to the Traffic and Transport Report prepared by NRB Consulting Engineers and the response in relation to Item 6 above.

Site Layout

“The width of the proposed vehicular entrances should be reduced to a maximum of 3.5m. Visibility should be ensured between vehicles and pedestrians/cyclists motorists on Goatstown Road. Pedestrian priority should be maintained across the entrances.

Details of proposed surface treatments and road markings, should be included in any future submission.

Swept path analysis should be submitted which demonstrates all required vehicular movements to and from the site. Accommodations for set-down and service vehicles shall also be clearly outlined.”

These items should be addressed in any further submission.

Required Reports

- a) Detailed reports should be submitted in relation to the following items:***
- b) Mobility Management Plan***
- c) Construction Management Plan including traffic management plan***
- d) Cycle Audit (See Section 12.4.6.1 Paragraph 2 of the current DLRCC County Development Plan)***

Response:

We refer to Appendix VI of the Infrastructure Report by BMCE which includes a response to the above item.

A Mobility Management Plan is provided at Section 6.3 of the Civil Engineering Infrastructure Report by Barrett Mahony Consulting Engineers.

A Cycle Audit is provided at Section 4.0 of the Traffic and Transport Assessment Report by NRB.

Item 13 - Drainage:

“Site investigation results have justified SOIL value of 4 being chosen for this application. The applicant has proposed an overall flow restriction of 1.57l/s with a total attenuation storage volume of 171m3 being provided (capacity 150m3).”

“Surface Water Drainage

- a) As standard, the applicant is requested to ensure that all surface water design proposals are in accordance with the requirements of Appendix 7: Sustainable Drainage System Measures of the County Development Plan 2022-2028.***
- b) As standard, the applicant is requested to ensure that the proposed surface water design is in accordance with County Development Plan 2022-2028 Section 10.2.2.6 Policy Objective EI4: Sustainable Drainage Systems, such that the proposal meets the requirements of the Greater Dublin Strategic Drainage Study (GDSDS) policies in relation to Sustainable Drainage Systems (SuDS). The design must incorporate SuDS measures appropriate to the scale of the proposed development such as green roofs, bioretention areas, permeable paving, rainwater harvesting, swales, etc. that minimise flows to the public drainage system and maximises local infiltration potential.***
- c) Drawing 1020 (Drainage and Watermain Plan Layout) shows a limited surface water drainage network. The applicant is requested to confirm no surface water will leave***

the site unattenuated. The applicant is requested to show any fin/filter drains or similar proposed on site on the drainage drawings for clarity.

- d) The applicant has indicated that the green roof requirements have been met, with details of the percentage green roof noted. For clarity the applicant is requested to set out in tabular form the total roof area, along with the various green roof provisions (extensive/intensive/paved). 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. The applicant should demonstrate that the green roof is designed in accordance with BS EN 12056-3:2000 and The SUDS Manual (CIRIA C753).***
- e) The appears to be a number of trees on top of the attenuation tank location. The applicant shall ensure that trees shall not be planted in the area over the attenuation tank. Trees shall be placed at a minimum distance of 2m from the edge of attenuation tanks. Tree protection barriers may be required, depending on the tree species and the expected extent of root spread, to be advised by the landscape architect. Alternatively, large scale tree pits should be incorporated into the layout of the attenuation system.***
- f) As standard, the applicant is requested to ensure that a penstock is provided in the flow control device chambers and that the flow control device provided does not have a bypass door. The applicant shall also ensure a silt trap is being provided in the flow control device chamber.***
- g) As standard, the applicant is requested to ensure that any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.***
- h) 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) 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, as per this draft submission.***
- j) 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.

- k) As standard the applicant is requested to ensure that a Stage 1 Stormwater Audit is carried out for the development. The applicant has proposed to reuse a previous audit which was carried for the previous application. As the design is generally in line with the previous application, the previous Stage 1 Stormwater Audit is acceptable, with the noted exception that the green roof provision has changed, as well as the climate change factor."**

Response:

We refer to Appendix VI of the Infrastructure Report by BMCE which includes a response to each of the above items.

Site Specific Flood Risk Assessment

- l) The details provided is acceptable. The applicant should include the SSFRA, as well as the blockage analysis in the full planning submission.**

Response:

We refer to the Flood Risk Assessment prepared by BMCE which accompanies this application.

Item 14 – Public Lighting

- a) Up-lighting, bollard lighting and other low level lighting is not recommended on health and safety grounds.**
- b) Lighting Types D and E are noted on the drawing but no information is provided for them.**
- c) The ecologically sensitive areas need to be dark with no lighting at all installed and minimum light spill from adjoining areas. Do not light the pathways behind the buildings unless they are the only or primary access routes to the entry ways to the buildings.**
- d) The main access area needs to be lit to a P1 level to match the adjoining Goatstown Road, but this should drop to a P3 level within 30m of this access.**
- e) The car park area, open areas and footpaths should be designed to a P3 lighting class with a 7.5 lux average and a 1.5 lux minimum to the back of the footpaths. Walkways around the back of the buildings do not need to be lit**
- f) Ground floor and first floor apartments will be looked at for obtrusive light levels.**
- g) Tree conflicts should be monitored with no lighting columns places with 3m of a tree, but additionally, a tree should not be between a light and the area to be lit. Trees block light.**
- h) The controls are noted as motion sensor driven with no indication of which lights will be controlled via this method, what the timing will be for lit once activated, what the curfew times are (if any) for when they will turn on/off. Main open area and building access areas should have all night lighting for safety and security. This needs to be clarified.**
- i) No indication of what the turn on/off light levels will be, that is the general light level upon which the development lighting will turn on (dusk) or off (dawn) – street lighting utilises a 35/18lux ratio. This needs to be clarified.**

For the Electric vehicle charging Provision:

- j) No information has been provided for any EV charging infrastructure for either vehicles or electric bikes or other electric forms of transport. This needs to be provided and a detailed plan and layout drawing needs to be provided.***
- k) Please ask the developer to redesign the proposed lighting to take account of the comments above and provide a full lighting design with a lux contour diagram and an EV charging infrastructure design with their planning application.***
- l) Please ask the developer to provide a plan and design for the electric vehicle (including bikes and other forms) charging infrastructure for this development.***

Response:

In response to item 14 we refer to the lighting drawings prepared by RMCE Mechanical and Electrical Engineering which have been updated in response to the items raised above. It is also noted that 2 long stay e-bike spaces are provided in the courtyard to the rear of the site.

Item 15 – Parks and Landscape:

“15. Information/documentation which address the following concerns of the Parks Superintendent:

Open Space Provision

a) Dlr Parks & Landscape Services (PLS) note that the applicant is not proposing to provide suitable open space (15%), as required by the CDP 2022-2028 open space policies. The spaces being provided are considered incidental open space as per sections 9.2.1.4 and 9.3.1.1 of the CDP 2022 - 2028.

b) Therefore, the applicant has not provided adequate provision for public open space as per section 12.8.2 and Section 12.8.3 of the CDP 2022 - 2028. The applicant shall make a payment of €2,000 per dwelling unit, as a special levy, in addition to the Development Levy Contribution as a special contribution, as per Section 48.2(c) of the Planning & Development Act, 2000, in lieu of the provision of the minimum quantum of public open space.. This contribution is to cover specific exceptional costs in respect of the provision of open space and landscaping works which benefit the proposed development. Deerpark is a local public park on Mount Anville Road and is within a 500m radius of the proposed development. The contribution will be used to fund improvements to Deerpark. This is in accordance with policy Section 12.8.3.1 and 12.8.3.2 Section of the CDP 2022 – 2028.

Reason: To protect the integrity of the open space, maximise its usability and usefulness for passive and active recreation and residential placemaking, and to maximise the space available for new planting, especially of trees.

Response:

In response to Item 15, we refer to the response provided above in relation to Point 2 of this Opinion Response document.

Public Realm

c) DLR PLS welcome the proposal to extend the project area to include the kerbline along the edge of Goatstown Road. This would facilitate the upgrading of the streetscape along the Vector Motors plot frontage. The layout and design of this would have to be agreed with Dlr PLS. It is possible that some of the open space provision could be offset against this.

Reason: To ensure full and verifiable implementation of the approved landscape design

Response: The above comments are noted and the applicant is happy to accept a condition to upgrade the public domain area directly in front of the subject site in consultation with DLR PLS.

“The retention of the Landscape Architect:

d) Prior to the commencement of any permitted development - the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of Dlr Parks and Landscape Services and in accordance with the permitted landscape proposals.

Reason: To ensure full and verifiable implementation of the approved landscape design

Parks and Landscape Services Section are of the opinion that an alternative site layout should be explored which will protect the mature tree cover and preserve the strong, local amenity value.”

Response

In response to item 15 (d) we refer to the existing site conditions which comprises an existing car sales showroom and associated parking area. Except for the car showroom building, the site is finished almost entirely finished in tarmac and does not include any mature tree cover. The application is accompanied by Landscape Drawings including a landscaping masterplan and Design Report. 12 no. new trees are proposed at the frontage of the site, in addition to further planting within the courtyard and adjacent to boundaries.

Figure 22 - Extract Proposed Landscape Masterplan



Item 16 - Environmental Matters

- a) ***DLR Environmental Enforcement Department have reviewed the above documentation and are generally satisfied. We would request that the updated revisions of the documentation are supplied in support of any future planning application and address any design changes that may have occurred.***
- b) ***It would be of benefit to the application if the acoustic design of the building could be presented and considered owing to the largely residential areas surrounding the development. The positioning of plant rooms, central heating systems and bin stores should be considered so as not to cause a nuisance to adjoining properties. DLR guidance for Good Practice Guide for Acoustic Planning of New Projects is available on the DLRCC website: <https://www.dlrcoco.ie/environment/environmental-planning-guidance>***

Response:

In response to item 16, it is noted that the refuse room is located within the central courtyard area of the site. The bins will be stored in an enclosed bin storage room to reduce any noise impact. The management company will organise the weekly collection of refuse and recycling, similar to the current arrangement of adjoining developments.

The proposed plant room is located on the roof of the building (south). The plant room will be designed to reduce any noise emission. The applicant is willing to accept a condition regarding the same.

3.0 CONCLUSION

In conclusion, it is respectfully submitted that all the issues raised by the Planning Authority in the LRD Opinion have been comprehensively and successfully addressed in relation to the submission of this final LRD application to the Planning Authority. This statement of response should be read in conjunction with the comprehensive documentation accompanying this LRD application.

The proposed scheme is considered to be in accordance with national, regional and local planning policy and provides an appropriate design, layout and massing, having regard to the nature, height and density of the prevailing development pattern in the surrounding area and does not result in any unacceptable adverse impacts in respect to residential amenity, heritage environment or ecology.

The proposals will regenerate an underutilised brownfield site and will significantly improve the appearance and urban streetscape at Goatstown Road which will in turn have a positive impact on the surrounding area. The proposals have been carefully considered and sensitively refined having respect to the context of the site whilst being modulated appropriately to integrate with adjoining existing developments.

The LRD process seeks to deliver on key government objectives to address the need for additional student accommodation in appropriate locations which will assist in reducing pressures on housing stock in the area and benefits from good accessibility to University College Dublin. The proposed development will assist in addressing this in accordance with the site's zoning objective.

As set out above and within the accompanying submitted documents, the development responds positively to the LRD Opinion issued by the Planning Authority and make optimum use of a brownfield, infill site at an accessible location and is considered to fully align with national, regional and local policies and objectives.