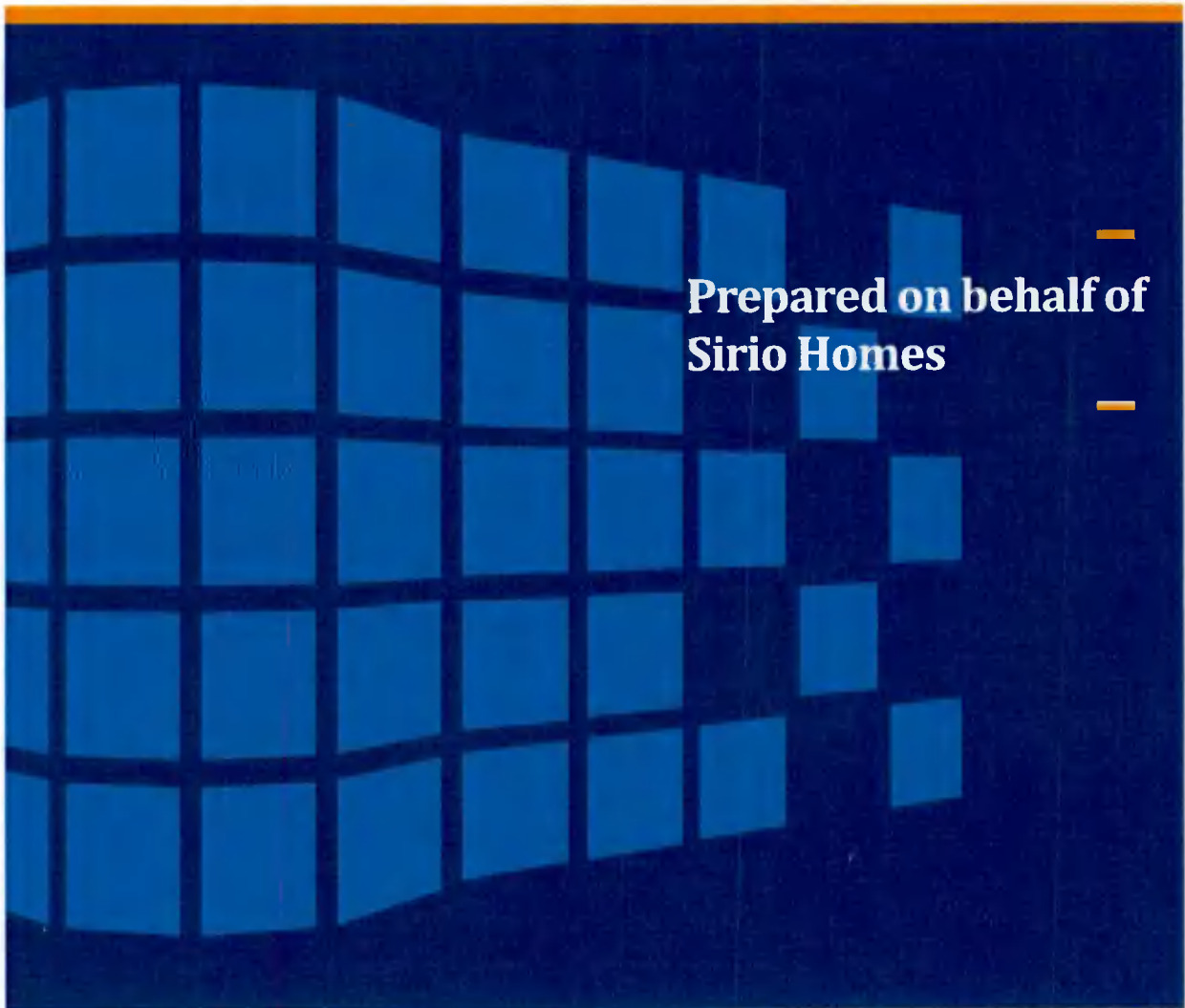


Planning Statement

Proposed Residential Development at the Former Filling Station,
Nutgrove Avenue, Rathfarnham, Dublin 14.

April 2021



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Executive Summary

The design strategy is to harness the opportunity to regenerate this brownfield site, to deliver a cohesive development with 28 new homes, together with, social infrastructure and amenities, including enhanced landscape spaces and quality amenity areas. The height respects the varied existing character allowing for a 3-4 storey contemporary development, commensurate to recent approvals, in the immediate vicinity.

A key consideration in the design development was to protect the amenity of adjacent land uses, optimise sunlight to amenity spaces and daylight to the living areas within individual homes. In this regard, the scheme performs exceptionally well when measured against relevant guidelines.

Individual homes vary in size and layout and will accommodate single occupants through to dwellings for up to 5 people. This approach allows occupants to continue to live within the development, upsizing and downsizing as their needs change.

The proposed development promotes sustainable residential development on a brownfield infill site that was previously used as a filling station. The redevelopment of the Site will facilitate increased housing supply in a highly accessible area. The redevelopment of the Site provides for an efficient use of residential zoned land and will deliver much needed housing supply for the city and county. Overall, this Planning Statement demonstrates that the proposed development is consistent with the principles of proper planning and sustainable development.

The development responds and contributes positively to the existing built environment as follows;

- ✓ The enhanced landscape spaces and quality amenity areas provide significant planning gain and will realise an attractive and inclusive development.
- ✓ The height strategy respects the existing environment and the upmost level is setback significantly from the adjoining residential development located to the south.
- ✓ The design maximises sunlight, daylight and privacy for future residents while respecting neighbours' rights to the same.
- ✓ The outdoor spaces provide areas for children and young people to play and help to foster a sense of community.
- ✓ Maximum parking rates have been applied and this has been catered for at the rear of the Site. Parking rates have been minimised and suitable bicycle parking spaces have been accommodated to support a modal shift and healthier lifestyles.

1. Introduction

This Planning Statement has been prepared by McCutcheon Halley Chartered Planning Consultants on behalf of Sirio Homes (the Applicant), in support of a planning application for a proposed residential development on lands (0.3147 ha) located at Nutgrove Avenue, Rathfarnham, Dublin 14 (the Site), see **Figure 1**.

The design rationale is to create and deliver a high quality sustainable residential development within this infill brownfield site which respects its setting and maximises the site's natural attributes while achieving maximum efficiency of existing infrastructure. The Proposed Site Layout/Ground Floor Plan, Drawing No. 403-P-00-06 is included in the **Architectural Drawing Suite** that accompanies this application.

A full description of the proposed development is set out in **Section 5** of this report. Briefly, the Applicant is seeking permission for the construction of a four (4) storey residential development (total Gross Floor Area c. 2,640sq.m) incorporating 28 No. apartments, at grade car-parking (16 no.) and bicycle parking facilities (62 no.) and all associated ancillary works. Access and egress are proposed from a singular location located on the site's north-eastern corner boundary on Nutgrove Avenue. To facilitate access to the Site, the existing pedestrian crossing and traffic lights located on Nutgrove Avenue are proposed to be relocated to the west of the existing location. Given the planning authority boundary which provides for half of Nutgrove Avenue within the jurisdiction of South Dublin County Council (SDCC) (southern portion) and half of Nutgrove Avenue located within the Dun Laoghaire-Rathdown County Council (DLRCC) jurisdiction (northern portion), a separate planning application has been lodged for the works proposed to land under the control of DLRCC.

The proposed layout has been informed by a previous application which was lodged with SDCC and a subsequent appeal to An Bord Pleanála (ABP). The proposed layout and design addresses matters raised in both decisions together with feedback received from the planning authority during a preplanning meeting held in February 2021 to discuss this subject application.

The proposed development is governed by the National Planning Framework (NPF), the Eastern and Midlands Regional Spatial and Economic Strategy (EMRSES), the South Dublin County Development Plan 2016-2022. The Urban Development and Building Height Guidelines and the Design Standards for New Apartments are also relevant. Accordingly, this Planning Statement assesses the proposed development against the policies and objectives and development management standards established in these documents. Overall, this Planning Statement demonstrates that the proposed development is consistent with the principles of proper planning and sustainable development.

This report should be read in conjunction with the accompanying supporting documentation, outlined in the below table.

Drawings	
Architectural Design Drawings	Horan Rainsford Architects
Part V Drawings	Horan Rainsford Architects
Landscape Design Drawings	Murphy and Sheanon
Engineering Drawings	Punch Consulting Engineers
Reports	
Planning Statement	McCutcheon Halley Chartered Planning Consultants
Architectural Design Statement	Horan Rainsford Architects

Landscape Design Report	Murphy and Sheanon
Flood Risk Assessment	Punch Consulting Engineers
Engineering Planning Report	Punch Consulting Engineers
Construction and Environmental Management Plan	Punch Consulting Engineers
Mobility Management Plan	Punch Consulting Engineers
Traffic and Transport Assessment	Punch Consulting Engineers
Daylight/Sunlight and Overshadowing Assessment	Metec Consulting Engineers
Energy and Sustainability Report	Metec Consulting Engineers
Appropriate Assessment Screening	McCutcheon Halley Chartered Planning Consultants
Photomontages	Process 3D
Arborist Report	The Tree File
Fire Tender Access Letter	BB7 Fire and Security Consulting
Decommissioning Report	URS Corporation Ltd

TABLE 1: SUPPORTING DOCUMENTATION

2. Site Context & Location

The Site, as delineated in **Figure 1** and **Figure 2** below, is located on the southern side of Nutgrove Avenue and benefits from an approximate 90m wide frontage to Nutgrove Avenue (R821). A cycle path and pedestrian pathway traverses the front of the Site along Nutgrove Avenue. The Site provides a total area of 0.3147 hectares (3,147sq.m), of which 0.2821 (2,821sq.m) ha is under the ownership of the Applicant and 0.0326 (326sq.m) ha is located along Nutgrove Avenue. This area (326sq.m) will facilitate the relocation of the existing traffic lights and pedestrian crossing, of which half is located within the DLRCC planning authority and half within the SDCC planning authority boundary. Accordingly, given that DLRCC has taken in charge this part of Nutgrove Avenue as depicted in **Figure 3** below, a letter of consent from DLRCC is required to make the application and this is included in **Appendix 1**.

To the east of the Site, a two-storey building is located, which is occupied by the Rathfarnham scout group. A portion of the Site located to the south has frontage to an internal road used for access to the Stone Park Orchard estate. The remainder of the southern boundary adjoins Nos. 17 and 18 Stonepark Orchard, which provides two-storey residential developments and one single storey dwelling referred to as "Whitehall", which directly abuts the boundary of the Site. To the west of the Site, a two-storey residential dwelling known as "Spabeck House" is situated.



FIGURE 1: SUBJECT SITE LOCATED AT NUTGROVE AVENUE, RATHFARNHAM, DUBLIN 14 (SOURCE: GOOGLE MAPS)

The northern side of Nutgrove Avenue is occupied by two-storey housing (used as an aged care facility) and Rathfarnham Golf Club (Castle Golf Club) further north of these developments (**Figure 1**).

The Site is vacant with some trees and opportunistic scrub. The historical use of the Site was an Esso filling Station which was decommissioned in 2008. It is understood that the Site has remained vacant since this time.

Reports have been prepared prior to, and post, the decommissioning of the fuel sales use of the Site and is included in **Appendix 2**. The information presented in the reports confirms the Site is in an appropriate condition to safely accommodate the proposed residential use.



FIGURE 2: EXISTING SITE WHEN VIEWED FROM NUTGROVE AVENUE (SOURCE: GOOGLE EARTH)

The Site is situated in a predominantly residential neighbourhood with numerous services and amenities located within close proximity of the Site. Loreto high school, Rathfarnham Educate Together National School, An Phiarsaigh Gaelcholáiste and Abbey view School Loreto are located in close proximity of the Site. Other services such as the Rathfarnham health centre and childcare facilities are also located in the immediate vicinity.



FIGURE 3: CONTEXT MAP (SOURCE: HORAN RAINSFORD ARCHITECTS)

The existing height in the local area ranges from two storey houses, and residential apartment developments ranging in height from 3-4 storeys. Recent approvals include a three (3) storey apartment development located at the corner of Grange Road, Nutgrove Avenue and Loreto Park (ABP-303184-18). Nutgrove Shopping

Centre and Nutgrove Retail Park are located approx. 500m east of the Site and Dundrum Town Centre is located within 3km of the Site also.

The Site is situated in a central and urban location as a result of its close proximity (<400-500m walk) to high frequency urban bus services. The area is well served by public transport with Dublin Bus providing a number of bus routes that serve the surrounding area. A bus stop is located immediately adjacent the Site (Nutgrove Court, Stop 1319) and is serviced by numerous buses, such as Nos. 17, 17d, 61, 75 and 75a. These routes service Blackrock, Dun Laoghaire Station, Rialto, Rockbrook, Tallaght Square, Whitechurch and Dublin City Centre.

The area can be described as pedestrian and cycle friendly with footpaths and cycle ways surrounding the Site. Traffic lights and a pedestrian crossing point are located immediately in front of the Site along Nutgrove Avenue.

The Site is not located within any specific designated conservation area as identified on Map 10 of the County Development Plan. As per the Department of Arts, Heritage and the Gaeltacht there are no recorded protected structures or national monuments identified on the Site. The Site is located in Flood Zone C for fluvial, pluvial and coastal flooding and is therefore at low risk of flooding. There are a number of protected structures, monuments and places located in Rathfarnham and in proximity to the Site. It is proposed that the existing concrete surface water sewers draining through the Site and discharging to the west will be diverted and replaced with a new proposed drainage network. It is considered that the proposed development will not have any negative impact on the surrounding protected structures, monuments and places, as the design, while contemporary in nature, provides for a transitional building that will create a suitable residential development, commensurate with its surroundings.

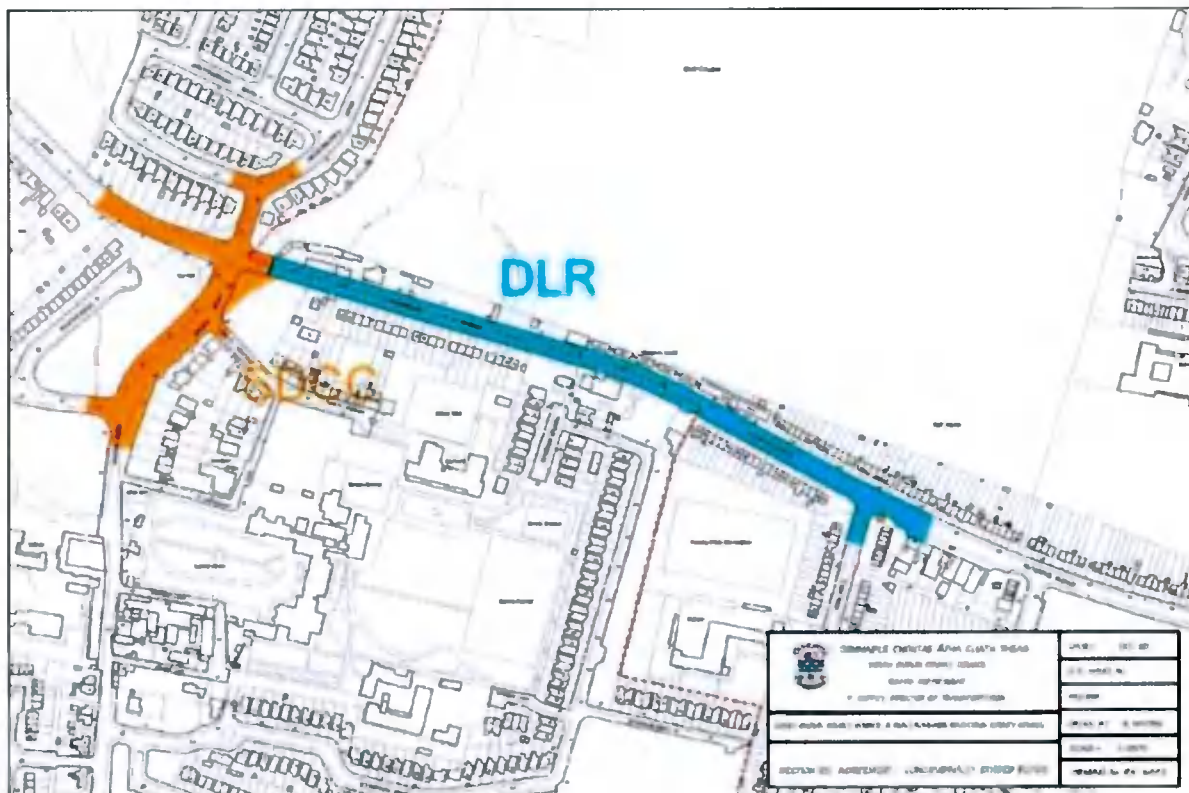


FIGURE 4: TAKEN IN CHARGE PLAN (SOURCE: SDCC)

3. Planning History

3.1 Proposed Development Site

The planning history for the Site is presented below and provides guidance for the proposed development. A planning history search carried out on the SDCC website, dated 14.01.2021, identifies the following applications as having been previously submitted on Site. The most recent planning application determined by SDCC (Ref No: SD18A/0421) is discussed in further detail in **Section 2.1** below.

Planning Register Ref.	Development Description	Decision Date	Decision
Former Esso Filling Station, Nutgrove Avenue, Rathfarnham, Dublin 14			
SD18A/0421	Construction of a 2,494sqm residential development consisting of twenty-four apartments in 2 four storey buildings; Block A with 8 apartments and the combined Blocks B and C with 16 apartments with 24 parking spaces and 20 bicycle spaces and landscaped courtyards at the former Esso filling station.	22 August 2019	Refuse Permission
SD18A/0353	Construction of a 2,494sqm residential development consisting of twenty-four apartments in 2 four storey buildings at the former Esso filling station.	27 November 2018	Withdrawn
SD15A/0293	(1) Provision of new two storey forecourt building with 100sqm retail shop, 91.53sqm deli cafe, 24.29sqm deli cafe food prep area, offices, stores & toilet facilities; (2) sale of specially prepared hot & cold food for consumption both on and off the premises from the deli cafe area; (3) new forecourt layout including canopy, fuel pumps, underground tanks, jet wash, carwash water pump room and bin compound; (4) relocation of existing site entrance & exit crossovers, (5) 157.08sq.m first floor office, (6) ancillary signage, both illuminated and non-illuminated and (7) all associated site works.	01 February 2016	Grant Permission

TABLE 2: PLANNING HISTORY OF SUBJECT SITE

Whilst permission was granted for **SD15A/0293**, it has not been implemented.

3.2 Planning Application Ref. No: SD18A/0421

A planning application was lodged to SDCC on 27th November 2018 for the construction of twenty-four (24) apartments in the form of two (2) four (4) storey buildings, associated car and bicycle parking and landscaped courtyards (Planning Ref. No: SD18A/0421).

The decision to refuse the application was made by SDCC on 22nd August 2019. The reasons for refusal are summarised as follows (with responses to how the proposed development has addressed such issues highlighted in **blue**):

1. The proposed development would contravene the RES land-use zoning objective and policy on infill development contained in the South Dublin County Development Plan (SDCDP) 2016-2022 as a result of:
 - i. the overbearing visual impact on the streetscape of Nutgrove Avenue and the dwellings to the south of the Site, in particular 17 and 18 Stonepark Orchard;

The upper storey level of the proposed development has been recessed to ensure that the perceived bulk of the built form is reduced. Additionally, increased setbacks to the southern boundary have been provided to increase the separation distance between the existing residential development located along the southern boundary. In addition, the built form has been pushed forward, to sit closer to Nutgrove Avenue and further increase the separation distance than previously provided. The proposed setbacks from the recessed four (4) storey

component have been increased by 6.8m-7.3m from that previously proposed. Considering the Site in its context, where developments have been recently granted by ABP (Ref No. 303184) for 3-storey developments which adjoins single storey developments, the proposed height and increased separation distances are considered appropriate.

ii. the treatment of the northern boundary wall;

The treatment to the northern boundary wall will consist of a light/medium brown clay stock brick. This is softened by landscaping along the northern boundary. Glazed brickwork in selected colour ("Dark Salmon") have been provided to the three (3) entry points to clearly distinguish the entry points. The balconies are provided with a steel frame structure with galvanised steel balustrades. Opaque double-glazed windows with dark grey powder coated aluminium frames are provided above the entry points to add further emphasis to the entry points and create visual interest along the northern elevation provided to Nutgrove Avenue.

iii. the location of the bin store;

As requested, a bin store has been provided at both the west and eastern edge of the Site. These have been screened by 1.8m high mesh fence with planted hedging.

iv. the likely overlooking and overshadowing of private gardens.

To mitigate any possible overlooking into adjoining residential properties, the upmost level has been setback to ensure potential overlooking is mitigated. This is further demonstrated in the accompanying photomontages where the development appears as a three (3) storey development, when viewed from various viewpoints. As previously mentioned, the southern setbacks for the upper level have been further recessed to provide a separation distance of 15.8m from the gable end of 17 Stonepark Orchard. To provide more certainty surrounding overlooking from the balconies to the adjoining properties, in addition to the existing 5m high wall located along the southern boundary, tree planters are proposed along the southern boundary of the proposal which can grow to a height of approx. 8m to remove any element of doubt regarding potential visual or privacy impacts. See accompanying overlooking analysis and landscape drawings for further detail.

The daylight, sunlight and overshadowing assessment confirms that the BRE requirements are met for both the proposal and neighbouring properties for both the amenity space and daylight received to the units. The VSC (Vertical Sky Component) and daylight results demonstrate that the proposed development will not result in any significant loss of daylight received by the neighbouring properties. The VSC received to the southern adjoining developments exceed 27% in all cases.

2. The proposed development would contravene Policy G2 Objective 9 of the SDCDP 2016 – 2022 due to:

i. The community space is provided in the form of small narrow strips which appear peripheral to the scheme and do not enhance amenity for future residents;

The layout has been updated to provide quality open spaces, as detailed in the accompanying Landscape Plan.

ii. The distribution of the community open space provides inadequate passive surveillance;

The open space areas are provided with considerable passive surveillance based on the pedestrian pathways and the proposed units, balconies and ground floor terrace areas which will directly front these spaces. Additionally, seating areas have been provided adjacent the toddler play areas to allow for surveillance of the play spaces.

iii. The number of trees to be planted and retained;

Whilst all trees are proposed to be removed as part of the proposal, as a result of their poor retention value and to facilitate the development, no net loss in the number of trees will result. Additionally, a net increase in the amount of trees located on the Site will occur.

iv. The open space is provided as community rather than public open space.

Whilst there are a number of public open space parks within walking distance of the Site, including Rathfarnham Castle Park, Loreto Park and St. Enda's park, it was advised as part of the Pre-Planning meeting that a quality dedicated open space is preferred as opposed to separating communal and public open spaces on the Site. The landscape areas and open spaces have been enhanced to ensure quality spaces have been delivered in accordance with Section 11.3.1 (iv) of the SDCDP.

3. The proposed 4-storey development would materially contravene Policy H9 Objective 3 and Sections 11.2.7 and 11.3.2 (i) of the County Development Plan a suitable transition in height to the surrounding 2- storey development has not been provided.

A transition has been provided from a part four (4) storey development which tapers down to three (3) storeys. The proposed development is situated within an existing residential context which consists of 2-storey housing in the immediate context and 3-5 storey apartment buildings within 230m; as such the proposal at three (3) storeys and a recessed fourth storey would be appropriate for the context and location. In addition, redeveloping this vacant site, which was previously a filling station, to provide residential apartments would not only be a move towards positive sustainable compact growth and provision of much needed housing that will enhance the housing mix offered within the area.

4. The ground floor terraces and above ground balconies of Blocks A and B would encroach on a proposed 7m way leave around a 1.050m surface water pipe.

There is no encroachment above the wayleave as part of the proposal.

5. The proposed pedestrian and cycle throughway would contravene Policy TM7 of the County Plan because it would be used by cars to manoeuvre into or out of some of the parking spaces.

The proposed pedestrian and cycle throughway has been removed. The pedestrian pathways and entrances to the Site are clearly defined from the proposed vehicular access point and no safety concerns should arise.

3.3 Planning Appeal

An appeal was subsequently lodged to An Bord Pleanála (ABP) on 16th September 2019, on behalf of the Applicant, against the decision made by SDCC on 22nd August 2019.

On 19th May 2020, the appeal (ABP Ref. No: ABP-305455-19) was refused by ABP and the decision issued by SDCC was upheld. Four (4) reasons and considerations to inform the making of the decision were issued by An Bord Pleanála and summarised as follows (with responses to how the proposed development has addressed such issues highlighted in blue colour):

1. The design and scale of the proposal and particularly the proximity of the proposal to the southern adjoining residential development located at 17 and 18 Stonepark Orchard. Overlooking, visual impact and visual intrusion to adjoining residential developments would result.

As previously outlined in Section 3.1.

2. Four (4) storey building height, lack of transition and inconsistency with prevailing building height of the surrounding area.

As previously outlined in Section 3.1.

3. Extensive use of brick finish and lack of fenestration in the design. The design would appear as bulky and visually incongruous from Nutgrove Avenue and this result in a negative impact on the streetscape and visual amenity of the area.

As depicted in the accompanying photomontages and elevations, significant redesign has occurred to allow for an enhanced external appearance. The proposed scale and massing of the development and the materials and colours used are generally consistent with the surrounding housing neighbourhood. The brick finish has been softened via the introduction of enhanced fenestration. Enhanced visual interest has been provided through the updated design which has introduced one stand-alone

development as opposed to the previous two block layout. The upmost level has been recessed from not only the southern boundary to alleviate potential overlooking and visual obstruction, but this level has also been recessed from the Nutgrove Avenue frontage to further reduce the perceived bulk of the proposed building from the street. Balconies have been introduced along the northern boundary, in addition to vertical slot elements, to increase visual interest and thus create a positive impact on the streetscape and visual amenity of the area.

4. The ground floor terraces and above ground balconies (Block A and Block B) were located such that they would encroach on the seven-metre wayleave around the diverted surface water sewer and therefore be contrary to the requirements of Irish Water and the water services section of SDCC. As previously outlined in **Section 3.1**.

	assessment accompanies the application which further details the suitability of the proposed access to the Site. To facilitate the proposed entrance, it is proposed to relocate the existing crossing on Nutgrove Avenue.
Water Services & Drainage	<p>SuDS – green roofs, permeable paving was welcomed and SDCC indicated that they would encourage rain gardens and swales within the landscaping if feasible. It was advised that a plan and cross section demonstrating the distances from the wayleave to the balconies should be included with the application.</p> <p>Response: The project engineer engaged separately with SDCC to agree matters prior to lodging the application. Additionally, permeable paving and a green roof have been provided. No balconies/terrace areas are located within the wayleave area and this has been documented in a section drawing provided as part of the Engineering Drawings (Drawing No. 2022-XX-XX-M2-C-0502).</p>
Filling Station	<p>A decontamination report should be addressed in the submission.</p> <p>Response: A decontamination report has been prepared and accompanies the planning package.</p>
Visual Impact	<p>Changes to the front elevation were welcomed as an improvement on the previous proposed scheme. It was suggested that a suite of photomontages should be included with the application with views from south, views from east and west showing proposed building in context of neighbouring sites.</p> <p>Response: A comprehensive suite of photomontages accompany the application addressing the views requested.</p>

5. Proposed Development

5.1 Key Development Parameters

An overview of the key development statistics is provided below.

Proposed Development	
Site Area (under Applicant ownership)	0.2821 ha
Gross Floor Area	2,640sq.m
No. Units	28 no. units <ul style="list-style-type: none">• 8 no. 1-bedroom units• 4 no.2-bedroom (3P) units• 13 no. 2 bedroom (4P) units• 3 no. 3 bedroom (5P) units
Density	99 (net) units per hectare (uph)
Site Coverage	27%
Building Height	3-4 storeys
Unit Mix Summary	<ul style="list-style-type: none">• 8 no. (13%) 1-bedroom (1 person) units• 4 no. (47%) 2-bedroom (3 person) units• 13 no. (47%) 2-bedroom (4 person) units• 3 no. (7%) 3-bedroom (5 person) units
Car Parking	16 no. total (at grade)
Bicycle Parking	<ul style="list-style-type: none">• 62 bicycle parking spaces including<ul style="list-style-type: none">○ 48 long-stay resident spaces○ 14 no. short stay visitor spaces
Dual Aspect	89% (25 units)
Communal Amenity Space	433 sq.m total
Public Amenity Space	286 sq.m total

TABLE 3: PROPOSED DEVELOPMENT SUMMARY

Taking into consideration the previous commentary provided as part of the Planning Application (Ref No: SD 18A/0421) and subsequent Appeal (ABP-305455-19), a revised architectural scheme has been prepared to ameliorate these matters.

The proposed scheme will consist of a three (3) storey and recessed fourth storey residential development with a total Gross Floor Area (GFA) of c. 2,640sq.m.

The development will include:

- The construction of a part 3 and part 4 storey building with a maximum building height of 11.700m;
- 28 No. apartments over ground floor and 2-3 storeys above with a combined GFA of 2,640 sq.m;
- Communal open space in the form of a landscaped areas located at the rear and sides of the Site;
- 16 No. residential car parking spaces provided at grade including 1 No. accessible car parking spaces and 2 No. electric car charging parking spaces;
- 2 No. motorcycle parking spaces; and
- 62 No. cycle parking spaces (48 long term and 14 short term).

Vehicular access is proposed directly from Nutgrove Avenue, along the north-eastern boundary which provides access to an at grade carpark located to the rear of the Site. Pedestrian access to the building and the rear communal spaces are provided at numerous points along Nutgrove Avenue.

The location of the existing pedestrian crossing and traffic lights conflict with the proposed access and egress points of the proposal. As a result, they are proposed to be relocated approx. 11m to the west of their current location. Given the planning authority boundary which provides for half of Nutgrove Avenue to be located within the SDCC boundary (southern portion) and half of Nutgrove Avenue located within the Dun Laoghaire-Rathdown County Council (DLRCC) boundary (northern portion), liaison with both planning authorities was undertaken and a separate planning application has been lodged for the works proposed within the DLRCC jurisdiction.

As this part of Nutgrove Avenue has been taken in charge by DLRCC, landowners' consent (LOC) was obtained from DLRCC, and is provided at **Appendix 1**.

The accompanying engineering package provides further details in relation to the proposed relocation of the pedestrian traffic lights and pedestrian crossing.

The development will provide private open spaces in the form of balconies, wintergardens and terraces for each apartment. In addition, quality communal open spaces which facilitate the needs of toddlers, children and adults have been catered for in the rear and side of the Site. The proposed quantum of communal open space (433sq.m) will achieve in excess of the minimum recommended by the apartment guidelines criteria (182sq.m), based on the proposed mix. The array of needs which have been catered for within the external areas have been carefully considered and provide quality spaces for the future residents. Further details regarding the proposed trees, landscaping and treatments are included as part of the Landscape Design Report.

The minimum area required for public open space is 10% (282sq.m). As advised as part of the Pre-Planning meeting, the separation of public open space and communal open space was not necessary, having regard to the type of development proposed. It was advised that the overarching consideration should be the quality and usability of open space. The area proposed to be dedicated as public open space is 286sq.m. This comprises a toddler play area, a south facing seating area, open landscaped areas and outdoor benches provided at the front of the Site.

Given the residential nature of this proposed development, the abundance of public parks (as highlighted in **Figure 3** above), use of this area by the wider public would not be anticipated. Nonetheless, the scheme meets the quantitative standards and provides a high-quality landscape proposal. In addition, in excess of the minimum numerical requirements required to cater for public and communal amenity spaces has been catered for.

5.2 Mix & Size of homes

The proposed development is designed to cater for different size households. The apartments are generously sized and exceed the minimum standards as outlined in the Sustainable Urban Housing: Design Standards for New Apartment Guidelines (2018) (DSFNA) and updated in 2020.

The proposed apartments will include:

- 8 No. 1 bedroom units that all exceed the minimum standard of 45sq.m. The smallest 1-bed unit provided measures 49sq.m and the largest measures 53sq.m;
- 17 No. 2-bedroom units are proposed as part of the development which are broken down as follows:
 - 4 No. 2 bedroom units (3 persons) that exceed the minimum standard of 63sq.m. The smallest 2-bed unit provided measures 82sq.m and the largest measures 88sq.m;
 - 13 No. 2 bedroom units (4 persons) that all exceed the minimum standard of 73sq.m. The smallest 2-bed unit provided measures 85sq.m and the largest measures 94sq.m
- 3 No. 3 bedroom units that all exceed the minimum standard of 90sq.m. The smallest 3-bed unit provided measures 104sq.m and the largest measures 121sq.m.

5.2.1 Social & Affordable Homes

The Applicant has engaged with SDCC's Housing Department and a Letter of Validation accompanies this application. The Applicant will comply with their obligations under Part V of the Planning and Development Act 2000 (as amended) i.e. 10% of the proposed new units will be allocated social and affordable homes. It is noted that further engagement with the Housing Department will take place post planning to agree the final proposal.

5.3 Access & Permeability

Access and egress for vehicles will be *via* a proposed access and egress point on the north western boundary to Nutgrove Avenue. To facilitate access to the Site, the existing traffic lights and pedestrian crossing are proposed to be relocated to the west of their existing location, as highlighted in **Figure 5** below.

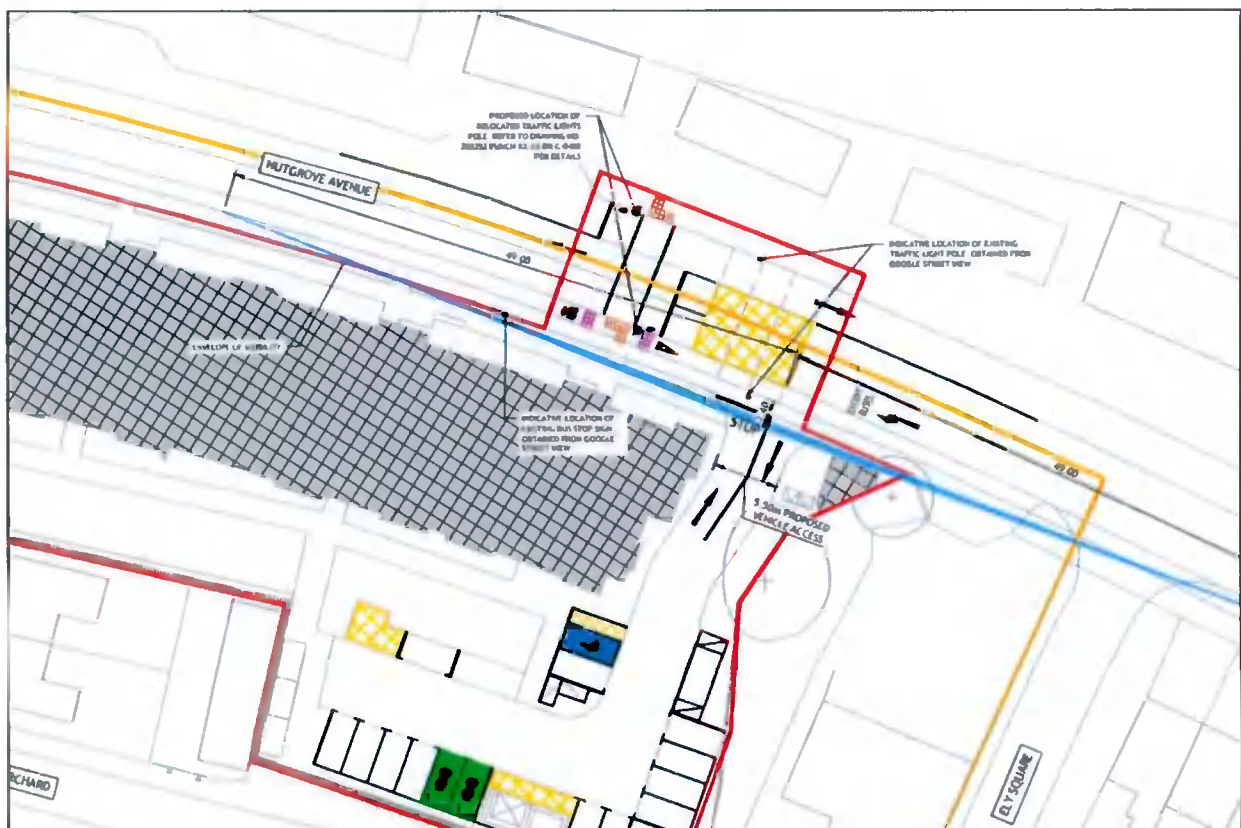


FIGURE 5: LOCATION OF EXISTING TRAFFIC LIGHTS AND PEDESTRIAN CROSSING AND PROPOSED RELOCATION AND ROAD LINE MARKINGS (SOURCE: PUNCH)

Three (3) pedestrian entry points are proposed along Nutgrove Avenue which will provide access to the development. An additional pedestrian entry point is provided along the western boundary, which provides access to the rear landscaped area and short-term bicycle parking area.

5.4 Drainage

Drainage drawings, watermain drawings and a site-specific flood risk assessment have been prepared by Punch Consulting Engineers and accompany this planning application. The main items discussed within these reports and as part of the Pre-Planning discussions can be summarised as follows:

- A new surface water and foul network are proposed to service the development, as well as a diversion of the existing surface water system through the Site.
- The existing surface water sewer is to be diverted completely within the development Site. It is proposed that the sewer be diverted to the rear (south) of the Site to facilitate the construction of the proposed development.
- A wayleave of 3.5m, either side of the culvert and surface water pipe which traverses the Site, will be provided to ensure flood risk is not increased. All buildings are clear of the proposed and retained surface sewer wayleave. This has been further demonstrated as part of the plans and cross sections which show the distances from the wayleave to the proposed balconies. Landscaping and paving will be located in this area. The trees proposed along the southern boundary are proposed in planters above ground which are movable, should access to the wayleave be required.
- The proposed diverted water sewer pipe will result in a greater volume being catered for and a comparison of the existing and proposed results have been modelled in the accompanying engineering report. The existing volume through the Site caters for 34.2m³ and by virtue of the redirection, the proposed pipe volume will increase to 64.9m³.
- All surface water run-off from roof areas and hardstanding areas are designed to be collected by the gravity pipe network. The surface water from any open deck parking areas or pavements shall be collected via a series of gullies, channels and permeable paving, and are to be discharged to the diverted surface water drainage network. An attenuation tank with a hydrobrake at the outlet will be provided to provided surface water flow control.
- It is proposed that the foul sewer will discharge by gravity to the existing 225mm diameter Concrete foul sewer on Nutgrove Avenue, located to the north of the development.
- Irish Water record drawings indicate existing public watermain infrastructure exists adjacent to the development. It is proposed to connect the development to the existing watermain on Stonepark Orchard.
- A Pre-Connection Enquiry Form was issued to Irish Water in relation to the proposed development and a response was received advising that the wastewater connection is feasible without any infrastructure upgrade.
- The proposed development has been assessed in relation to Sustainable Urban Drainage Systems (SuDS). A variety of measures are to be implemented which include a green roof and permeable modular pavers for the car parking area. The green roofs shall be provided at roof level in the form of 'extensive' sedum green roofs.

5.4.1 Flood Risk Assessment

A Flood Risk Assessment has been prepared by Punch Engineering and accompanies this application. A summary of their findings is provided below:

- The Office of Public Works (OPW) Flood Hazard Mapping website holds a record of historic flood events and shows all past flood events within a 2.5 km radius. A review of the database indicated that there has been historical instances of flooding along Nutgrove Avenue in October 2011.
- The report concludes that the previous flooding events involved suspected maintenance issues with regards to the culvert inlet on the Little Dargle River to the east of the site. Screening has been improved at this location, and this mitigates the risk of future flooding at the proposed site.

- The report concludes that in the event of the existing culvert becoming blocked again, there is potential for minor flooding at the site, similar to that which occurred in the previous flood event. Flooding of the site would be in the expected region of 100mm based on the previous flooding events described in the above-mentioned reports. The flooding would likely only occur in the north-west corner of the site, and the expected depths would not pose a significant risk to the site.
- While there was some historic flooding on the Site due to blockages at the culvert on the Little Dargle River, the risk to the Site is deemed low, due to mitigation measures put in place at the culvert, and the relatively low level of flooding recorded at the Site previously.
- Flood Maps produced as part of the CFRAMS were consulted to establish the Flood Zone. It was determined that the proposed Site is located in Flood Zone C for fluvial, pluvial and coastal flooding. The proposed development is at a low risk of flooding and is deemed appropriate within the proposed site location.

5.5 Traffic and Transport

A Traffic Impact Statement (TIS) has been prepared by Punch Consulting Engineers and is contained within the Engineering Report. As part of the Pre-Planning meeting undertaken with SDCC, a Traffic and Transport Assessment was requested. However, the proposed development is below the thresholds set by Transport Infrastructure Ireland (TII) for the requirements of a Traffic and Transport Assessment (TTA) and therefore does not accompany this application. Notwithstanding this, for completeness, the accompanying TIS addresses traffic generated from the proposed development.

A summary of the main items addressed within the report are provided below:

- Access to the Site will be provided from Nutgrove Avenue.
- The development is proposed to provide a junction to Nutgrove Avenue. The location of the junction conflicts with an existing pedestrian crossing. The existing toucan pedestrian crossing is proposed to be relocated to the west of its existing location.
- Sight lines at the proposed junction with Nutgrove Ave were assessed in accordance with Design Manual for Urban Roads and Streets (DMURS) based on existing speed limits on the main road (50km/hr). It should be specifically noted that there is significant visibility to the new toucan crossing for vehicles exiting the Site.
- The developments predicted traffic flows are found to be relatively low and would have a minimal impact on the exiting traffic on Nutgrove Avenue.
- The proposed provision of car and bicycle parking facilities complies with Local Authority standards, including the provision of accessible parking spaces, electric car parking spaces and motorcycle spaces.
- The Site is situated within walking distance of existing high-quality bus services into and through Dublin City and County; these include numerous Dublin Bus routes with peak hour service intervals of 10 minutes or less, which are within the immediate vicinity of the Site.

Based on the scale of the proposed development, it is anticipated that the proposed development can be supported by the existing surrounding road network and surrounding public transport. This has been further deliberated as part of the Traffic Impact Statement.

5.6 Landscape Plan

Murphy and Sheanon Horticulture & Landscape Architecture have prepared a Landscape Plan and Landscape Design Report. As part of the previous application, commentary was provided from SDCC outlining an inadequate number of trees would be retained. As a result, whilst the existing 27 trees located on the Site are proposed to be removed, adequate replacement is proposed, and a surplus of trees will result from that previously provided on the Site.

The proposed landscape plan will provide:

- Trees of mixed description, to include:
 - Silver wattle trees
 - Himalayan birch trees
 - Hornbeam trees
 - Ornamental pear trees

The feature trees are proposed along the southern boundary of the Site to provide additional screening between the properties located to the South of the Site. As a result of the proximity to the wayleave and existing water sewer, the trees proposed along the southern boundary will be contained within bespoke planters, as depicted in **Figure 6** below.



FIGURE 6: PROPOSED PLANTERS ALONG THE SOUTHERN BOUNDARY (SOURCE: MURPHY + SHEANON)

5.7 Arborist Report

An arborist report was undertaken for the Site by the Tree File Consulting Arborists which accompanies this planning application. The report outlines that 27 trees are located within the Site boundary, all of which are proposed to be removed to facilitate the proposal. Notwithstanding this, the review of site trees has raised several issues in respect of suitability for retention. The arborist report notes that many trees arise from positions directly adjoining existing structures and thus the trees will be disturbed as a result of ongoing growth. Examples of this would relate to the trees arising from the footing of the existing stone-built boundary wall located along the southern boundary.

The number of trees proposed to be removed will be replaced and increased across the Site. A net increase in the number of trees will occur as a result of the proposed development.

In addition to the trees proposed to be removed on-site, an existing tree is located along the eastern boundary within the Rathfarnham Scout Hall site. According to the arborist report, the Tulip Tree "has suffered chronic, extensive and visually obvious mechanical failure over recent years, involving the loss of much of its eastern crown. Additionally, the primary stem and basal area is affected by substantial decay and cavity development that is visually obvious". As a result, whilst this tree is not located within lands under the ownership of the Applicant, however considering the close proximity to the Site and the potential safety risks incurred should this tree be retained, it is documented that this tree should be removed, especially considering the public nature and highly trafficable use of the adjoining Scout Hall Site.

Further details surrounding the health of the trees and arboricultural considerations are contained within the accompanying Arborist report. Further details relating to the proposed tree species are contained within the accompanying plant schedule and landscape plan prepared by Murphy and Sheanon.

5.8 Daylight, Sunlight & Overshadowing Assessment

A daylight, sunlight and overshadowing assessment accompanies this application, and the following details summarises the details contained within the report:

- 25 of the 25 assessed neighbouring amenity areas achieve the BRE guideline recommended values for safeguarding access to sunlight;
- Only a small number of windows to the neighbouring properties are minimally affected with the proposed development in place, the effect is deemed to be negligible/minor adverse;
- The BRE recommended criteria for sunlight in amenity spaces is achieved and exceeded for the proposed development;
- All ground and first floor bedrooms and kitchen/living/dining spaces in the apartments were assessed for daylight and all rooms achieve the BRE daylight guidelines. This represents the worst-case scenario in terms of daylight as generally upper floors will achieve better daylight results as they receive less obstructions and have greater access to the sky;
- The Vertical Sky Component (VSC) and daylight results demonstrate that the proposed development will not result in any significant loss of daylight received by the neighbouring properties;
- The VSC received to the southern adjoining developments exceed 27% in all cases; and
- Shadow images are presented for both the current scenario and with the proposed development in place on both March 21st and June 21st, as recommended by the BRE Guide. While additional shadows are identified, it is important to note that all new structures will create areas of new shadows and the results of the daylight and sunlight impact assessment demonstrated that the proposed development would not result in any significant loss of light received by neighbouring properties.

5.9 Waste Management

An Outline Construction and Demolition Waste Management Plan (OCDWMP) and an Outline Construction Management Plan (OCMP) prepared by Punch Consulting accompanies this application under separate cover.

In terms of operational waste management, waste storage for residents is proposed at the north-eastern and north-western corner within two (2) designated bin storage areas. The locations have been chosen to facilitate ease of access for the residents and as a direct response to advice issued by SDCC as part of the previous application (Ref: SD18A/0421).

Waste can be transferred by the Management Company/Building Manager on the day of collection and placed at an allocated kerb-side area for collection.

6. National & Regional Planning Assessment

6.1 National Planning Framework

This application has been prepared against the backdrop of Project Ireland 2040 and the National Planning Framework (NPF) 2018. The NPF sets the targets and development strategy to cater for the estimated one million extra people that will be living in Ireland and the further two thirds of a million people who will be working in Ireland by 2040. Over the life of the plan, it is forecast that half a million additional homes will be needed to accommodate this projected growth.

The NPF's long-term vision aims to balance the provision of good quality housing that meets the needs of a diverse population by developing our cities, towns and villages as attractive places to live both now and in the future. The plan embraces the principle of compact growth, promoting development that is within the existing built-up footprint of settlements or contiguous to existing developed lands. The target is for at least 50% of all new housing to be delivered within the existing built-up areas of cities on infill and/or brownfield sites.

The NPF states that between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year. According to the CSO, there have been 41,763 new dwelling completions in 2019 and 2020, which represents a shortfall of 8,237 homes.

It is reasonably anticipated that restrictions associated with the Covid-19 pandemic will significantly impact the 2021 target and beyond. In these circumstances, it is critical that there is a pipeline of new housing to ensure security of supply.

6.2 Eastern and Midlands Regional Spatial and Economic Strategy

One of the challenges facing the Region is the continued growth rates of household formation coupled with a severe slowdown in the development of new housing stock during the economic recession, resulting in housing supply and affordability pressures in both sale and rental markets, particularly in Dublin and urban areas but affecting all of the Region.

Objective RPO 4.3 of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regions 2019-31 supports sustainable growth in the right locations and reduce long-distance commuting and congestion, which has a negative impact on quality of life.

The RSES anticipates that Dublin City and suburbs will experience population growth of 220,000 over the period 2019-2031, with 50% of all housing to be provided within or contiguous to the existing built-up area.

The Dublin Metropolitan Areas Strategic Plan (MASP) is included in the RSES. The MASP identifies Growth Enablers, including:

"To deliver strategic development areas identified in the MASP, located at key nodes along high-quality public transport corridors in tandem with the delivery of infrastructure and enabling services to ensure a steady supply of serviced sites and to support accelerated delivery of housing."

The RSES establish an asset test approach for new housing development:

- 1. Scale - Is there potential for compact sustainable development, based on the settlements scale, rates of growth, local ambition and availability of serviced lands?**
Yes, the Regional Planning Guidelines (RPG's) housing allocations for South Dublin would require 39,649 additional housing units from January 2015 to the end of 2022. Capacity is identified for a further 5,849 units, through sustainable intensification on development of brownfield sites and on a number of smaller infill sites.
- 2. Functions - Is there a good level of local employment provision, based on its job's ratio and net commuting flows, and/or potential to develop complementarities with other places?**
The proposed development is proximately located to Nutgrove Retail Park, Nutgrove Shopping Centre and Dundrum Shopping Centre which provides access to a wide range of employment opportunities. Additionally, the Site is located adjacent a bus stop serviced by numerous Dublin Bus routes which service Blackrock, Dun Laoghaire Station, Rialto, Rockbrook, Tallaght Square, Whitechurch and the City Centre, as detailed in **Section 2** above.
- 3. Services - Will local services and amenities including community, education, health, leisure and retail be accessible as set out in the '10-minute settlement' concept?**
The Site is well served by comprehensive array of local neighbourhood services. See **Section 2** of this report.
- 4. Placemaking - Will the development reinforce a sense of place and character, and create a healthy and attractive environment in line with good urban design principles?**
Significant attention is given to placemaking in the proposed design with the provision of quality landscaped areas. The land is currently a brownfield site which has remained vacant for some time and detracts from the current streetscape. The redevelopment will encourage the **re-use of brownfield lands and the** provision of sustainable modes of transport facilities promotes walking and cycling, in addition to the existing bus service located immediately adjacent the Site and thus fostering a healthy environment.
- 5. Economic - Is there potential for better alignment of housing and employment provision, to strengthen local economies or drive economic development opportunities?**
It is anticipated that the proposal will generate a significant number of employment positions during the construction phase. Additionally, the provision of housing at this location will allow people to live closer to employment opportunities local and within the wider city area.
- 6. Connectivity - Is the development accessible to existing/planned public transport and is there potential to improve modal share of public transport, walking and cycling?**

A bus stop is located immediately adjacent the Site on Nutgrove Avenue which is serviced regularly by Dublin Bus. Additionally, an existing cycle lane traverses the front of the Site along Nutgrove Avenue and upgrade works are proposed to the cycle lanes along Grange Road. Additionally, a Bus Connects route from Rathfarnham to the City Centre has been identified and the preferred route is proposed to commence at the Grange Road and Nutgrove Avenue junction. It is envisaged that construction of this route will commence in 2021.

7. **Environment - Does the environment have the carrying capacity for development? Is there potential to enhance environmental quality and/or support transition to low carbon/climate resilience?**

The site is not of high environmental sensitivity. The proposed development will cater for a low amount of car parking spaces and a high amount of bicycle parking spaces thus enhancing sustainable modes of transport. Numerous SUDS mechanisms are proposed including the provision of a 288.5sq.m green roof. The car park area has been reduced to facilitate increased landscaping and thus maximising open space, minimising hardscape, and reducing potential heat island effect.

8. **Infrastructure – Is there a requirement for improvements to water, wastewater, utilities and/or digital infrastructure and services to support the proposed development?**

Infrastructural improvements are relatively minor in nature and are included in this subject application. Development of the Site is not reliant on the delivery of major 3rd party infrastructure.

6.3 Guidelines for Planning Authorities on Sustainable Residential Development

The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the Minister under Section 28 in May 2009. Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience. Section 5.8 states that densities of less than 50 dph on public transport corridors should be discouraged. The proposed development site is located within an area which is well serviced in terms of public transport, parks and recreation areas, schools, shops and other amenities. It is proposed to develop 28 apartments on a site covering 0.2821ha, which equates to density of 99 uph and a site coverage of 27%. This is consistent with the recommendations of the Guidelines and planning precedent in the local area.

6.4 Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments

The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (Apartment Guidelines) were issued in March 2018, and amended in December 2020. The guidelines identify the types of location in cities and towns that may be suitable for apartments, having regard to the following broad description of proximity and accessibility considerations:

2) Intermediate Urban Locations *Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net), including:*

- **Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;**
- **Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;**
- **Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.**

The proposed development satisfies the criteria for an intermediate urban location and accordingly higher density development that wholly comprise apartments is appropriate. The Site can be defined as an Intermediate Urban Location site as it is located approx. 1km from Nutgrove Shopping Centre, c. 6km from the city centre, its proximity to Rathfarnham, Dundrum Town Centre and associated retail and commercial services and proximity to, and availability of, high frequency bus routes. This is of course dependent on the site's ability to satisfy development management criteria including apartment design standards, dual aspect ratio (minimum 50%), and quality open space areas.

All units meet the minimum design standards as they relate to floor areas. 89% of the proposed development is dual aspect, significantly exceeding the minimum standard and the remaining units benefit from 'semi- dual aspect' and high levels of daylight. Additionally, as outlined within the Guidelines, the 3-bedroom apartments are dual aspect.

As is outlined for **Intermediate Urban Locations** in the Apartment Guidelines, planning authorities must consider a maximum car parking standard. The Development Plan car parking requirements stipulate 27 parking spaces should be facilitated. The proposal will facilitate 16 No. car parking spaces for a 28 No. residential apartment development and as such accords with the car parking requirements, which promotes reduced overall car parking for accessible sites.

6.5 Guidelines for Planning Authorities on Urban Development and Building Heights

The Minister issued Guidelines for Planning Authorities on Urban Development and Building Heights in December 2018. Specific Planning Policy Requirement (SPPR) 1 states public policy in favour of increased building height and density in locations with good public transport accessibility. Section 2.3 states that higher density does not necessarily require taller buildings, but increased height is a significant component in making optimal use of the capacity of sites in urban locations. Section 3.2 sets out development management criteria at the scale of the city/town, district/neighbourhood/street and the site/building. Where a proposal does not meet the requirements for daylight set out in BS 8206-2 2008 or the BRE guidelines, then compensatory design solutions must be set out. SPPR 3 provides that a planning authority may grant permission for higher buildings where compliance with the criteria in section 3.2 has been demonstrated, even if a development plan would indicate otherwise. The proposal complies with SPPR 3 as outlined previously in **Section 5.2** of this report.

The criteria established in Section 3.2 are:

1. At the scale of the relevant city/town

- The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.

The Site immediately adjoins a bus stop with access to high frequency Dublin Bus services.

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

The Site does not form part of an architectural sensitive area. The application is accompanied by a suite of photomontages and viewpoints depicting the proposal in its surrounding context. Based on the viewpoints provided, it is concluded that the proposed development would contribute positively to the local streetscape.

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

While the proposed Site is not a large redevelopment site, significant place making works form part of the proposal, including an enhanced landscape spaces and quality amenity areas. The height respects the varied existing character allowing for a 3-4 storey contemporary development, commensurate to recent approvals, in the immediate vicinity.

2. At the scale of district/ neighbourhood/ street

- The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.

Based on the configuration of the Site, the upper level of the development will not be visible from Nutgrove Avenue. A significant landscape strategy is proposed where an increase in the amount of trees is provided across the Site. Additional planter trees are proposed along the southern boundary to add further screening between the proposal and adjoining residential properties. The aesthetic appearance of the proposed development will add visual interest along Nutgrove Avenue and will result in a positive contribution to the street. The building provides a height which is commensurate to recently approved development, whilst remaining sympathetic to southern adjoining single and two-storey developments.

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

The setback approach for the upmost level breaks up the volume of the proposal. The fenestration of the windows and double height openings provide visual interest to the proposal. The integration of trees, planters and landscaping along the northern boundary and within the Site, provides a softening effect on approach.

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

A Flood Risk Assessment prepared by Punch, Consulting Engineers and accompanies this application. The report concludes the proposed development is appropriate in its context.

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

Currently, there is little to announce the presence of the existing Site which is occupied by existing trees and scrub. The inclusion of the enhanced landscaping works and connectivity through and around the Site will give definition to the underutilised site.

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

The proposed mix of units range from homes capable of accommodating 1 person through to 5-person homes.

3. At the scale of the site/building

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

- Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

- Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment

against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.

A **Daylight and Sunlight Report** accompanies this submission under separate cover. The Average Daylight Factor (ADF) calculations for the proposal demonstrate that of the 44 rooms assessed all achieved the BRE Guidelines. Additionally, the daylight results demonstrate that the proposed development will not result in any significant loss of daylight received by the neighbouring properties.

The Annual Probable Sunlight Hours (APSH) calculations demonstrate that the façade areas (excluding areas facing NW, N or NE as per the BRE Guidelines) receive high levels of sunlight. All windows assessed for APSH in the winter months achieved the BRE Guidelines for access to sunlight in existing neighbouring dwellings.

The report demonstrates that the amenity areas of neighbouring buildings will receive sufficient sunlight in accordance with the BRE Guidelines which require that at least 50% of the amenity area receives at least 2 hours of direct sunlight on March 21st. The BRE recommended criteria for sunlight in amenity spaces is achieved for the proposed development also.

This comprehensive daylight, sunlight and overshadowing assessment of the proposed development has been undertaken by using simulation modelling and comparing results achieved against the BRE guidelines. Overall, the proposed development achieves the guidance of the BRE BR209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'.

Images are presented for both the current scenario and with the proposed development in place. Whilst additional shadows are identified as a result of the development, it is important to note that the results of the daylight and sunlight impact assessment demonstrated that the proposed development would not result in any significant loss of light received by neighbouring properties.

6.6 Guidelines for Planning Authorities on Childcare Facilities

Section 3.3.1 of the Guidelines for Planning Authorities on Childcare Facilities issued in June 2001 recommends that new housing areas be provided with childcare facilities at a standard of one facility with 20 spaces for every 75 homes.

The proposed development is for 28 No. dwellings and accordingly a childcare facility is not required.

7. South Dublin County Development Plan 2016-2022

The Site which is the subject of this development proposal, is located within the functional area of SDCC and is governed by the *South Dublin County Development Plan 2016 – 2022 (SDCDP)*.

7.1 Land-Use Objectives

The subject lands are zoned 'RES' to 'protect and/or improve residential amenity' (see **Figure 3**). The County Development Plan states that development in RES lands should provide for a balanced range of dwelling types and sizes to support a variety of household types.

Permitted in Principle uses for Zoning Objective RES lands include: -

Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.

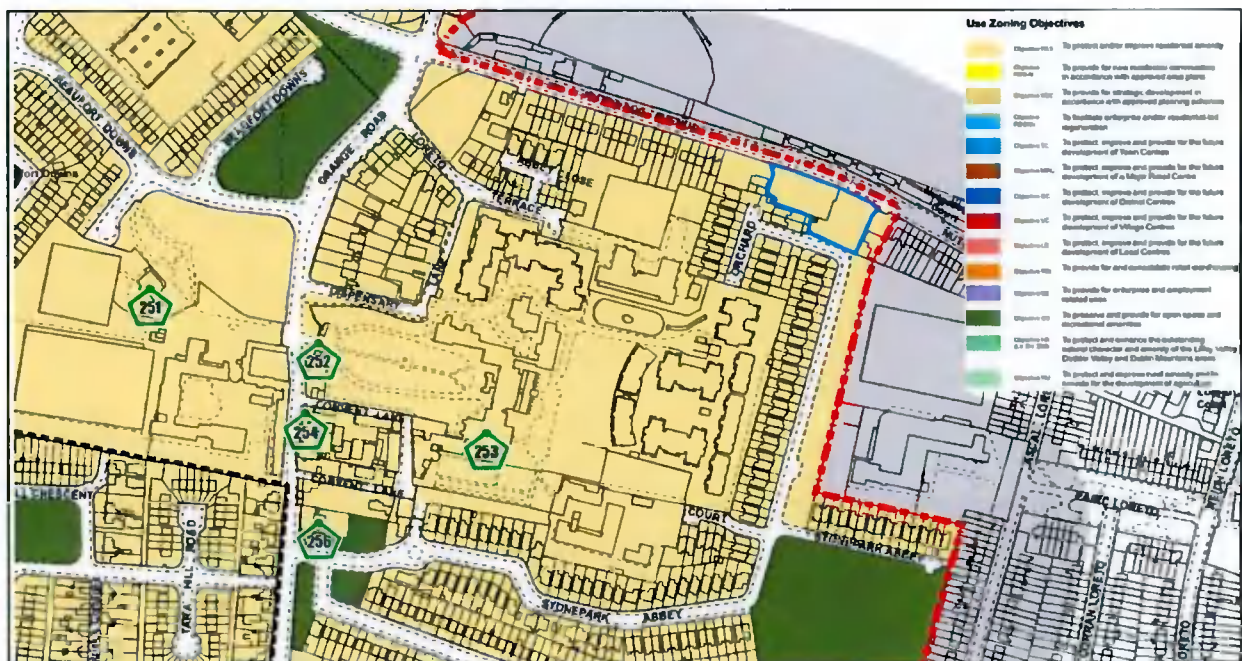


FIGURE 7: PLANNING CONTEXT (INDICATIVE BOUNDARY OUTLINED IN BLUE) EXTRACT FROM THE SOUTH DUBLIN DEVELOPMENT PLAN

As per Schedule 5 of the SDCDP, the definition of **residential** is defined as follows:

'The use of a building or part thereof including houses, duplexes and apartments designed for year round human habitation'.

As the proposal will constitute a residential apartment development, the proposed use is permitted in principle.

The Site is located in close proximity to Rathfarnham Village, Nutgrove Shopping Centre, Nutgrove Retail Park, Rathfarnham Castle and as such benefits from access to a range of high-quality social and cultural infrastructure. The proposed residential development will contribute toward the pressing need for residential accommodation in South Dublin. The proposed development is consistent with the permissible uses for 'RES' lands and is thus generally acceptable in principle subject to normal planning considerations.

A critical element of the design is the sensitive integration of the development into its existing context. Careful consideration has been given to the proposed heights, materiality and fenestration to ensure that the existing mature residential neighbourhood character is enhanced in a contemporary but sensitive manner.

7.2 Applicable Development Plan Policies

The relevant sections of the SDCDP include inter alia Chapter 2, *Housing*, Chapter 6, *Transport and Mobility*, Chapter 7, *Infrastructure and Environmental Quality*, Chapter 11, *Implementation* and are relevant to development proposals for RES zoned land. The Design Team are aware of the relevant provisions and the proposed design is cognisant of, and compliant with, the applicable policy and objectives.

The policies presented in Chapter 2 support sustainable building design and promote;

- Social integration and facilitate a diverse range of dwelling tenures, including social housing in a balanced way;
- The development of sustainable communities in accordance with Government Policy;
- Higher residential densities at appropriate locations;
- Varied building heights across the residential areas in South Dublin County; and
- High quality design and layout in new residential developments to ensure high quality living environments and access to high quality private and public open spaces.

These principles are also expressed in the Sustainable Urban Housing: Design Standards for New Apartments' (2020) and 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual: A Best Practice Guide' (2009). Policy H7 of the Development Plan requires that proposals should have regard to these Guidelines. A separate **Design Statement** has been prepared by the project architects, Horan Rainsford Architects, which demonstrates the proposed development is compliant with the standards set out in the applicable guidelines. As previously discussed in **Section 5.8**, the **Daylight and Sunlight Assessment** prepared by Metec accompanies the planning application.

Policy H2, seeks to ensure that sufficient zoned land continues to be available, at accessible locations, to satisfy the housing requirements of the County, in accordance with the core strategy. The proposed development seeks permission for 28 No. apartments on a site area of 0.3147 hectares (3,147sq.m). The SDCDP states that they will promote higher densities, in accordance with the standards set out in the Departments (2009) Guidelines on Sustainable Residential Development in Urban Areas. Section 2.0 of the SDCDP also states the following:

'In a predominantly urban county such as South Dublin, new housing will be delivered in established areas through sustainable intensification, infill development and the re-use of brownfield lands while respecting the amenity value of existing public open spaces. Expansion will focus on the creation of sustainable new communities at locations that can be served by high quality public transport'.

The Site, in its current form, is underutilised given its central location and proximity to Nutgrove Shopping Centre, Nutgrove Retail Park and Rathfarnham Village. The redevelopment of the Site offers the opportunity to provide a sustainable residential development with high-quality residential apartments with immediate access to public transport and a range of social infrastructure in the immediate vicinity. The proposed design will provide significant amenity to the residents as it will offer sweeping views across the adjacent Castle Golf Club. The proposed development is stepped-back at the upmost level to limit its impact on neighbouring properties, particularly located to the south. Several computer-generated images (CGIs) are included to further demonstrate the suitability of the proposal. The proposed development will respect the character of the surrounding area and would significantly enhance the existing vacant site.

Chapter 6, *Transport and Mobility* acknowledges the high levels of car use are unsustainable and a transition towards more sustainable modes of transport is required.

The Site is well served by public transport with Dublin Bus providing a bus stop immediately adjacent the Site (Nutgrove Court, Stop 1319) which is serviced by numerous buses, on high frequencies. A reduced number

of car parking is proposed for the Site, providing 16 No. car parking spaces for 28 No. units. A total of 62 bicycle parking spaces are also proposed for the Site.

Policy **TM3** seeks to re-balance movement priorities towards more sustainable models of transportation by prioritising the development of walking and cycling facilities within a safe and traffic calmed street environmental. Considering the number of bicycle spaces proposed as part of the development and the cycle and pedestrian lanes which traverse the front of the Site, along Nutgrove Avenue, the proposal is considered to maximise connectivity and access to local shops, schools and other amenities.

Chapter 7, *Infrastructure and Environmental Quality* recognises the importance of providing high quality infrastructure networks and environmental services to result in the establishment of sustainable communities.

Council policy requires that new developments provide a separate foul and surface water drainage system where practicable. In this regard, a pre-connection confirmation from Irish Water (IW) has been sought and confirms that the proposed connection to the Irish Water network(s) can be facilitated. This pre-connection confirmation forms part of an **Engineering Report** package. Additionally, drainage drawings and a Site-Specific Flood Risk Assessment accompanies the planning application which provides details in regard to the surface water system which has been designed such that, there is no risk of flooding on the Site, above the Site, or downstream of the Site.

Chapter 11, *Implementation* sets out policies, objectives and development standards to ensure that development occurs in an orderly and efficient development. These standards are further detailed in **Section 7.3** below.

7.3 Development Standards

The Implementation Chapter of the Development Plan, Chapter 11, sets out the *Development Standards*, for both qualitative and quantitative standards. Those that are applicable to the subject proposal include the following sections.

7.3.1 Density

The Government Circular (PL8/2016) issued to Local Authorities addresses the Action Plan for Housing and Homelessness 'Rebuilding Ireland'. The Circular notes that there is an immediate and pressing need for all suitable potential sources of supply to be activated as speedily as possible and development plans should be flexible to take account of changing circumstances or issues unforeseen at the time of the original making of the plan.

The NPF includes a National Strategic Outcome to achieve effective density and consolidation, rather than more sprawl. Specifically, it highlights that Dublin must achieve a more compact urban form, facilitated by well-designed higher density development.

A key objective of the NPF is to achieve increased levels of residential development in urban centres and to ensure that significant increases in the overall density of development is not only facilitated but actively sought out and brought forward through the planning process.

The NPF supports the realisation of proposals for infill development to contribute to the overarching objective of compact growth. Crucially, the NPF promotes flexibility when applying planning standards to well-designed development proposals that can achieve urban infill objectives. This, it states, is in recognition of the fact that many current urban planning standards were devised for application to greenfield development sites and cannot account for the evolved layers of complexity in existing built-up areas.

Chapter 2 of the SDCDP on *Housing* provides **Policy H8** which promotes residential densities subject to ensuring a balance between the reasonable protection of existing residential amenities and the established character of areas. The SDCDP generally seeks to maximise the use of zoned and serviced residential land and promotes consolidation through sustainable higher densities to allow for a compact urban form, that in turn supports an integrated public transport system.

Section 11.3.1 of the SDCDP highlights that the approach to assessing developments is to ensure they are determined with reference to Departmental Guidelines on Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) (2009 Guidelines).

The proposed development would provide a density of 99 units per hectare (uph). The previous application proposed a density of 84.7 uph. It is acknowledged that the proposed development has a higher density than that previously proposed and whilst this application did not obtain planning permission, the commentary from SDCC outlined the following:

“The proposed development would have a density of 84.7 units per hectare which is high density. Having regard to the location of the site and proximity to Nutgrove Avenue which comprises a bus corridor, a higher density of housing on this infill site is considered acceptable within the context of the site and the surrounding area”.

Based on the above statement previously provided by SDCC, whilst it is acknowledged that an additional 4 units will be provided, the proposed density is considered appropriate.

As previously outlined in **Section 6.4** above, *The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments* were issued in March 2018 and updated in 2020. The guidelines identify the types of location in cities and towns that may be suitable for apartments, having regard to the following broad description of proximity and accessibility considerations. As previously established the Site is located in an **Intermediate Urban Location**.

The proposal accommodates 3 No. 3 bedroom units to cater for the needs of the surrounding suburban context. Based on the suburban location of the Site, the provision of this accommodation size, provides an attractive and desirable housing option to a range of household types and sizes.

Having regard to the location of the Site and proximity to Nutgrove Avenue which provides a frequently serviced bus corridor, the higher density for this infill site is considered acceptable. Additionally, the Site is within walking distance to Nutgrove Shopping Centre and Retail Park.

The proposed density is 99 uph and is not untypical of the density that would be associated with this type of development in such areas where apartments are the residential type being developed. Additionally, the proposed density will be lower than that recently approved in the vicinity of the Site such as development located at Loreto Park (ABP-303184-18) which approved a density of 127 units per hectare.

7.3.2 Building Height

The SDCDP (Policy 9), deals with residential building heights and Objective 3 seeks:

“To ensure that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing”.

The previous planning application (SD18A/0421) proposed a 3-block development (Blocks A-C) of four (4) storeys in height, in the form of two (2) buildings. Commentary was provided from SDCC recommending a reduction in the number of units and a substantial setback to the south-western elevation. As depicted in the

below drawing, setbacks ranging from 8.5m-9m were provided to the gable end of the adjoining property located at 17 Stonepark Orchard.

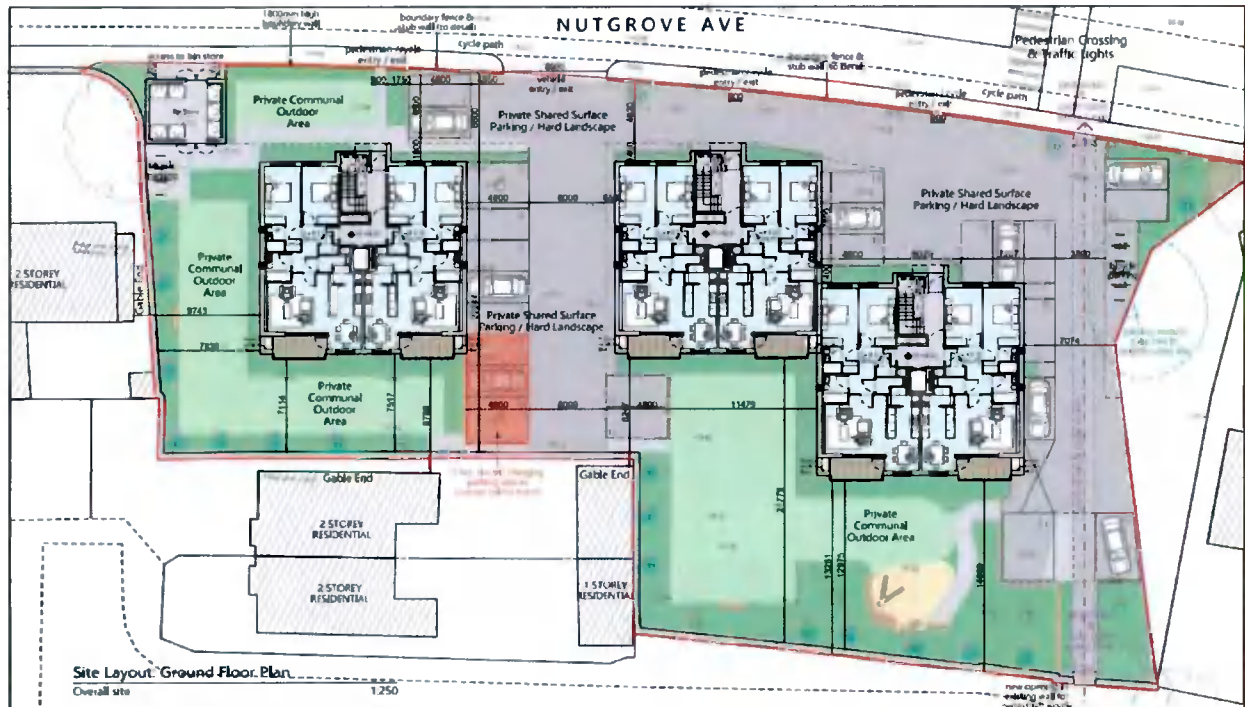


FIGURE 8: SITE LAYOUT PLAN - PREVIOUS APPLICATION (SOURCE: HORAN RAINSFORD ARCHITECTS)

The proposed height has been reduced along the northern and southern boundary, where previously the height was most prevalent. This will provide a more suitable transition between the proposal and existing development. This tapered built form will be commensurate with recent surrounding development/approvals and will capitalise upon its accessible location.

The proposed development acknowledges the previous comments provided by SDCC regarding height in this location and proposes one (1) standalone development, which provides a transition in height from Nutgrove Avenue to the rear of the Site. The maximum overall height of the proposed development is 11.7m (four storeys) and an average parapet height of c.9.3m. Whilst it is acknowledged that the proposed height will remain much the same as the height proposed as part of the previous application, the perceived bulk of the development, as viewed from Nutgrove Avenue and the rear of the Site, is not considered disorderly as the use of vertical breaks, appropriate fenestration, architectural design features and additional setbacks have been introduced. Additionally, in the wider context of the Site, there are three storey apartment developments which co-exist alongside houses, including those at Loreto Abbey, located south-west of the Site. National Policy supports higher buildings in order to provide sustainable housing in areas where services and infrastructure are available.

The height of the proposal previously presented issues in terms of separation distances to existing residential developments located to the south. Increased setbacks and screening, where necessary, are proposed to be introduced to mitigate any potential visual impacts. The fourth storey component has been setback from the southern boundary to result in a more suitable height transition from the northern portion fronting Nutgrove Avenue to the south, commensurate with the suburban character of the area. Additionally, this will provide a greater setback from the southern adjoining single and two (2) storey residential developments, resulting in an increase of between 6.8m-7.3m from that previously proposed, providing a 15.8m setback from the upmost level to the gable end of the adjoining residential property located at 17 Stonepark Orchard .

The Development Plan states the following in regard to building heights in South Dublin:

"Varied building heights are supported across residential areas, urban centres and regeneration zones in South Dublin County, subject to appropriate safeguards to protect the amenity of the area."

However, the *Urban Development and Building Heights Guidelines for Planning Authorities* (December 2018) state that it is Government Policy that building heights must be generally increased in appropriate urban locations and there is a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility. Section 3.2 of the *Urban Development and Building Height Guidelines* outline that when submitting a planning application for increased height, the Applicant must demonstrate to the satisfaction of the Planning Authority that the proposed development satisfies a specific set of criteria at the scale of the city / town, at the scale of district / neighbourhood / street and at the scale of the site / building. The proposed development satisfies the above-mentioned criteria as outlined in **Section 6.5** of this report.

Section 11.2.7 of the SDCDP outlines that new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved. Given the depth of the Site is approximately 27m from the southern boundary to Nutgrove Avenue, the application of such separation distances cannot be accommodated, and the Site would not achieve its maximum development potential.

Notwithstanding this, as depicted below in **Figure 5**, the upper-level building line is setback significantly further than that previously proposed. This level provides a setback of 15.8m from the gable end of the nearest house (17 Stonepark Orchard). This will negate potential visual and privacy impacts to both the existing and proposed development.

In addition, an existing 5-metre wall is located along the southern boundary of the Site. As a result, and in addition to the 1.8m high opaque screens proposed to the upmost level along the southern elevation, the opportunity for overlooking is completely quashed. This can be further examined as part of the visual impact and overlooking analysis drawings provided as part of the architectural package which demonstrates no opportunities for overlooking present from the southern facing balconies. As a result of the wayleave, which is proposed along the southern boundary, mature trees which have considerable root spread cannot be provided in this location. As a result, planters which grow to a height of approx. 8m-10m have been proposed to screen the existing boundary and further demonstrate that little to no opportunities for overlooking will result from the proposed development.

The potential impacts, in terms receipt of daylight and sunlight and overshadowing further demonstrate the suitability of the proposal.



FIGURE 9: PROPOSED THIRD LEVEL FLOOR PLAN (SOURCE: HORAN RAINSFORD ARCHITECTS)

Principally, the surrounding developments are two (2) storeys in height however, the proposed development is considered reflective of the approach to increasing density and heights indicated under the National Planning Framework (NFP) and within the Urban Development and Building Height Guidelines published in December 2020. As the proposal seeks permission for a part 3-4 storey development, which is deemed greater than the prevailing building height, the development is classed as 'higher buildings' pursuant to the SDCDP. Therefore, a strong urban design rationale is provided as part of the Design Statement which accompanies this application.

As the Site is well serviced by public transport, responds to the overall natural and built environment, will deliver compact urban form and visual diversity, reflective of both National and Local policy, the proposed building height is considered suitable in this instance.

7.3.3 Standards for Residential Accommodation

Section 2.3.4 (Policy H14) of the SDCDP sets out the standards relating to design and floor areas of apartments, in accordance with the 'Sustainable Urban housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2015) and the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009. The proposed development has adhered to all necessary requirements and a detailed breakdown of each apartment size and associated facilities has been prepared by the project architect and submitted as part of the architectural package.

7.3.4 Communal Open Space

Policy H13 of the Development Plan requires that all dwellings have access to high quality private open space, to include semi-private open space for apartment units. It is further required that this private open space is carefully designed and integrate into the development. Appendix 1 of the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* establishes the required quantity of communal open space.

Under the Apartment Guidelines, the minimum required communal open space for a scheme of this scale is 182sq.m. A total area of 433sq.m communal space is provided to the rear of the proposed development in the form of a landscaped courtyard, play areas, flower gardens and landscaped spaces, details of which are provided in the accompanying Landscape Plan and Landscape Design Report.

7.3.5 Car Parking

The SDCDP sets out the following maximum car parking standards for proposed developments:

Dwelling Type	No. Bedrooms	Zone 2**
Apartment	1 Bed	0.75
	2 Bed	1 space
	3 bed	1.25 spaces

**More restrictive rates applicable in town and village centres, close to public transport.

Section 11.4.3. of the SDCDP requires that up to 10% of the car parking spaces proposed provide facilities for the charging of battery-operated cars in line with the targets set out in the *Electric Transport Programme (2008)*.

Based on the mix proposed a maximum of 27 No. parking spaces are required to service the development. The proposed development will provide a total of 16 No. car parking spaces, including 2 No. electric charging parking spaces and 1 No. disabled parking spaces. The proposed car parking rates are in accordance with **Section 11.24** of the SDCDP as the number of spaces provided should not exceed the maximum provision. The proposed car parking is consistent with *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* where Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars. Therefore, given the accessible location of the Site the proposed quantum of parking is considered suitable.

In addition to the above, two (2) motorcycle spaces are also proposed.

7.3.6 Cycle Parking

Section 11.4.1 of the SDCDP sets out minimum bicycle parking rates for residential apartments. 1 bicycle space per 5 apartments (long term) and 1 per 10 apartments (short stay) are required to be provided. A total of 9 bicycle parking spaces should be provided in accordance with the SDCDP.

The development will promote cycling as a viable alternative to vehicular transport through its inclusion of 48 long term and 14 short term to result in 62 No. cycle spaces, which exceeds the minimum requirements.

The Apartment Guidelines state the following in relation to bicycle requirements:

"a general minimum standard of 1 cycle storage space per bedroom shall be applied... Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc."

Therefore, a total of 65 bicycle parking spaces is required. Notwithstanding the marginal shortfall and considering compliance with the requirements of the SDCDP is achieved, the proposed variation is considered acceptable in this instance. The proposed spaces are conveniently located to the rear and the north-western

corner of the Site, within close proximity to entrances to apartment buildings and the car park, in areas benefitting from good passive surveillance.

8. Conclusion

This proposal seeks permission for a residential development consisting of 28 No. apartments on a 'brownfield' site located at Nutgrove Avenue, Rathfarnham. The proposed development will provide for an efficient use of this underutilised brownfield site and is consistent with the land use zoning objectives as detailed in the *South Dublin County Development Plan 2016-2022*. The proposed design provides for good quality residential apartments including private and communal amenity spaces that strive to meet, and exceed, the recommended standards.

The suite of documents which accompany this Planning Application demonstrates the amenities of adjoining properties would not be adversely impacted upon as a result of the proposed development. The proposed development aims to provide a suitable transition between the Site and existing adjoining properties. The proposal would provide 28 No. residential units and contribute towards the pressing need for increased housing supply and housing choice along Nutgrove Avenue.

The Site is within walking distance of public transport and employment opportunities and so is suitable for higher density development that consists wholly of apartments in line with the Sustainable Urban Housing: Design Standards for New Apartments. Based on the suburban location of the Site, the mix of units can accommodate families, creating an attractive and desirable housing option to a range of household types and tenures and thus assist with achieving effective density and a compact urban form.

The proposed landscape design is of high quality and offers a significant planning gain. The proposed street tree planting will positively contribute to the character of Nutgrove Avenue.

The proposal is consistent with the policies of the *South Dublin County Development Plan 2016-2022*, promotes the principles of proper planning and sustainable development and is consistent with National Planning Policy objectives to consolidate existing urban areas as outlined in the NPF and Government Guidelines. As outlined in the NPF, a shift in Government policy towards securing more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located is supported.

The proposed development will result in the creation of a sustainable and vibrant residential community. This proposal, if permitted, would ensure that apartment living would be an attractive and desirable housing option to a range of household types and sizes. It will create a living environment that will promote a sense of community and will support the continued success of the established area. It is our considered opinion that the proposed scheme meets the principles of proper planning and sustainable development.

Appendix 1 Letter of Consent DLRCC

**An Rannóg Bonneagair agus Athraithe Aeráide
Infrastructure and Climate Change Department**

Property Management Section
Robert Burns
Director of Service
Level 3, County Hall, Dun Laoghaire, Co. Dublin
Tel: 01 2054806, Email; rburns@dlrcoco.ie

Rachel Condon
McCutcheon Halley Consultants
Kreston House,
Arran Court, Aran Quay
Dublin 7
D07 K271

14th April 2021

Subject to Contract – Contract Denied

**Re: Proposed planning application at former Esso filling station,
Nutgrove Avenue, Rathfarnham, D14
Inclusion of Council Lands**

Dear Ms. Condon,

I wish to advise that while the portion of Nutgrove Avenue in question is not in Dún Laoghaire-Rathdown Council ownership, the area forms part of the public road network and the Council is responsible for maintaining it.

Dún Laoghaire-Rathdown County Council consents to the inclusion of lands hatched orange on Drawing No. 403-LOC, by your client, Sirio Homes, to facilitate the relocation of the pedestrian crossing, as part of a Planning application at former Esso filling station, Nutgrove Ave, Rathfarnham, Dublin 14, subject to the following conditions:

1. Proposed works shall not impact on existing Council Services (surface water sewers) or the ability of the council to access same.
2. A site survey shall be carried out to determine the location and depth of these services and where necessary slit trenches dug to verify same.
3. The Council Water and Drainage section should be contacted prior to work being carried out to agree suitable location and vertical and horizontal distances from existing Council Services (surface water sewers). A method statement is required to be submitted prior to any work being carried out.
4. Irish Water should be contacted in relation to Drinking Water or Foul Drainage Services. Please note there is significant Irish Water infrastructure at this location.

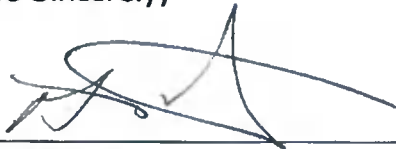
5. Council Departments are to be made fully aware of associated implications regarding new Foul Drainage pipes and Watermain construction crossing existing Roads, Footpaths and Public Open Spaces. There are maintenance wayleaves, required by Irish Water, over any such infrastructure and therefore implied sterilisation of lands within. This 'Sterilisation' may preclude, or have implications for the Council, in relation to future obligations or subsequent facilitations, such as the provision of social housing, other construction or tree planting. Any proposed development is still subject to normal planning regulations and this letter is no guarantee of approval by Drainage Planning.
6. Roads Maintenance, Traffic and Public Lighting Sections require further consultation on the extent of the works as part of the planning process. Consideration should be given to the existing cycle track when carrying out the relocation of the pedestrian crossing.
7. If planning permission is granted, any works as approved to the public road and public realm either inside or outside the red line, are to be undertaken by the applicant/developer at their own expense. Any proposed works on the public road will require a road opening licence.

The 450mm Ø Concrete Surface Water Sewers (Light Blue, Dashed) should be treated with extreme caution. Pipes are particularly vulnerable to breakage especially when they are subject to heavy loads associated with site development.

This consent is "Without Prejudice" and does not form a contract or discussions leading to a contract in respect of Council property. This letter should not be construed as binding the Council in any way whether to take any further action, partake in any future discussions or negotiations whether legally, contractual or otherwise, whether as landowner or otherwise.

This consent also applies to this one specific planning application only which should be made within twenty-eight days of the date of this letter.

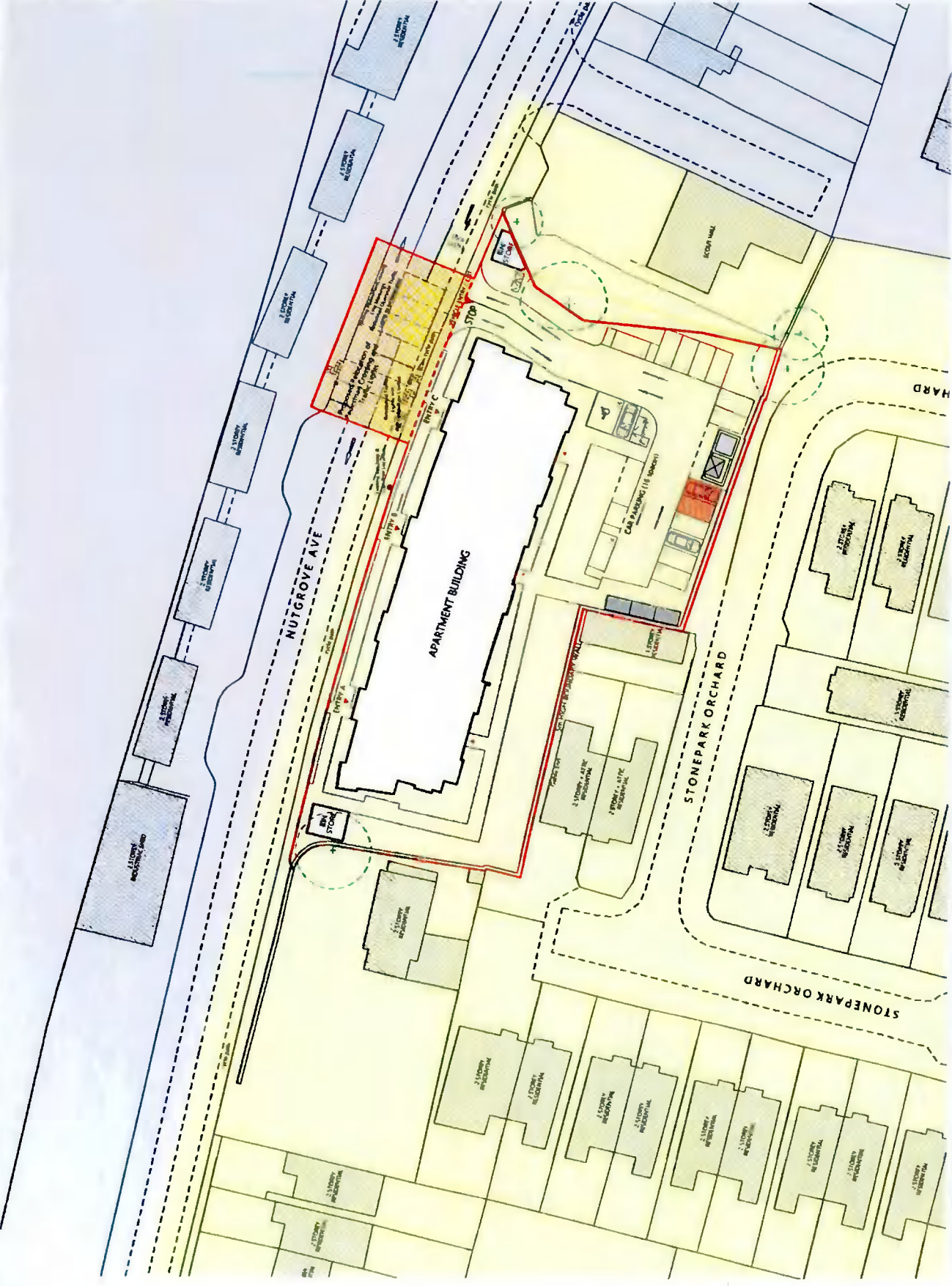
Yours Sincerely,



Robert Burns
DIRECTOR

LEGEND

- DLRCC - Lands under control
- SDCC - Lands under control
- Site Boundary - Inclusive of Works to the Site
- Site Boundary - In Ownership of Applicant
- Area of Works - Beyond Boundary of Ownership of Applicant



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PROJECT: Nutgrove Ave, Ballymore, Dublin
 STAGE: LAND OWNERS CONSENT
 DRAWING: Site Layout Plan
 DWG No: 403-L.O.C.
 SCALE: 1:500
 Rev:

Date: October 2020
 Drawn by: AR 01/03/21
 Checked by: AR 01/03/21
 O/SI license no.: 3984-08-3394-04
 O/SI map ref no.:
 Level: refer to O/S column

Approved dimensions only. Noisy areas:
 Approved dimensions only. Noisy areas:
 Approved dimensions only. Noisy areas:

DATE	REV.	DETAILS

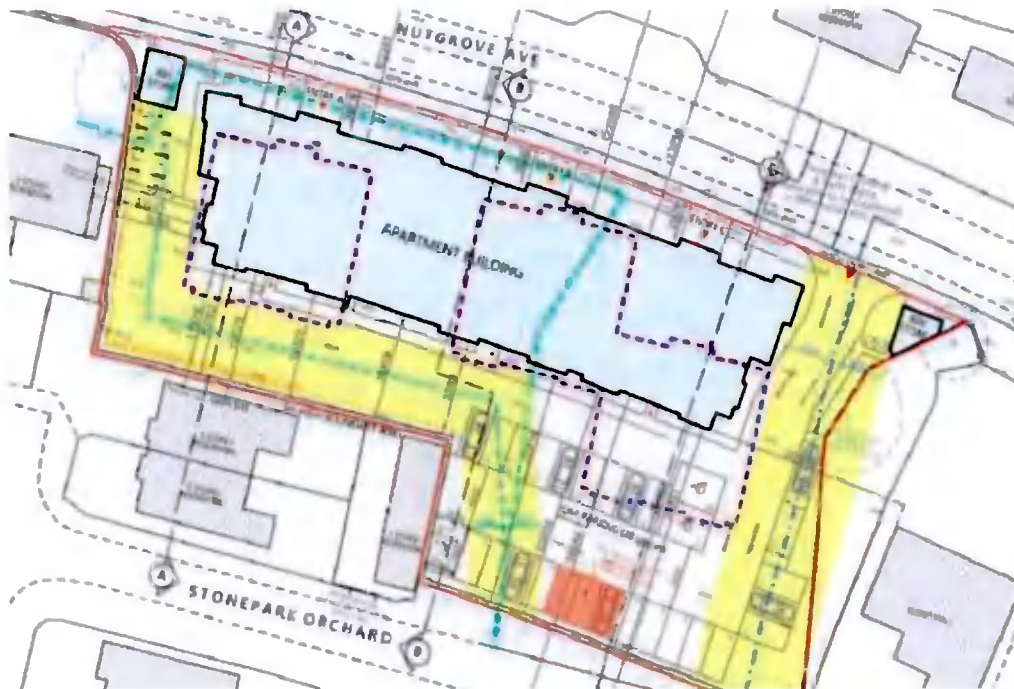
Appendix 2 Decommissioning Report (Under Separate Cover)

Appendix 3 Pre-Planning Minutes

PP128/20

Location

Nutgrove Avenue, Rathfarnham, Dublin 14.



Proposal

A residential development on a site area of 0.238 hectares, comprising a total of up to 32 residential units in a building of up to 4 storeys over basement in height. The development will be accessed via a separate vehicular entrance and exit at Nutgrove Avenue and will provide 30 car parking spaces and 36 bicycle parking spaces.

Conference call meeting – 5th Feb 2021

Preplanning meeting under S247 of Planning and Development Act 2000 (as amended) without prejudice

Applicants

John O'Regan
Paula Galvin
Rachel Condon
Tony Horan
Belinda Connell
Mark Richardson
Colum Sheanon

SDCC

Jim Johnston (Planning)
Barry Henn (Planning)
John Joe Hegarty (Roads)
Graham Murphy (Roads)
Brian Harkin (Drainage)
Ronan Toft (Drainage)
Laurence Colleran (Public Realm)

JOR

- 'Build to sell' proposal.

RC/PG/BC/CS/MR

- Intro and overview of proposal.

JJ

- Zoning objective – RES
- Potential overlooking to gardens to rear of site, need to demonstrate this wouldn't be harmful to res amenity.
- Balconies to south – close to site boundary, three existing dwellings, activity on balconies could be an issue, potential impact on amenity, activity on balconies relates to distance and proximity to neighbouring residential properties
- Public Open Space – concerns with area on northern boundary, usability, close to building, outside windows, applicant advised to review this space. All residential sites required to have POS. main point is that they are useable, functional and in correct area of site.
- Car parking – surface car park appears dominant in site, relates to number of units proposed, constrained by site, could parking be broken up within the site? Advised to review.
- Visual impact – front elevation appears to be an improvement, and provides more articulation and use of insets.
- More photomontages required – views from south, views from east and west showing proposed building in context of neighbouring sites including long views.
- Unit mix – appears reasonable.
- Filling station – decontamination, address in submission
- Height – up to applicant to weigh up factors, present argument for 3 or 4 storey building. If proposal is 4 storey it should be stepped down at flanks

LC – Public Realm

- Concerns with Public Open space – usability and privacy.
- SuDS – more details required.
- Layout of communal open space appears to be good.

BH/RT – Drainage

- Setbacks from balconies required.
- SuDS for attenuation – permeable paving, tree pits etc.
- Calculations for attenuation required.
- Show plan, cross sections showing distances to balconies.
- Check for services above attenuation tank.
- SuDS – green roofs, permeable paving welcomed, would also encourage rain gardens, swales within landscaping, add to biodiversity.

GM/JJH - Roads

- Access – close to pedestrian crossing, relocate toucan crossing or entrance, could western side of development be explored? Have regard to future Bus Connects route.
- Car parking – number of spaces within limits but high, scope to reduce, 10% spaces should be electric, 5% mobility, all remaining spaces should be ducted for future electrical use.
- Bicycle parking – proposal is low, need to increase to somewhere in the region of 50.
- 2m footpaths required.
- Bin storage/Emergency vehicle access – swept path analysis required.
- Traffic and Transport Assessment required – take into account proposed and other existing developments in the area, neighbouring junctions.
- Construction Demolition Waste Management Plan and Construction Traffic Management Plan required
- Taking in charge drawing required