

**STRATEGIC HOUSING DEVELOPMENT
PLANNING APPLICATION
RESPONSE TO AN BORD
PLEANALA OPINION**

**FOR SITE AT CASTLEFORBES BUSINESS PARK,
SHERIFF STREET UPPER & EAST ROAD, DUBLIN 1**

BSM

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1968

**Brady Shipman
Martin**

**Built.
Environment.**

Place
Making
**Built
Environment**

CLIENT
Glenveagh Living Ltd.

DATE
2nd December 2020

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1 INTRODUCTION

Brady Shipman Martin have prepared this Report in Response to the Opinion of An Bord Pleanala of 20th February 2020. This Response has been prepared under Article 285(5) (b) of the Planning and Development (Strategic Housing Development) Regulations 2017 in association with the Applicant and Design Team and also provides the specific information as requested by the Board.

In its Opinion, An Bord Pleanala concluded that having *'considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.'*

2 ISSUES TO BE ADDRESSED IN ORDER FOR THE DOCUMENTS TO CONSTITUTE A REASONABLE BASIS FOR AN APPLICATION

In its Opinion of 20th of February 2020 ABP set out 2 no. items that should be specifically addressed by the application for permission in order for the documents to constitute a reasonable basis for an application under Section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Our response to these items is set out below and cross referenced to the Design Team Reports.

2.1 Rationale for Proposed Building Height

Item 1 of the ABP Opinion states:

Further consideration and/or justification of the documents as they relate to:

The height strategy and design approach, particularly the scale, architecture and massing of the 20 storey building and the need to ensure that the design of this element of the scheme and other buildings are exemplar and provide the optimal architectural solution for this site. The application should be accompanied by an architectural urban design report, drawings, photomontages and CGI's that fully assesses the visual impact of the development and which outlines the design rationale for the proposed building height and scale, having regard to inter alia, National and Local planning policy, the site's context and locational attributes. The report should outline the height design rationale in light of the publication of 'Urban Development and Building Height Guidelines' 2018 and specifically with reference to Chapter 3 building Height and the Development Management Process, of the guidelines as well as section 16.7 of the Dublin City Development Plan. Full Justification for a building of

this scale should be provided having regard to its likely prominence at a city scale as well as the rationale for the development of a landmark building at this location.

In response to the Pre-Application Consultation Tri-partite meeting and the subsequent Opinion from An Bord Pleanála the scheme as submitted at Pre-Application Consultation Stage has been amended to address the above as well as additional justification included in the documentation for proposed heights and density of the scheme.

The design development of the proposed scheme has been further guided by a new study carried out by Urban Initiatives Studio, a 'Tall Buildings Study', included with the application documentation. Urban Initiatives Studio worked closely with the scheme architects (OMP) to evolve and determine the final proposal, set out in the application. It resulted in a reduction in height to that proposed at PAC stage, and a resolution of the buildings' siting within the scheme, all of which produced a design resolution which it is considered is more appropriate to the site's role and context within the City. This justification for the heights proposed is set out in the Tall Building Statement prepared by Urban Initiatives Studio.

The corresponding key changes driven by this re-design, inter alia, is set out in detail in the OMP Design Statement and summarised as follows:

- Reduction in proposed heights along the railway- the taller element has reduced from 20 to 15-18 storeys and the three accompanying mid-rise elements from 12-14-16 to 12-15-13.
- Significantly widen main entrance making the scheme more inviting for the public whilst also animating Sheriff Street.
- Increase distances between buildings to reduce overlooking and increase privacy.
- Allow for potential permeability through to the CIE lands and East Road bridge.
- Redesign of all north facing units so there are now no north facing units.

In addition, the scheme is now proposed as a Build to Rent scheme which has increased the unit numbers from 659 to 702

The proposed scheme is supported by the drawings, reports, CGIs and urban design considerations prepared by OMP, the Tall Building Statement prepared by Urban Initiatives Studio, the landscape strategy, prepared by Brady Shipman Martin, the Photomontages and Visual Impact Assessment (contained with the EIAR) prepared by Brady Shipman Martin.

Additionally the scheme has been considered against both the Urban Development and Building Height Guidelines and specifically with reference to Chapter 3 Building Height and the Development Management Process, of the

Guidelines, as well as section 16.7 of the Dublin City Development Plan. This is more fully set out in Section 7.2 of the Planning Report.

It is considered that the combination of this documentation, provides sufficient justification for the scheme as proposed which is considered will be of a high quality and significantly and positively impact the immediate site location and the surrounding area and network of streets and spaces.

2.2 Development Strategy

Item 2 of the ABP Opinion states:

Further Consideration and/or justification of the documents as they relate to:

- *The treatment, aesthetic design, articulation and animation of the Facades.*
- *Design and treatment of public open spaces to ensure that they are appropriate to the future residential community and have sufficient animation.*
- *Disposition and proximity of blocks to minimise opportunities for overlooking and overshadowing*
- *Interface of the development with the surrounding streets and treatment of the public realm, particularly at key entrances.*
- *Potential interface with pumping station to the north and bridge connection to Marshall Yard development if feasible.*
- *Function and use of the tenant amenity space.*
- *The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.*

These items, as raised by An Bord Pleanála, have been considered by OMP in the redesign of the proposed scheme and are detailed in the OMP Design Statement. In summary a number of these changes include, as set out in response to Item 1 above, increased distance between blocks, greater articulation and variation in facades, creating opportunities to further connect with surrounding streets and to the existing pumping station site to the north should it be redeveloped, relocation of tenant amenity space to more visible locations with appropriate uses, greater use of roof terraces for active use etc.

It is considered that these proposed changes, , have resulted in a scheme which will act as a significant gain for the existing community in the area through the provision of extensive high quality public open space anchored by a new cultural/community hub and will provide for a high quality of life in terms of residential amenity for future residents.

3 SPECIFIC INFORMATION REQUESTED BY AN BORD PLEANALA

In its Opinion of 20th of February 2020 ABP set out 12 No. items of specific information that should be enclosed with the application under Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017.

3.1 Materials and Finishes

Item 1 of the ABP Opinion requests:

1. *A report that specifically addresses the proposed materials and finishes of the proposed structures including specific detailing of finishes and frontages including the maintenance of same, shopfronts and commercial units, the treatment of landscaped areas, pathways, entrances and boundary treatment/s. The treatment/screening of exposed areas of basement ramps/service areas should also be addressed. 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 overall development. The documents should also have regard to the long term management and maintenance of the proposed development.*

The proposed scheme provides for character areas in terms of materials for differing parts of the scheme including street edge, rail, square and courtyards. The character and scale, and material and tone for each of these spaces is set out and explained in the Architectural Design Report prepared by OMP Architects. Additionally the Landscape Design Rationale prepared by Brady Shipman Martin for details of proposed materials to be used throughout the scheme for the distinct landscape areas of the scheme.

Details of the long term management of the scheme is set out in the Estate & Common Areas Management Plan prepared by Aramark with the long terms maintenance of the development being set out in the Building Lifecycle Report prepared by Aramark.

3.2 Daylight and Sunlight Analysis

Item 2 of the ABP Opinion requests:

2. *A comprehensive daylight and sunlight analysis addressing existing residential units in proximity to the site and proposed units and open spaces within the development. A comprehensive justification is required for any proposed north facing single aspect units.*

The overall configuration and design of the proposed development has been influenced by the need to achieve the best possible levels of sunlight and daylight penetration into the development, while minimising external impact beyond the site boundary to adjacent development. The proposed orientation of the blocks

CASTLEFORBES SHD

Response to ABP Opinion

represents the best response to the site context in terms of day light and sunlight availability as a result of the density and height proposed.

Detailed Daylight and Sunlight assessment has been carried out on the proposed development by ARC, and is outlined in greater detail in their accompanying report. The ARC analysis looked at the following areas:

Sunlight To:

- Central Open Space and Courtyard
- Courtyards
- Adjacent Residential Open Space

Daylight To:

- Daylight to Proposed Apartments
- Daylight to Adjacent Residential Buildings.

Daylight Access within Proposed Development

In regard to the proposed development, analysis indicates that a large majority of sample habitable rooms within the proposed development are likely to achieve Average Daylight Factors considerably in excess of the relevant minimum levels recommended.

Given that the rooms chosen for analysis on Floors 00 and 01 of the proposed development were those most likely to achieve lower levels of daylight access due to the number of windows, layout of the room or location within the proposal, ARC's analysis suggests that the large majority of rooms within the proposed development will receive a level of daylight access in excess of that recommended by the BRE Guide. As such it is considered that the scheme will be of a high quality in terms of daylight access.

Sunlight Access within Proposed Development

The central public open space will achieve sunlight levels in excess of the levels recommended on 21st of March. To demonstrate the quality of the space it was also assessed on 21st June and the scheme receives a very high level of sunlight in the summer months. It is considered that this space will be of a very high quality and as such will be used by residents and others in the wider community.

In terms of the proposed communal amenity spaces at podium level, while they are just below the required standard for March 21st they do pass comfortably in in the June 21st assessment. It is considered that these are offset when considered on a full scheme basis in combination with the extensive roof terraces provided to residents. The communal amenity roof terraces, as can be seen in the Arc Report, pass comfortably and receive a high level of sunlight for much of the day and these spaces are provided in every block and as such residents have

immediate access to high quality sunlit spaces at all times. When considered as a whole, the communal amenity space meets and exceeds standards on 21st of March.

Impact on Adjacent Residential Daylight & Sunlight Access

This is considered in detail in Daylight & Sunlight Access Report and in Chapter 15 of the EIAR which accompanies the application. This concludes that:

- given that the potential for development to result in impacts on daylight access diminishes with distance, it is the finding of ARC's analysis the proposed development will have no undue adverse impact on daylight access within buildings in the wider area surrounding the application site.
- The potential cumulative impact of the proposed development, in combination with nearby permitted development, on sunlight access to lands bounding the site to the northeast is likely to range from "imperceptible" to "significant", although it is noted that these lands are in railway use serving Dublin Port.

Having regard to the scale of development permitted or constructed in the wider area and to local, regional and national planning policy for densification of the urban area, some may consider the impact to be consistent with emerging trends for development in the area or "moderate" in extent, particularly having regard to the scale of development already permitted inside or outside the Strategic Development Zone area.

As such it is considered that the scheme achieves the appropriate balance between protecting existing and proposed residential amenity with regards to daylight and sunlight levels which ensuring an optimised scheme which achieves increased density and height in a highly accessible location in Dublin City.

Please refer to the Arc Daylight & Sunlight Report, and the EIAR for full analysis and results.

3.3 Housing Quality Assessment

Item 3 of the ABP Opinion requests:

3. *A Housing Quality Assessment which provides the details regarding the proposed apartments set out in the schedule of accommodation, as well as the calculations and tables required to demonstrate the compliance of those details with the various requirements of the 2018 Guidelines on Design Standards for New Apartments including its specific planning policy requirements.*

OMP have prepared a Housing Quality Assessment to accompany this application.

Please see Section 7 of the Planning Report for detailed assessment of compliance with the standards set out in the Design Standards for New Apartments.

3.4 Photomontages, Cross Sections, Axiometric Views & CGI's

Item 4 of the ABP Opinion requests:

4. *Photomontages, cross sections, axiometric views of the scheme and CGIs. The application should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent streets.*

This information as requested by An Bord Pleanala has been provided as follows:

- Photomontages, visual impact analysis - An LVIA was carried out as part of the accompanying EIAR. Chapter 10 of the EIAR includes the visual impact analysis and the Photomontages are submitted as part of the application.
- Cross Sections- Site cross sections are included in the drawings pack prepared by OMP Architects.
- Shadow Analysis- Daylight and Sunlight Access is considered in the Report prepared by ARC and also in Chapter 15 of the EIAR.
- Boundary Treatment And Landscaping Details- Additional boundary treatments have ben outlined and detailed in both the Landscape Drawings and Landscape Design Rationale Report prepared by Brady Shipman Martin
- Axiometric Views of the Scheme and CGIs- An axonometric view is provided in the OMP Design Statement in addition to CGIs incorporated throughout the document.

3.5 Childcare Demand Analysis

Item 5 of the ABP Opinion requests:

5. *Childcare demand analysis and likely demand for childcare places resulting from the proposed development.*

At PAC stage no childcare facility was included in the proposed scheme. The scheme has now been amended to contains a crèche/childcare facility which is considered could include a crèche or Montessori for the scheme.

Please see Childcare and Schools Assessment prepared by Brady Shipman Martin enclosed within the planning documentation.

3.6 Phasing and Taking in Charge

Item 6 of the ABP Opinion requests:

6. *A detailed Phasing Plan and Taking in Charge drawing.*

In response to this item, please find enclosed Preliminary Construction Management Plan prepared by DBFL which sets out phasing details which is considered can be agreed by condition with Dublin City Council prior to commencement of development. Additionally Drawing 180159-2104 Taken In Charge Extents prepared by DBFL which sets out areas along Castleforbes which are proposed to be taken in charge by Dublin City Council.

3.7 Landowner Consents

Item 7 of the ABP Opinion requests:

7. *Relevant consents to carry out works on lands which are included within the red-line boundary that are not in the applicant's control.*

As the Board will note from the submitted Site Location Map, some of the areas for public realm and road upgrades are located outside the applicant's ownership and within the public roadway. These lands are within the control of Dublin City Council who have been consulted on these interventions and have issued a letter of consent to include these areas in the application boundary.

3.8 Quality Audit

Item 8 of the ABP Opinion states

8. *A detailed Quality Audit to include Road Safety Audit, Access Audit, Cycle Audit and Walking Audit.*

Please see Quality Audit prepared by Bruton Consulting Engineers.

3.9 Mobility Management Plan

Item 9 of the ABP Opinion states

9. *A Mobility Management Plan, car parking management strategy and details of proposed servicing arrangements.*

Please see enclosed Mobility Management Plan prepared by DBFL.

3.10 Outline Construction Management Plan.

Item 10 of the ABP Opinion requests:

10. *Outline Construction Management Plan.*

Please see Preliminary Construction Management Plan prepared by DBFL.

4 CONCLUSION

The Response set out herein outlines that the specific items requested by An Bord Pleanála to be contained within an SHD application for the site at Castleforbes Business Park, have been both considered and included.

It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this under-utilised, brownfield site which is highly accessible and well served by public transport.

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines and that the proposal should be permitted by An Bord Pleanála.