
Planning Report

Section 146B Amendment to Build-To-Rent Residential Development approved under ABP Ref. No. ABP-303803-19

Units 5A-C Second Avenue, Cookstown Industrial Estate,
Tallaght, Dublin 24

Stranwil Ltd

October 2021



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1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have prepared this Planning Report, on behalf of our client, Stranwil Ltd. (who have purchased the subject site from Pymont Property Developments Ltd), to accompany a Section 146B Amendment to Strategic Housing Development pertaining to Units 5A-C Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24, granted under ABP Ref. No. ABP-303803-19.

The proposed amendments have been designed having regard to existing and emerging character of the surrounding area and the residential amenity of future residents of the development. The proposed amendments have also been designed having regard to the refusal reason outlined in relation to the previous S146B Amendment Application (ABP Ref. ABP-307177-20).

This report sets out the legislative and site context, planning history and the proposed amendments as well as providing planning rationale and justification for the proposed amendments. It is submitted that the proposed development inclusive of the proposed amendments will continue to provide residential apartments at an appropriate location and continue to enhance the Cookstown Way and Second Avenue street frontages as well as area more broadly. The proposed amendment accords with the proper planning and sustainable development of the area therefore should be granted accordingly.

2.0 Legislative Background

Section 146B of the Planning and Development Act, 2000 (as amended) is a general provision pertaining to strategic infrastructure development which facilitates a request to the Board from a person who is carrying out or intending to carry out a strategic infrastructure development to alter the terms of a development which has already been approved.

Section 146B reads as follows:

- (1) *Subject to subsections (2) to (8) and section 146C, the Board may, on the request of any person who is carrying out or intending to carry out a strategic infrastructure development, alter the terms of the development the subject of a planning permission, approval or other consent granted under this Act.*

The Section 146B amendment process is currently being utilised for amendments to approved Strategic Housing Developments.

3.0 Site Location and Description

The subject site is located at Units 5A-C Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24, situated at the junction of Cookstown Way and Second Avenue. It comprises a site area that extends to approximately 0.595 hectares (1.47 acres).

The site is located within an area comprising industrial land use to the south east, east and immediate north, whilst there are large areas of residential land use to the immediate west, south and far north. The residential area to the west is a well-established estate, characterised predominantly by two-storey semi-detached dwellings. Approximately 640 metres south along Cookstown Way, is a more recently built residential development characterised by high rise, high density mixed use development, ranging between two and twelve storeys in height. The mix of uses are predominantly residential over ground floor retail/commercial use.

A strong feature of the site is its proximity to the Tallaght, Cookstown LUAS stop, which is located on Cookstown Way, approximately 24 metres from the western boundary of the application site, offering a high frequency, high capacity public transport service with direct links to Dublin City Centre, Dublin Docklands, Heuston Station, Citywest Campus and Tallaght Hospital. The site is served by high frequency Dublin Bus services located along Cookstown Way, which serve a number of direct routes.

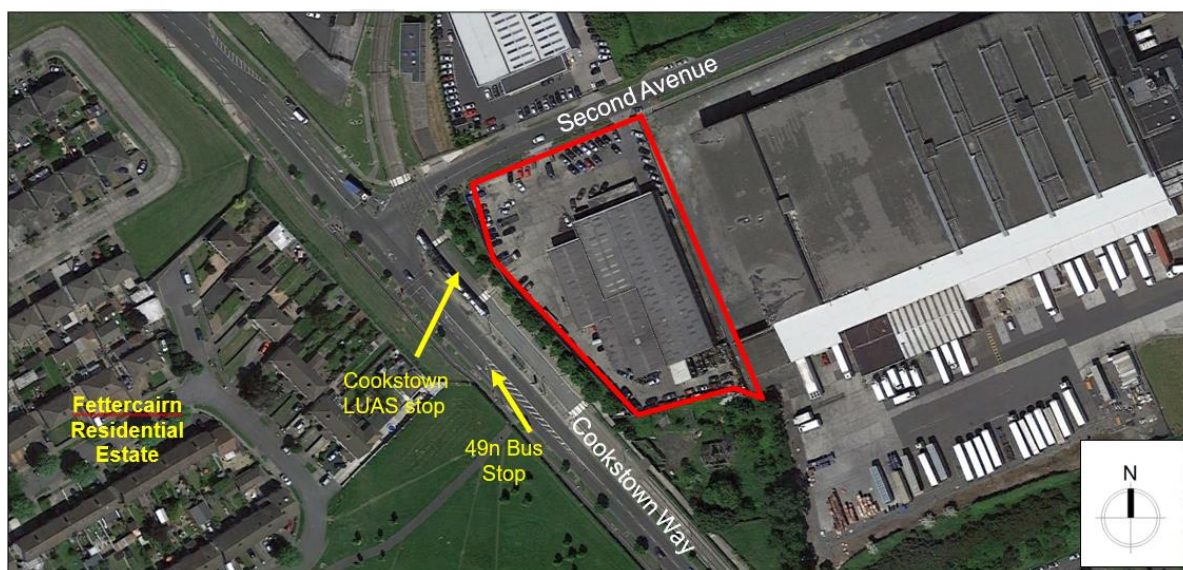


Figure 1.0 Aerial image showing the application site (outlined in red) adjacent public transport services

4.0 Planning History

This section provides a review of the planning history for the application site. A review of An Bord Pleanála's planning register revealed the following planning applications readily available that relate to the subject site:

ABP Ref. ABP-303803-19 Permission was granted by An Bord Pleanála on 25th July 2019 for a strategic housing development on the subject site subject to 24 no. conditions. The development, as per the statutory notices, comprised of the following: - demolition of the existing 2,590sq.m industrial building and the construction of a 'build-to-rent' housing development providing a total of 196 no. residential apartments (comprising 45 no. studio units, 48 no. one-bed units, 8 no. two-bed (3-person) units and 95 no. two-bed (4-person) units) in 4 no. six-nine storey blocks over basement. The development will include 1 no. commercial unit (248sqm, accommodating Class 1, 2 and 8 uses as per the Planning and Development Regulations, 2001 – 2018) at ground floor level, 1 no. office unit (111sqm) at ground floor level; a crèche (192sqm) at ground floor level; a gym (18sqm) at ground floor level; 6 no. communal amenity spaces provided at ground and first floor levels across the development (totalling 286sqm); a communal hot desk room (25sqm) at ground floor level; and 3 no. communal secure storage areas (totalling 31sqm) at ground floor level; along with a ground floor level landscaped courtyard, 408 no. bicycle spaces (308 no. resident spaces at basement level and 100 no. visitor spaces at ground floor level); an underground carpark (accessed from Second Avenue, providing a total of 67 parking spaces (including 61 no. standard spaces and 6 no. mobility impaired user parking spaces)) and refuse/waste/recycling stores. Associated site and infrastructural works are also proposed which include: foul and surface water drainage; attenuation tanks; lighting; landscaping; boundary fences; plant areas; ESB Substations; internal hard landscaping, including footpaths and street furniture; and all associated site development works.

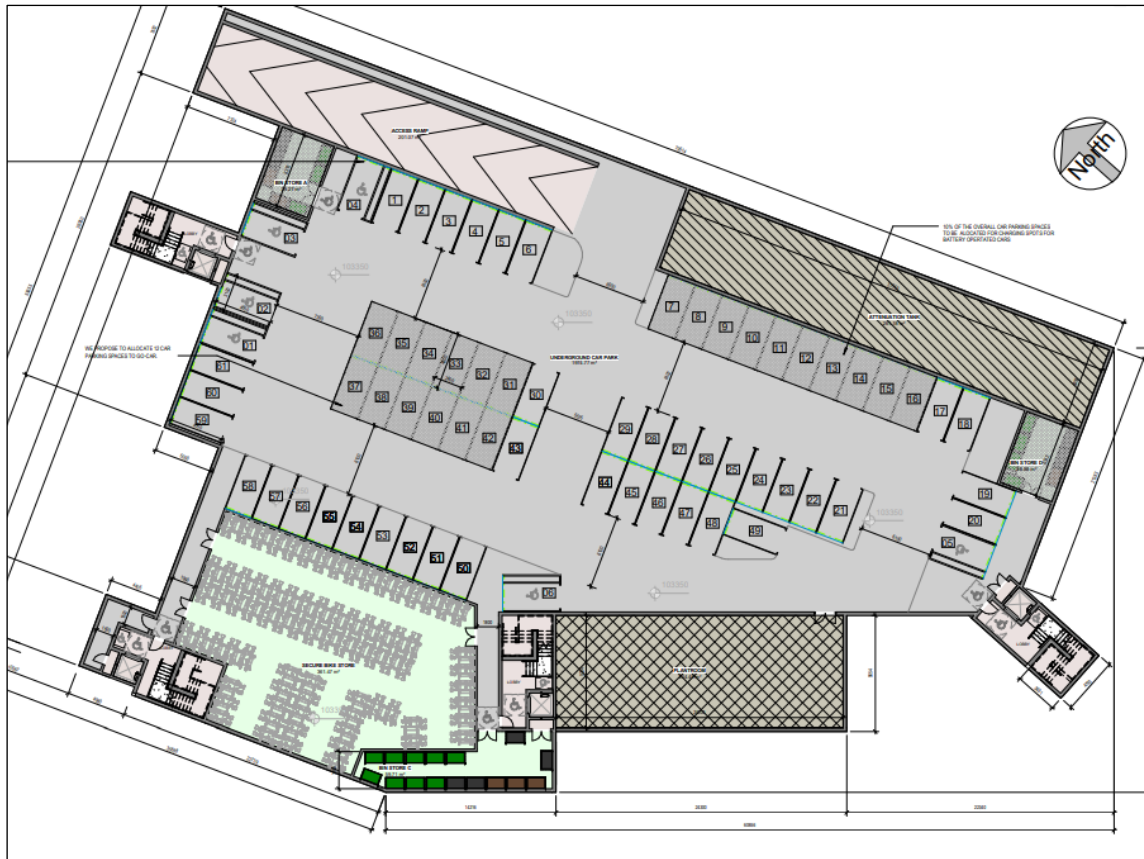


Figure 2.0 Basement plan of development approved under ABP Ref. No. 303803-19



Figure 3.0 Ground floor plan of development approved under ABP Ref. No. 303803-19

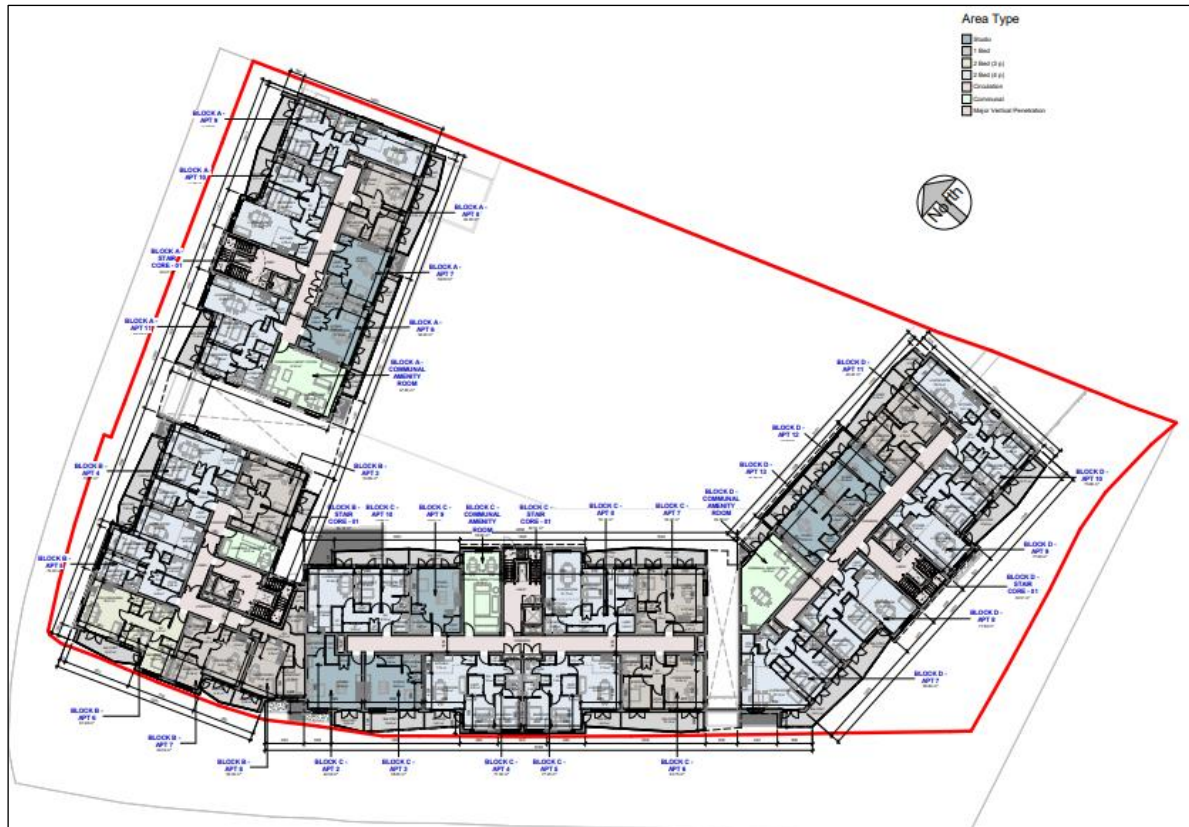


Figure 4.0 First floor plan of development approved under ABP Ref. No. 303803-19

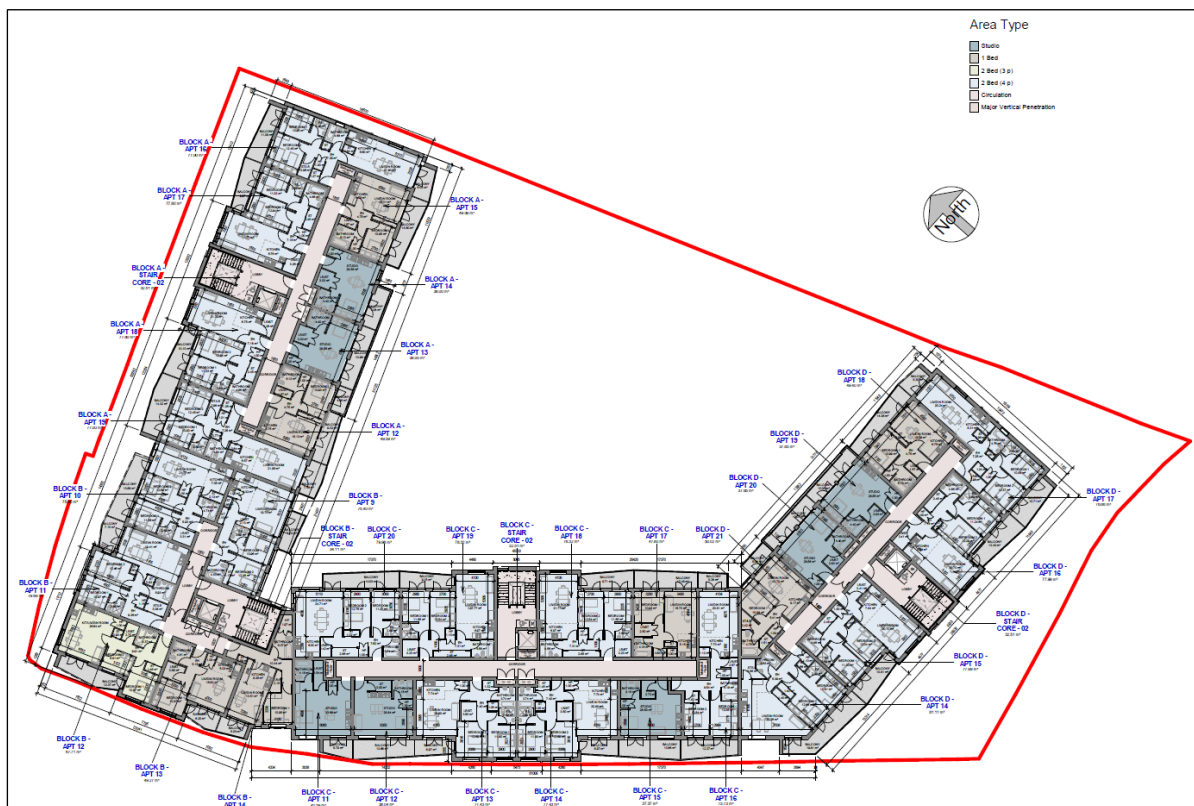


Figure 5.0 Second floor plan of development approved under ABP Ref. No. 303803-19



Figure 6.0 Third floor plan of development approved under ABP Ref. No. 303803-19

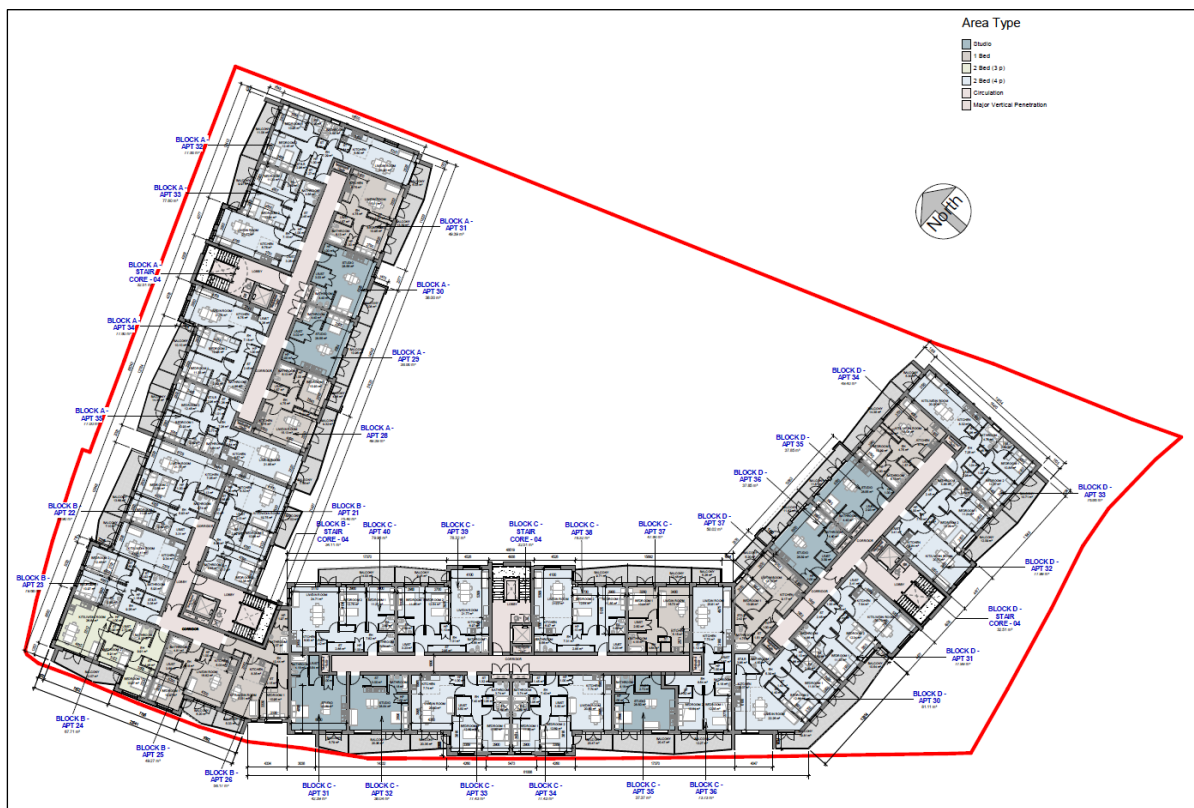


Figure 7.0 Fourth floor plan of development approved under ABP Ref. No. 303803-19

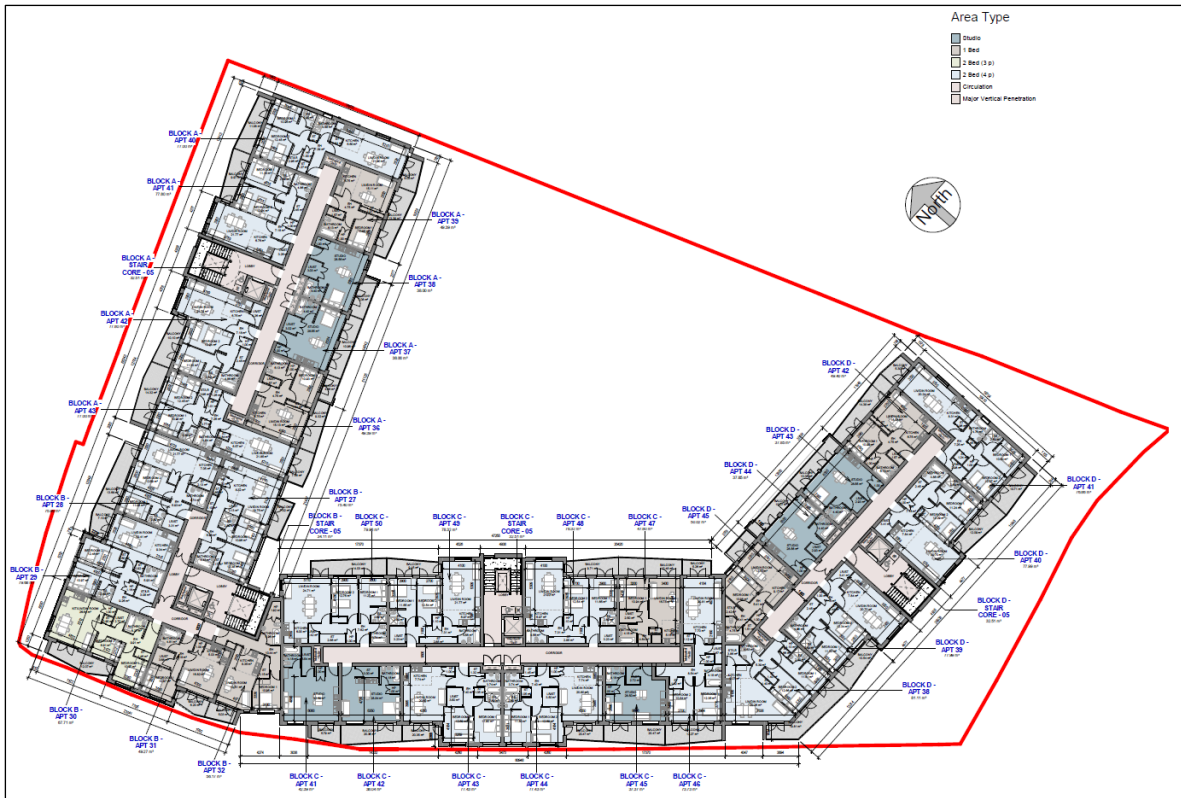


Figure 8.0 Fifth floor plan of development approved under ABP Ref. No. 303803-19

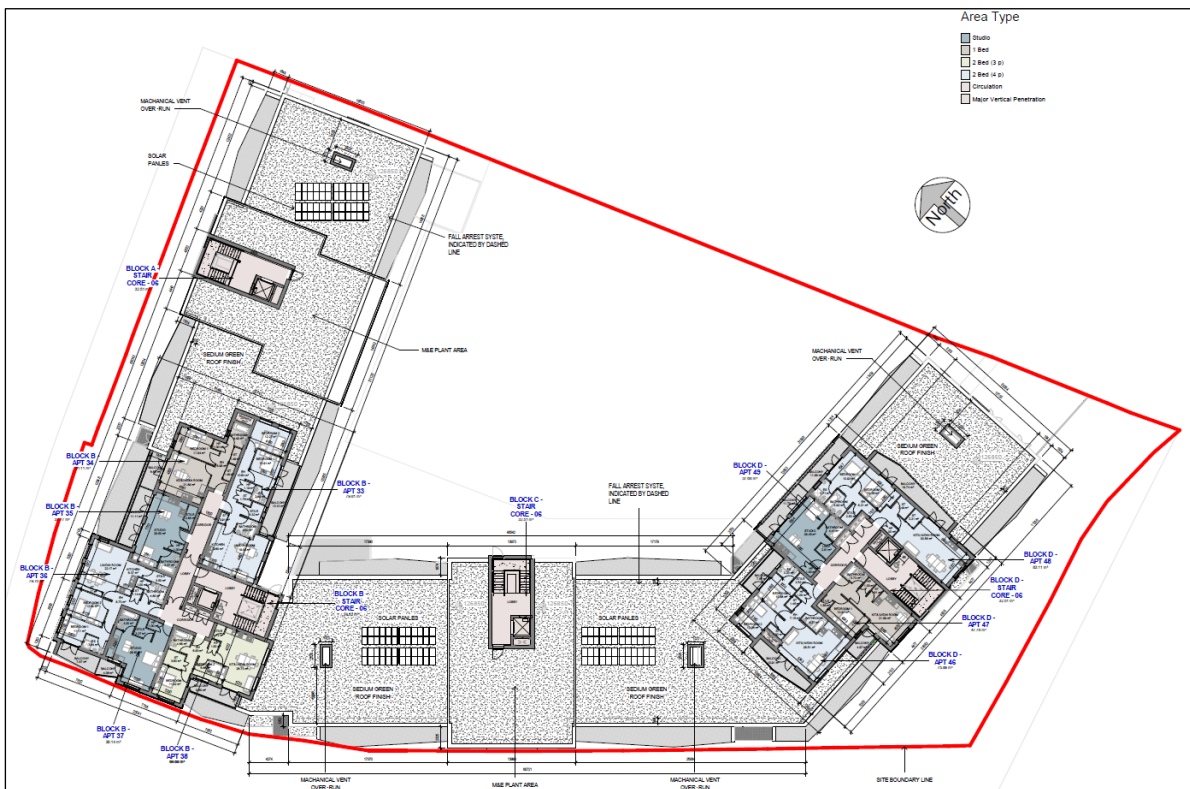


Figure 9.0 Sixth floor plan of development approved under ABP Ref. No. 303803-19

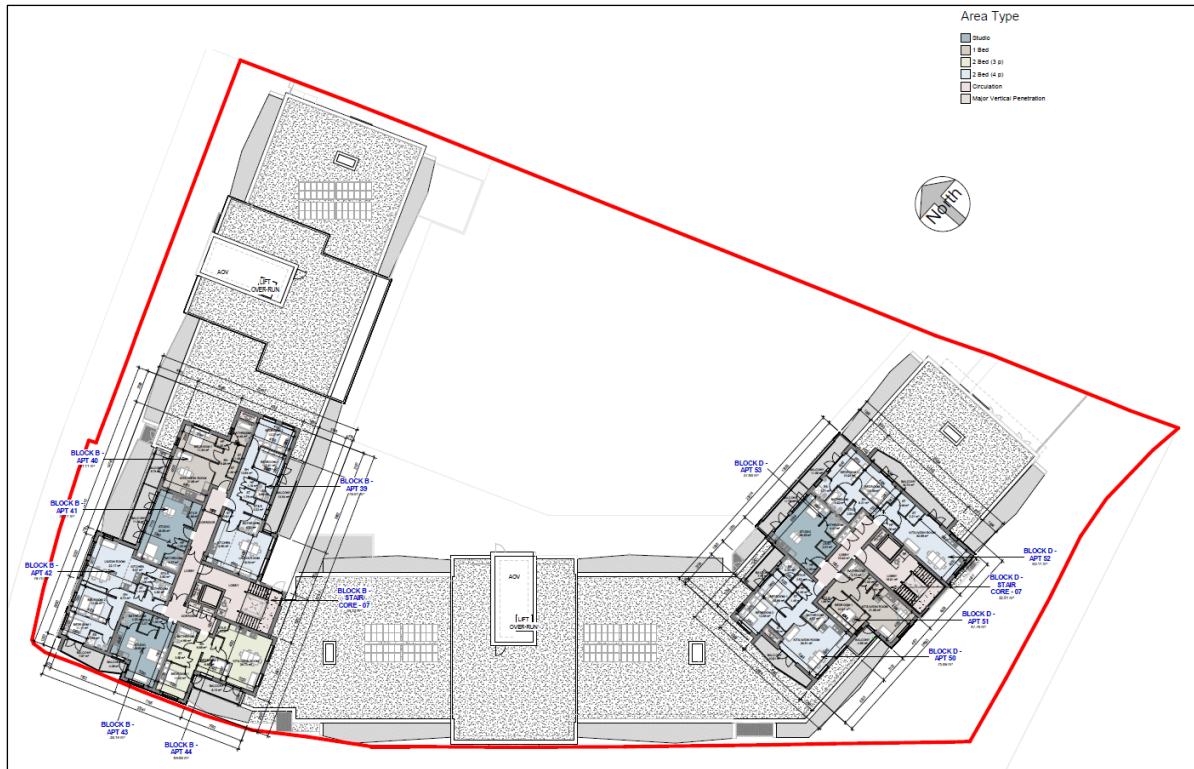


Figure 10.0 Seventh floor plan of development approved under ABP Ref. No. 303803-19

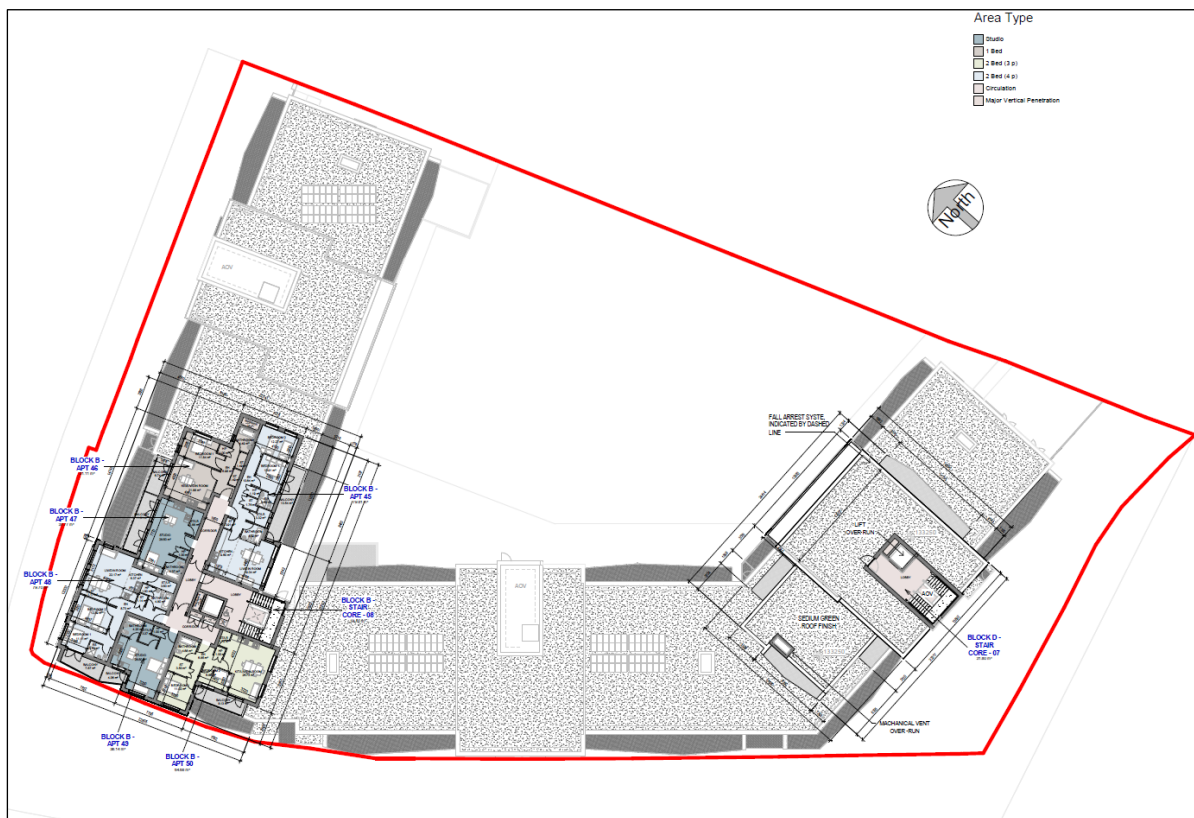


Figure 11.0 Eighth floor plan of development approved under ABP Ref. No. 303803-19

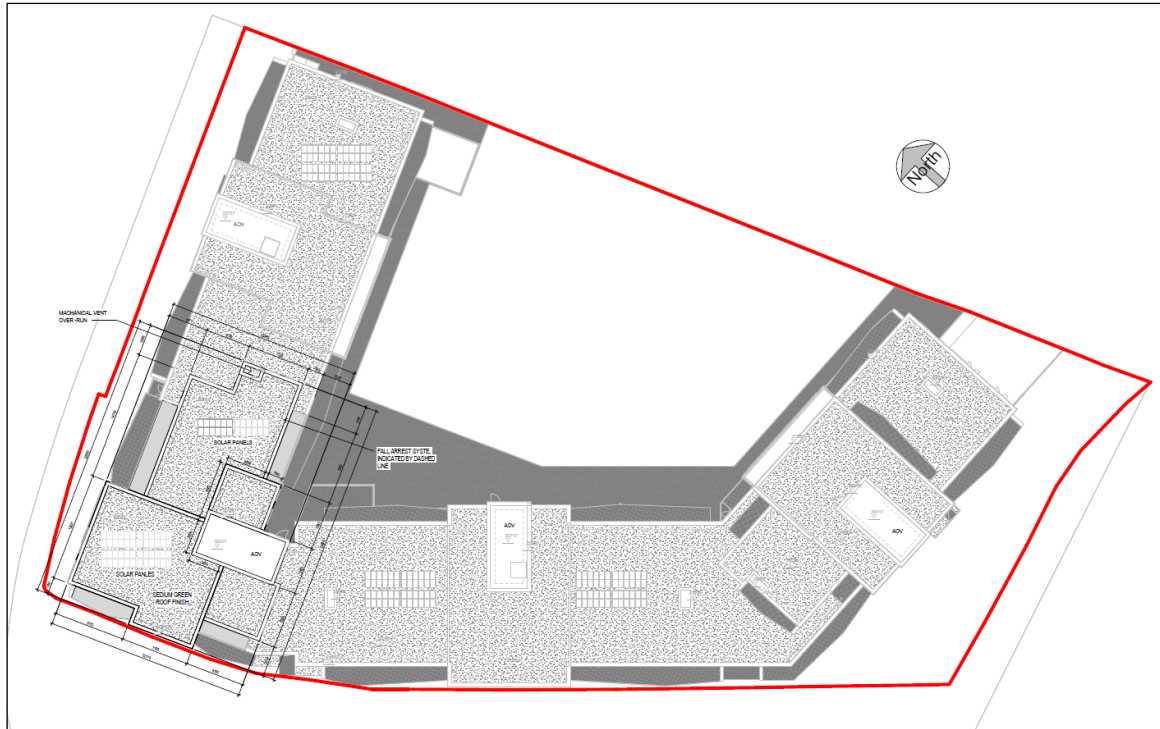


Figure 12.0 Roof plan of development approved under ABP Ref. No. 303803-19



Figure 13.0 Western elevation (fronting onto Cookstown Way) of development approved under ABP Ref No. 303803-19



Figure 14.0 Northern elevation (fronting onto Second Avenue) of development approved under ABP Ref. 303803-19



Figure 15.0 Southern elevation of development approved under ABP Ref. 303803-19

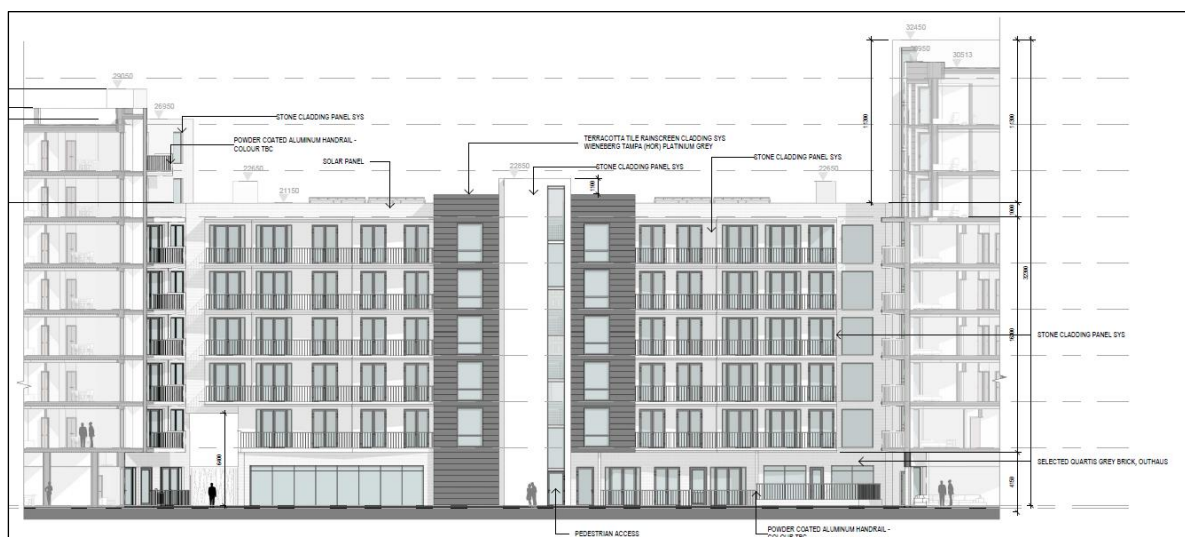


Figure 16.0 Courtyard elevation of development approved under ABP Ref. 303803-19

The subject application looks to amend this previously approved Strategic Housing pursuant to Section 146B of the Planning and Development Act, 2000 (as amended).

ABP Ref. ABP-307177-20 Permission was refused by An Bord Pleanála on 1st December 2020 for a S146B amendment to the strategic housing development previously approved under ABP Ref. 303803-19. The development, as per the statutory notices, are as follows: 1. Alterations to the internal layout of the development and minor alterations to the elevations to facilitate modular construction; and 2. Omission of a basement level and relocation of car parking, bicycle parking, plant rooms and other ancillary facilities at ground floor level and communal open space to podium level. The changes to the development’s design, as approved under ABP Ref. No. ABP-303803-19, sought were as follows: (i) The number of apartments will be reduced from 196 no. to 185 no.; (ii) The number of car parking spaces will be reduced from 67 no. to 58 no.; (iii) The layout and positioning of the concierge area, gym, creche, communal amenity spaces and 2 no. commercial units provided at the ground floor have been amended to facilitate the ground floor level car park; (iv) The stair cores have been redesigned to provide

direct access to upper floor levels, more specifically to the new at grade car park area and the podium level landscaped communal open space area; and (v) Resultant amendments to the services to the development.

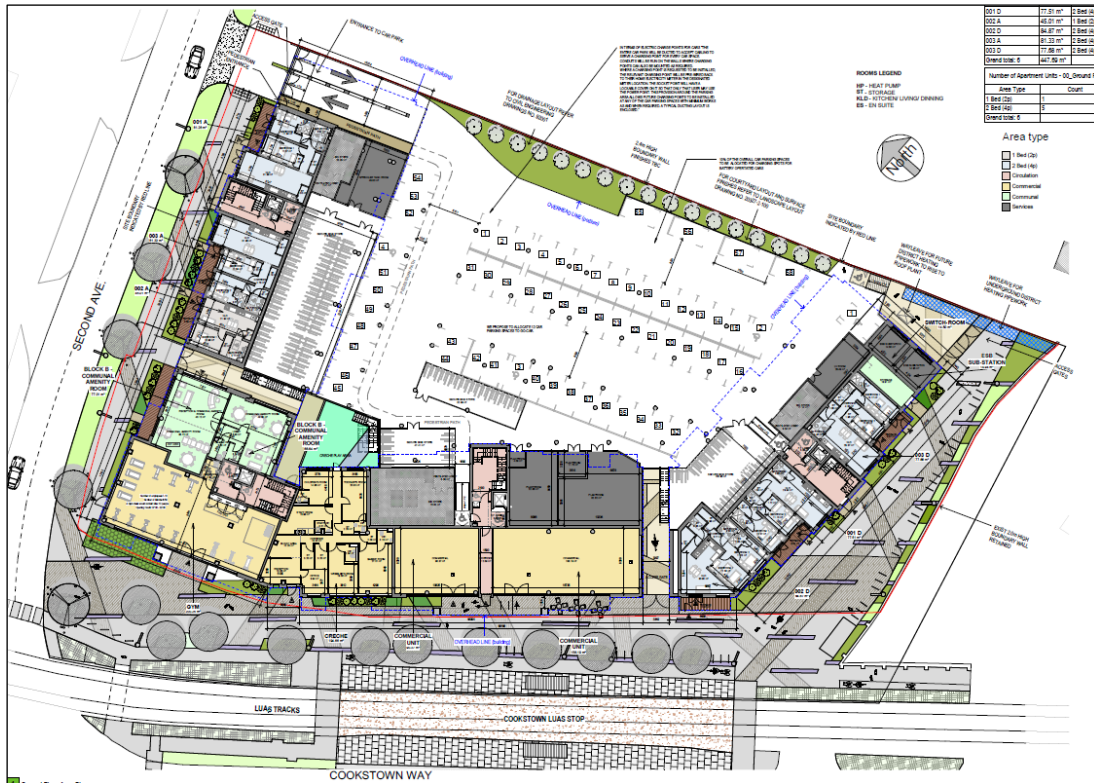


Figure 17.0 Ground floor plan of proposed amended development under ABP Ref. ABP-307177-20



Figure 18.0 First floor plan of proposed amended development under ABP Ref. ABP-307177-20

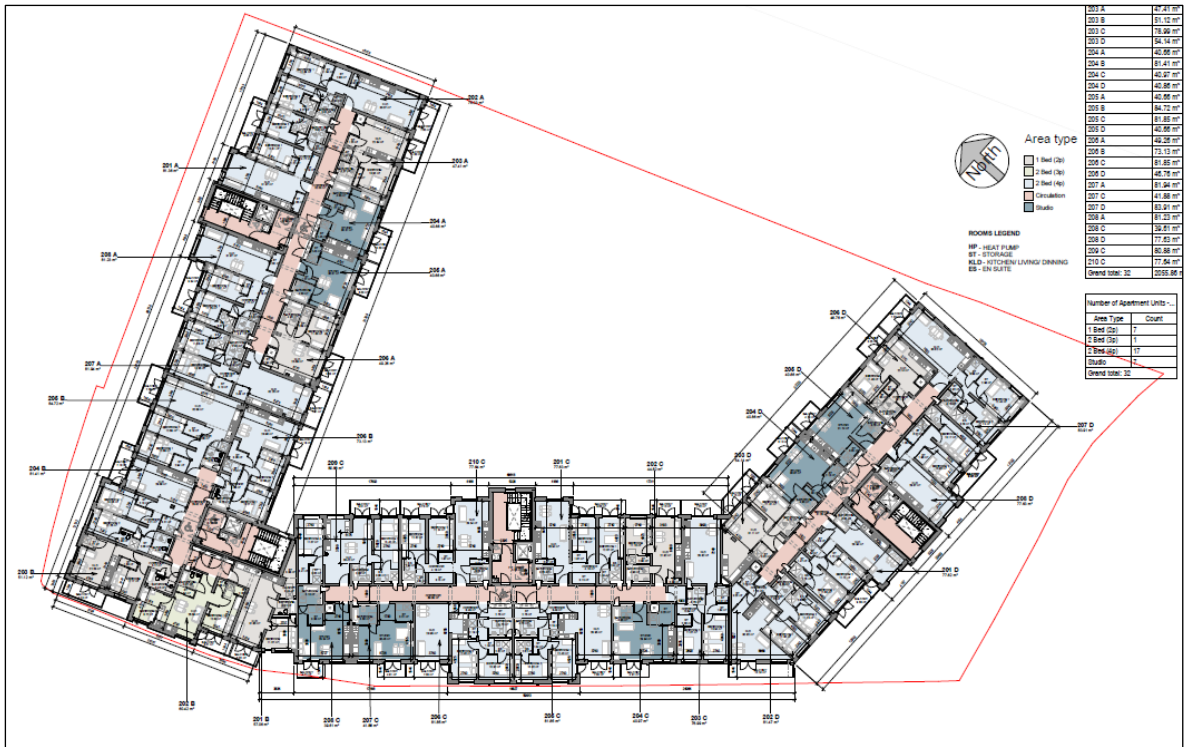


Figure 19.0 Second floor plan of proposed amended development under ABP Ref. ABP-307177-20



Figure 20.0 Third floor plan of proposed amended development under ABP Ref. ABP-307177-20



Figure 21.0 Fourth floor plan of proposed amended development under ABP Ref. ABP-307177-20

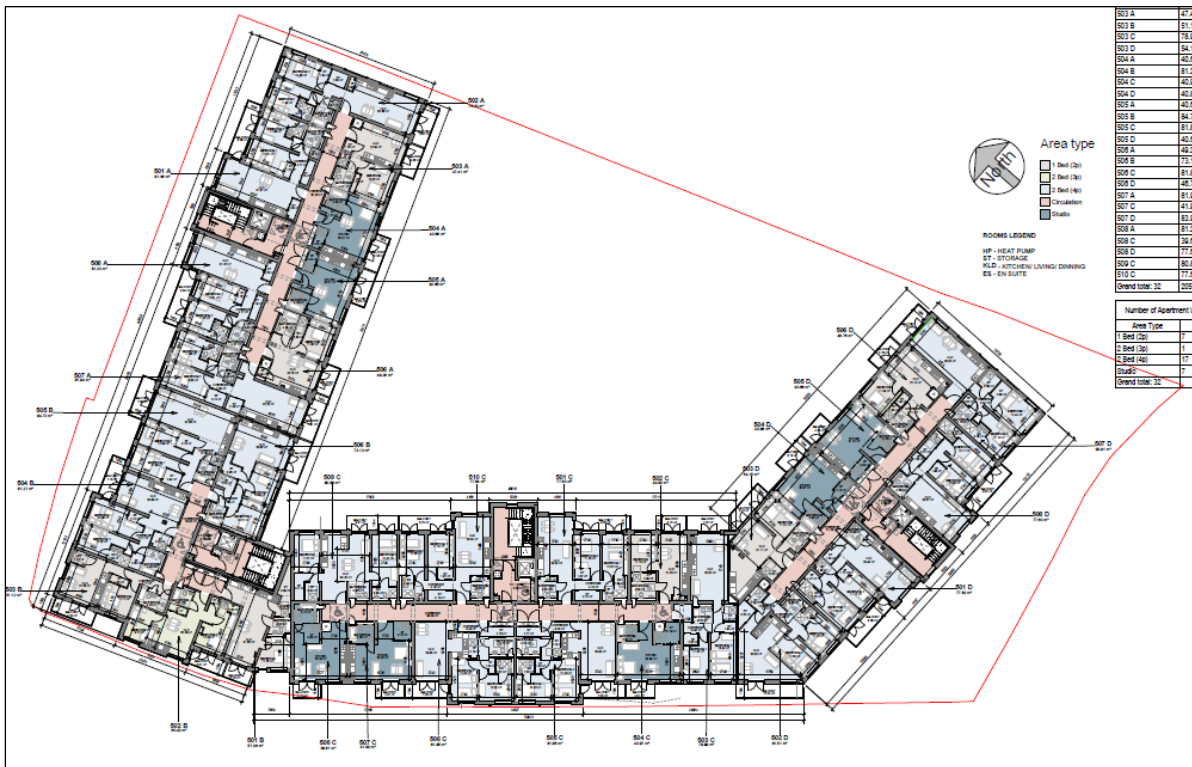


Figure 22.0 Fifth floor plan of proposed amended development under ABP Ref. ABP-307177-20

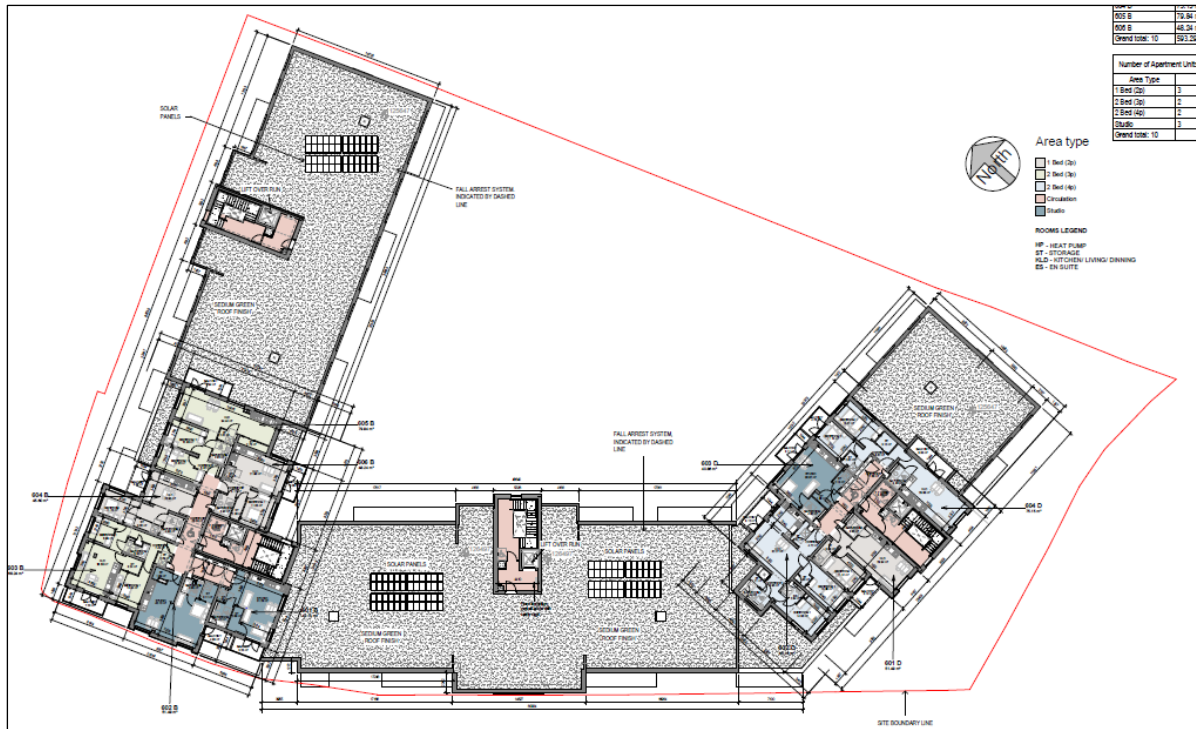


Figure 23.0 Sixth floor plan of proposed amended development under ABP Ref. ABP-307177-20

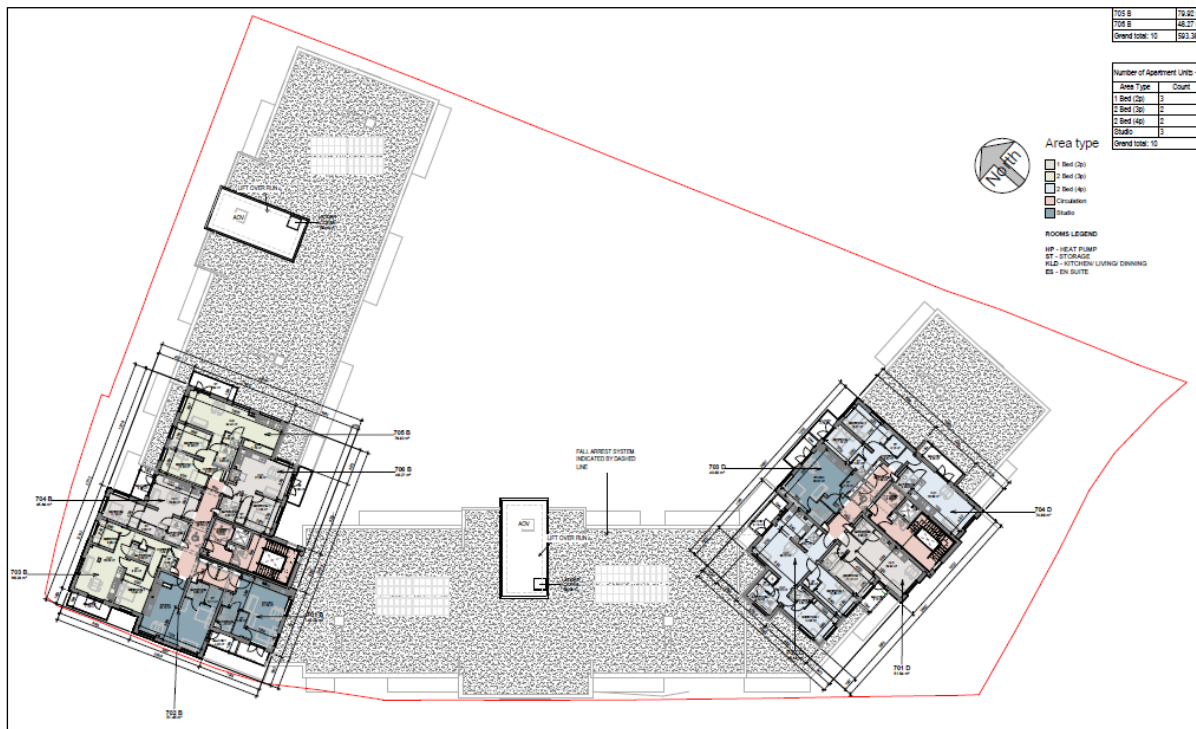


Figure 24.0 Seventh floor plan of proposed amended development under ABP Ref. ABP-307177-20

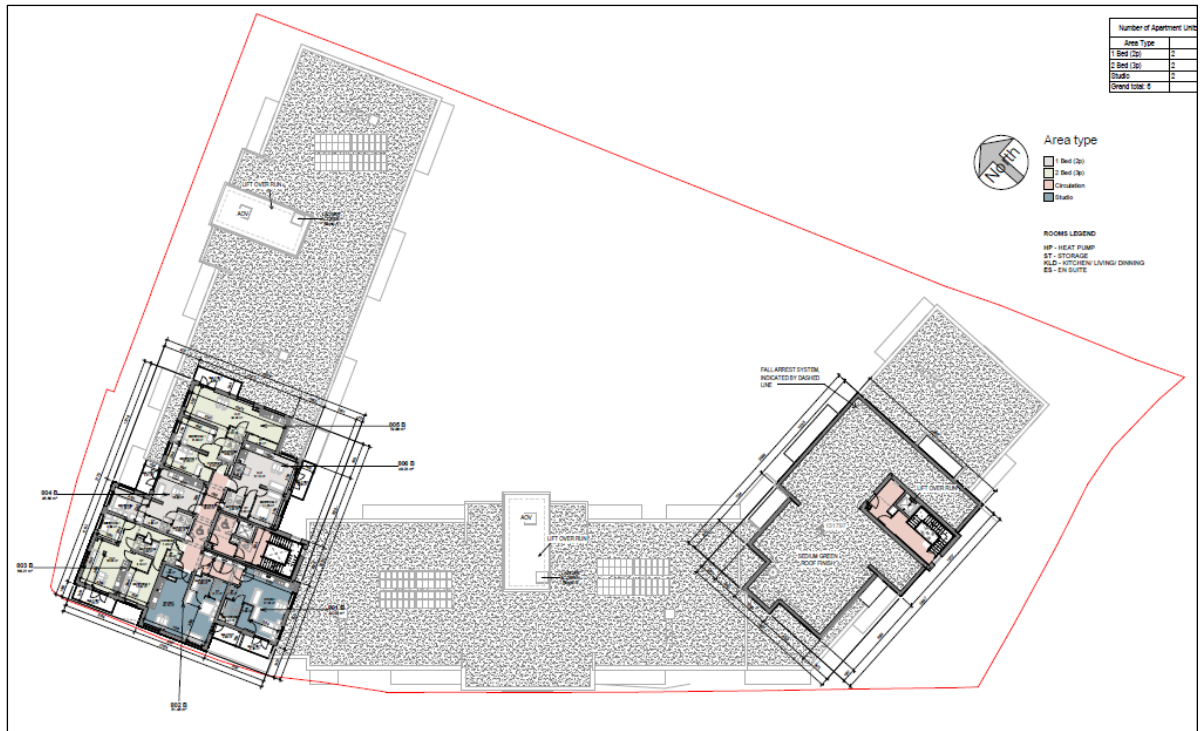


Figure 25.0 Eighth floor plan of proposed amended development under ABP Ref. ABP-307177-20

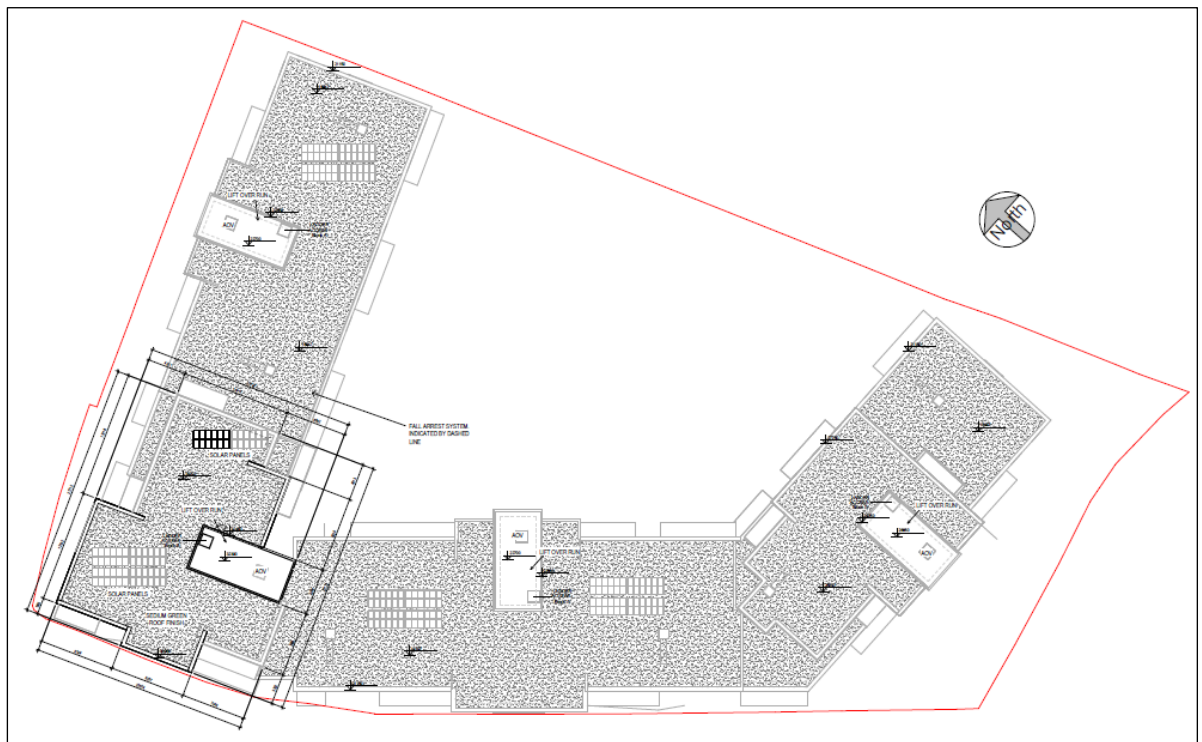


Figure 26.0 Roof plan of proposed amended development under ABP Ref. ABP-307177-20



Figure 27.0 Western elevation (fronting onto Cookstown Way) of proposed amended development under ABP Ref. ABP-307177-20



Figure 28.0 Northern elevation (fronting onto Second Avenue) of proposed amended development under ABP Ref. ABP-307177-20



Figure 29.0 Southern elevation of proposed amended development under ABP Ref. ABP-307177-20

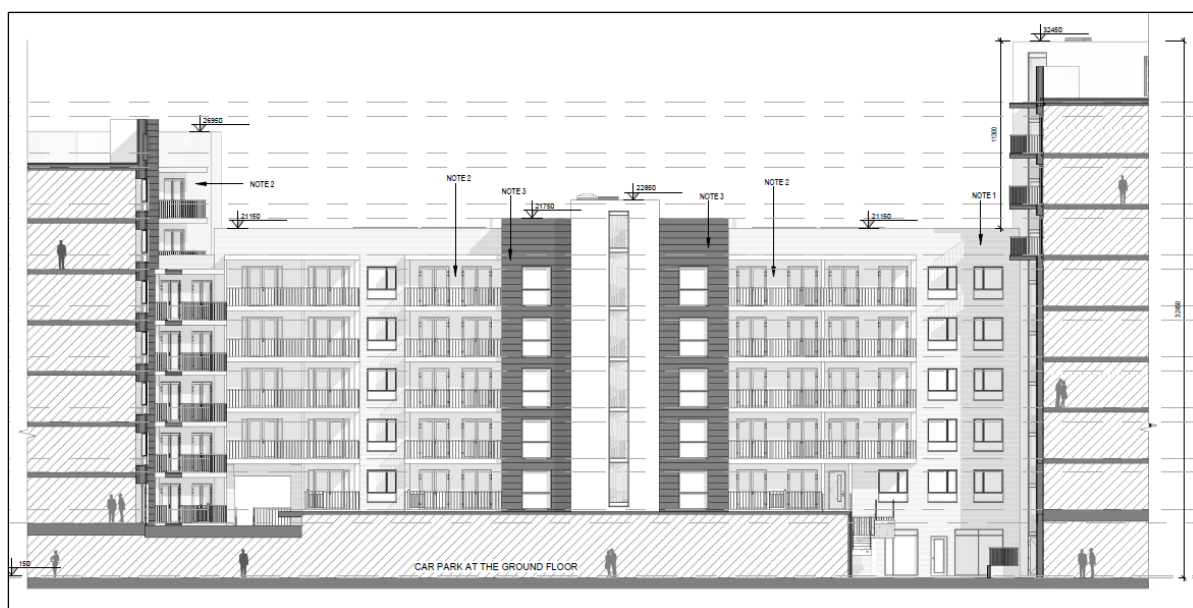


Figure 30.0 Courtyard elevation of proposed amended development under ABP Ref. ABP-307177-20

The reasons and considerations for refusal outlined in the Board’s order were as follows:

The proposed alterations will significantly deteriorate the design quality of the approved development and introduce features that represent an unacceptable quality of accommodation. This is with specific reference to the following:

- a) *The proposed alterations to the location of the bin store for Block A, which is a significant distance from the staircore for that block;*
- b) *The reduction in internal private amenity space;*
- c) *The creation of enlarged and usable storage space to units, contrary to the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in March 2018;*
- d) *The alteration to the outdoor amenity area for the creche resulting in an unacceptable environment;*
- e) *Failure to make a positive contribution to the surrounding streetscape by reason of the proposed alterations to the façade and material finish of the development.*

The proposed alterations would be contrary to the above-mentioned Ministerial Guidelines and would be contrary to Housing (H) Policy 11 Residential Design and Layout of the South Dublin County Council Development Plan 2016-2022. The proposed alterations would, therefore, be contrary to the proper planning and sustainable development of the area.

The subject S146B amendment proposal has been prepared having due regard to the above reasons and considerations for refusal. In this regard, we note the following:

- Basement bin store areas serving the revised development are located proximate to the staircores serving the development;
- The apartments being created and altered as part of this amendment provide an amount and quality of internal private amenity space which complies with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government 2020;
- The internal storage spaces featuring in the apartments being created and altered as part of this amendment comply with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government 2020;

- The subject proposal does not look to introduce a podium level car park and the repositioned creche proposed as part of this amendment remains on the same level as the proposed central courtyard area, therefore the outdoor amenity area serving the creche will not be enclosed.
- Alterations to the façade and material finish of the development have been kept to a minimum in the subject S146B amendment proposal, therefore the subject development will continue to make a positive contribution to the surrounding streetscape.

5.0 Proposed Amendments to ABP Ref. No. ABP-303803-19

The amendments to ABP Ref. No. ABP-303803-19 requested pursuant to Section 146B of the Planning and Development Act, 2000 (as amended), can be broadly described as follows:

1. Alterations to the layout, size and positioning of the concierge/reception area, communal amenity areas, creche and 2 no. commercial units provided at the ground floor and omission of the previously approved office and 2 no. apartments to facilitate the introduction of a larger commercial unit capable of accommodating a small supermarket.
2. Removal of Core C to facilitate the introduction of a larger ground floor commercial unit and reconfiguration of the Block C's internal space across first to fifth floor levels and the introduction of a glazed link between Blocks B and C at first floor level.
3. Reconfiguration of the approved basement layout.
4. Amalgamation and consolidation of communal amenity space serving the development at ground floor level.
5. Relocation of the substation and switch room previously proposed in Block D to Block A and associated alterations to previously approved ground floor Apartments 2 and 3 in Block D and Apartments 1 and 2 in Block A.
6. Minor alterations to party walls in Blocks A, B and D to accommodate a no. of 1 bedroom apartments in lieu of previous approved studio apartments
7. Minor alterations to previously approved facades, building line and internal partition walls to accommodate the aforementioned amendments and a slight increase in the number of apartments featuring within the development, from 196 no. to 204 no..

There is no amendment to the no. of car parking spaces, the no. of bicycle parking spaces or the building height, as approved under ABP Ref. No. ABP-303803-19, as part of the subject amendment proposal. Further to this, the architecture quality and high quality materials and finishes featuring in the development previously approved have not been errored by the subject amendment proposals.

A rationale for the abovementioned alterations additional details of the changes involved is included below and overleaf. This report should be read in conjunction with the drawing set, prepared by Reddy Architecture + Urbanism, which accompanies this application.

5.1 Ground floor alterations proposed to facilitate the introduction of a larger commercial unit capable of accommodating a small supermarket

The subject S146B amendment proposal includes alterations to the layout, size and positioning of the concierge/reception area, communal amenity areas, creche and 2 no. commercial units provided at the ground floor and omission of the previously approved office and 2 no. apartments, more specifically previously approved Apartment 1 in Block C and Apartment 6 in Block D. These alterations are proposed to facilitate the introduction of a larger commercial unit fronting Cookstown Way which is capable of accommodating a small supermarket. Excerpts from the previously approved ground floor plan under ABP Ref. No. 303803-19 and the proposed ground floor plan are included in Figures 31.0 and 32.0 overleaf to illustrate the changes proposed. More specifically, revised ground floor resulting from this aspect of the subject S146B amendment will feature the following:

- A 511sqm commercial unit capable of accommodating a small supermarket;
- A 110sqm commercial unit;
- A 185sqm creche with 22sqm outdoor play space; and
- 394sqm of internal communal amenity space, including a concierge/reception area, a communal hot desk room, and 4 no. multi-purpose communal amenity rooms (1 no. which is inclusive of a wellness suite).

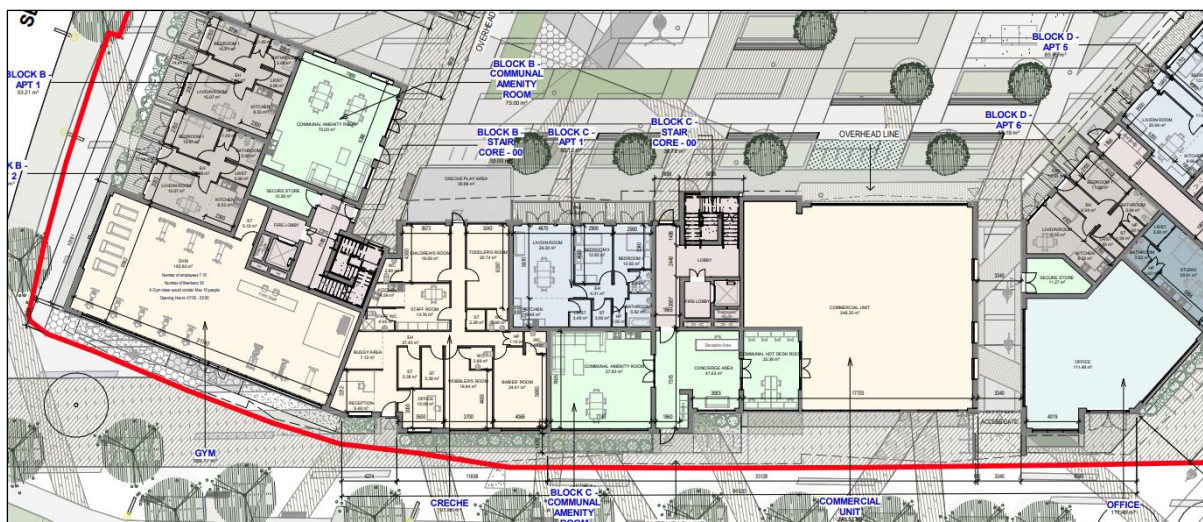


Figure 31.0 Excerpt from ground floor plan of development approved under ABP Ref. No. 303803-19

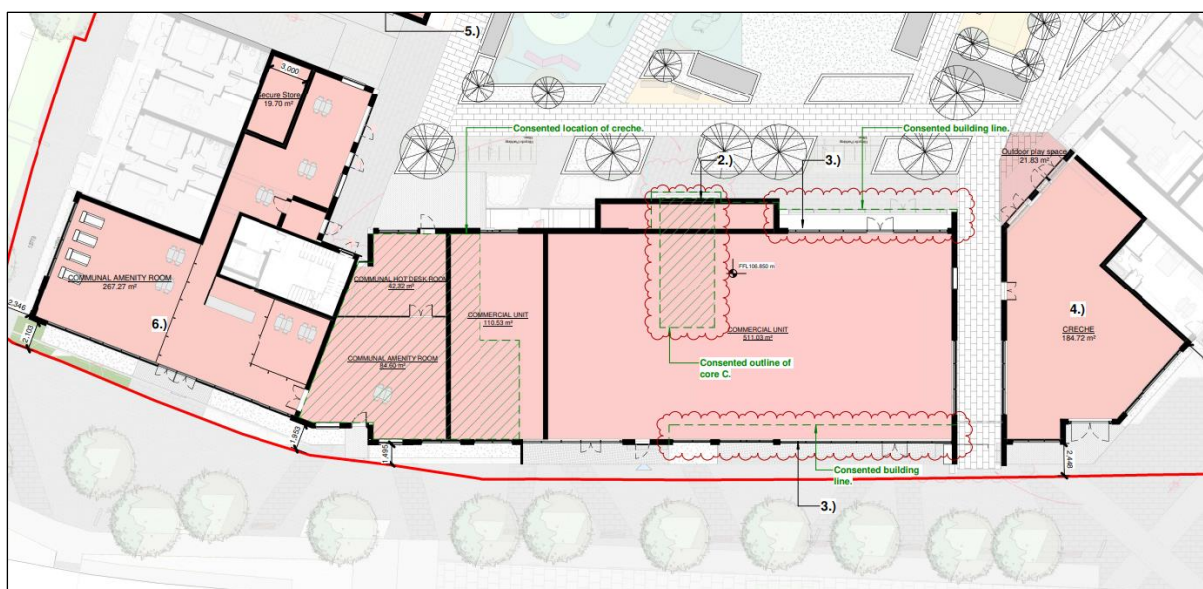


Figure 32.0 Excerpt from ground floor plan of development proposed under S146B amendment

This aspect of the proposed S146B amendment is considered appropriate for the following reasons:

- The larger commercial unit created as a result of the proposed alterations is proposed to accommodate a small supermarket which will improve the level of amenity of afforded to future residents of the subject development as well as the surrounding area more broadly. The commercial units featuring in the development originally approved, under ABP Ref. No. 303803-19, were not of a suitable size or layout to accommodate a small supermarket on site.
- The 2 no. apartments omitted from the Blocks C and D to facilitate the revisions to the ground floor layout will be gained back elsewhere in the building, the revised scheme providing 204 no. apartments.
- The omission of the previously approved office is considered appropriate as a suitable level of streetscape activity will be achieved by the 2 no. commercial units, creche, concierge/reception area, and internal communal amenity space being maintained along the Cookstown Way streetscape.
- Minimal changes are required to the buildings ground floor presentation (mainly tweaks to window and door positioning) and the building footprint to accommodate this aspect of the proposed S146B amendment.

- The subject development maintains a similarly sized creche and associated outdoor play space as that approved under ABP Ref. No. 303803-19.

The ground floor alterations required to facilitate the introduction of a larger commercial unit result in the omission of previously approved Core C. The knock-on effect of this aspect of the amendment will be discussed in the subsequent section. The amalgamation and consolidation of internal communal amenity space proposed as part of this S146B amendment is discussed in Section 5.4.

5.2 Core C omission and associated alterations to Blocks C and D

The subject S146B amendment proposal includes the removal of Core C which is required to facilitate the introduction of a larger ground floor commercial unit. The omission of Core C has required a reconfiguration of the Block C's internal space across first to fifth floor levels and the introduction of a glazed link between Blocks B and C at first floor level.

The introduction of a glazed link between Blocks B and C at first floor level provides residents of the Block C's upper floor apartments with access to the Core C's stairs and lift. The proposed reconfiguration of the Block C's internal space also provides access to Core B's stairs and lift so residents of Block C's upper floor apartments will have 2 no. options for access/egress following the removal of Core C.

The proposed reconfiguration of the Block C's internal space, a slight reduction in the corridor width (from 1800mm to 1350mm) and the omission of a communal amenity room previously proposed adjacent to Core C has facilitated the accommodation of the following apartments to be provided across first to fifth floor levels of Block C (a total of 53 no. apartments):

- 10 no. studio apartments;
- 31 no. 1-bed apartments; and
- 12 no. 2-bed apartments.

Excerpts from the proposed ground floor plan and upper floor plan illustrating the revised apartment configuration proposed in Block C are included in Figures 33.0 and 34.0 below and overleaf. As illustrated in the below drawing excerpts and the Housing Quality Assessment, prepared by Reddy Architecture + Urbanism, which accompanies this application the apartments featuring in Block C (and the revised proposal more broadly) have been designed having regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020).



Figure 33.0 Excerpt from first floor plan of development proposed under S146B amendment illustrating revised apartment configuration proposed in Block C

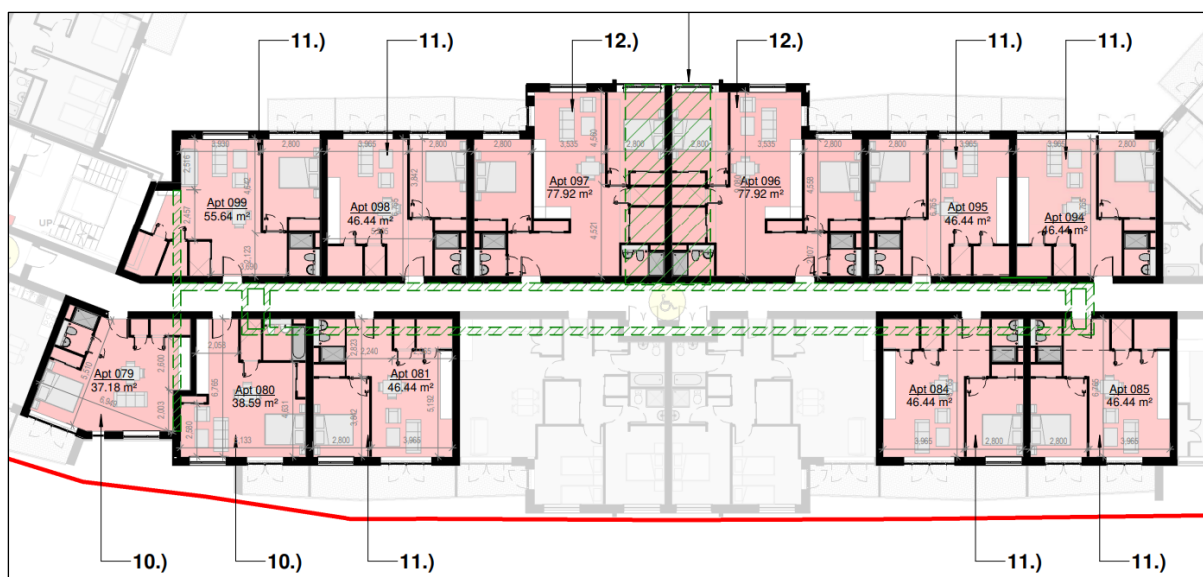


Figure 34.0 Excerpt from second-fifth floor plans of development proposed under S146B amendment illustrating revised apartment configuration proposed in Block C

The apartments featuring in Block C (and the revised proposal more broadly) have been designed having regard to the most up-to-date BRE Guidelines (which have become more stringent in the intervening period since the application under ABP Ref. No. 303803-19 was considered). Slight modifications have been made to Block C’s eastern façade (these will be discussed in greater detail in Section 5.7), including removal of balcony surrounds and introduction of larger windows, to improve daylight access to the apartments featuring in Block C. This application is accompanied by a Daylight and Sunlight Assessment Report, prepared by 3D Design Bureau, which assesses the lower level Block C apartments, as well as all other apartments being amended or introduced as part of this amendment, against the BRE Guidelines. In the context of Block C, it found that of the 42 no. habitable spaces assessed in Block C, 40 no. complied with the ADF target values set out in the applicable BRE Guidelines (2% for kitchens, 1.5% for living rooms, 2% or 1.5% for living/kitchen/dining areas and 1% for bedrooms). The other 2 no. habitable spaces assessed (the living/kitchen/dining areas associated with apartments No. 72 and 98) achieved ADF levels of 1.69% and 1.74%, respectively, which exceeds the lower ADF target level associated with living/kitchen/dining areas but not the 2% ADF target level. Application of the 1.5% ADF target level in the context of these 2 no. living/kitchen/dining areas is considered appropriate in this instance as the bedroom featuring in these apartments achieve well in excess of the 1% ADF target level (achieving 1.81% and 1.37%, respectively) and the apartment will therefore receive an appropriate level of daylight on balance. Further to this, the size, layout and orientation of these apartments is dictated by the building footprint of the as approved development.

When compare with the as approved scheme, in addition to achieving an additional 3 no. apartments, the apartment mix achieved in Block C as a result of the abovementioned amendments is an improvement from that originally approved with only 10 no. studio apartments proposed as opposed to 15 no. Block C, as approved under ABP Ref. No. 303803-19, comprised a total of 50 no. units (consisting of 15 no. studio apartments; 6 no. 1 bed apartments; and 29 no. 2 bed apartments).

5.3 Reconfiguration of the approved basement layout

The subject S146B amendment proposal includes the reconfiguration of the approved basement layout in response to the aforementioned omission of Core C and also to improve the buildability of the basement. In the context of the latter, the revised basement configuration better responds to the 500mm watermain traversing the north-western corner of the subject site.

This aspect of the proposed S146B amendment is considered appropriate for the following reasons:

- The proposed basement continues to provide 67 no. car parking spaces as per the approved development under ABP Ref. No. 303803-19 and the layout adopted provides a similar level of ease of access to the original approval. This application is accompanied by a swept path analysis and associated letter, prepared by NRB Consulting Engineers, which assesses the amended proposals parking spaces, ramp corners and other junctions within the revised basement. The swept path diagrams illustrate that the parking spaces track adequately for the vehicle used;
- The proposed basement provides a similar level of bin storage as the approved development (the amendment proposal featuring 109.37sqm and the approved development featuring 117.86sqm) and the proposed bin storage areas are provided immediately adjacent to the stair and lift cores which facilitates easy access by residents;
- The proposed basement provides a similar level of bicycle storage as the approved development (the amendment proposal featuring bicycle parking for 316 no. bicycles at basement level and the approved development featuring 300 no. bicycle parking spaces);
- The proposed basement is of a suitable size and design to accommodate the services and infrastructure house originally at basement level in the proposal approved under ABP Ref. No. 303803-19. This application is accompanied by an Engineering Services Report, prepared by Waterman Moylan Consulting Engineers, which discuss the strategy adopted in the amended proposal regarding disposal of storm water, disposal of foul water and water supply which generally mirrors that adopted in the context of the proposal approved under ABP Ref. No. 303803-19; and
- The changes proposed at basement level will be imperceptible from the Cookstown Way and Second Avenue streetscapes with the same access point maintained in the north-eastern corner of the site.

5.4 Amalgamation and consolidation of communal amenity space

The subject S146B amendment proposal includes the amalgamation and consolidation of the internal communal amenity spaces serving the development at ground floor level. More specifically, the subject proposal proposes to provide 394sqm of internal communal amenity space centrally on the site, at ground floor level of Blocks B and C. This will be broken into a concierge/reception area, a communal hot desk room, and 4 no. multi-purpose communal amenity rooms (1 no. which is inclusive of a wellness suite) as illustrated in the plan excerpt included at Figure 35.0 overleaf.

The development, as approved under ABP Ref. No. 303803-19, provided a total of 342sqm of internal communal amenity space made up of the following spaces scattered throughout the development:

- A concierge/reception area at ground floor level of Block C;
- 3 no. secure storage areas at ground floor level of Blocks A, B and D;
- 2 no. multi-purpose rooms at ground floor level (Block B and Block C);
- A hot desk room at ground floor level of Block C;
- A communal play room at first floor level of Block B; and
- 3 no. multi-purpose rooms at first floor level (Block A, Block C and Block D).



Figure 35.0 Excerpt from ground floor plan of development proposed under S146B amendment illustrating internal communal amenity spaces proposed

The proposed amalgamation and consolidation of the internal communal amenity spaces serving the development at ground floor level will allow for these facilities to be more easily managed by the operator. Further to this, it will also reduce potential disruption to residents within the scheme as previously a no. of the communal amenity spaces shared party walls with apartments and under the amended proposal only 2 no. apartments will share a party wall with the communal amenity space. The internal communal amenity areas previously occupying upper floor levels will be replaced by 1-bedroom and 2-bedroom apartments which have been designed in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020) and the most up-to-date BRE Guidelines as illustrated by the Housing Quality Assessment, prepared by Reddy Architecture + Urbanism, and the Daylight and Sunlight Assessment Report, prepared by 3D Design Bureau, which accompany this application. The use of this space for the provision of apartments is considered more appropriate given it sits amid other apartments.

The size of the amalgamated/consolidated communal amenity space proposed as part of this S146B amendment improves upon the amount of internal communal amenity space approved under ABP Ref. No. 303803-19. Further to this, the provision of amalgamated/consolidated internal communal amenity space at ground floor level will also add to the level of activation along Second Avenue and Cookstown Way.

It is worth noting that the Board has saw fit to grant permission for a no. of apartment developments, featuring consolidated internal amenity space at ground floor level to serve residents of the development, in the intervening period since the application under ABP Ref. No. 303803-19 was considered. This includes the SHD application for a site at the corner of Airton Road and Belgard Road, Tallaght, Dublin 24 (to the east of the Cookstown Industrial Estate), under ABP Ref. ABP-305763-19, which was granted permission by An Bord Pleanala on 20th February 2020. In summary, this Strategic Housing Development involved the following:

Demolition of the existing industrial buildings on site (4,800sq.m) and the construction of 2 no. blocks comprising 328 no. apartments (93 no. 1 bed, 222 no. 2 bed and 13 no. 3 bed), ancillary residential support facilities and commercial floorspace measuring 31,147sq.m gross floor space above a single basement level measuring 5,861sq.m. The development also consists of the provision of a landscaped courtyard; public plaza at the corner of Airton and Belgard Road; pedestrian access from Airton Road to the Technological University campus; 184 no. car parking spaces at basement level including 14 no. club car spaces, 10 no. disabled parking spaces and 4 no. crèche parking spaces; 727 no. basement and surface bicycle parking spaces; 4 no. motorbike parking spaces; bin storage; boundary treatments; green roofs; hard and soft landscaping; plant; lighting; Vodafone cabin sub-station; ESB sub-stations, switch rooms and generators; and all other associated site works above and below ground.

Of particular relevance to the consideration of the subject S146B amendment, is the internal communal amenity space featuring at ground floor level of Block B (illustrated in drawing excerpt included at Figure 36.0 below). This planning permission remains in force until 2025 and sets a precedent for the provision of residential developments featuring consolidated internal communal amenity space in this area.

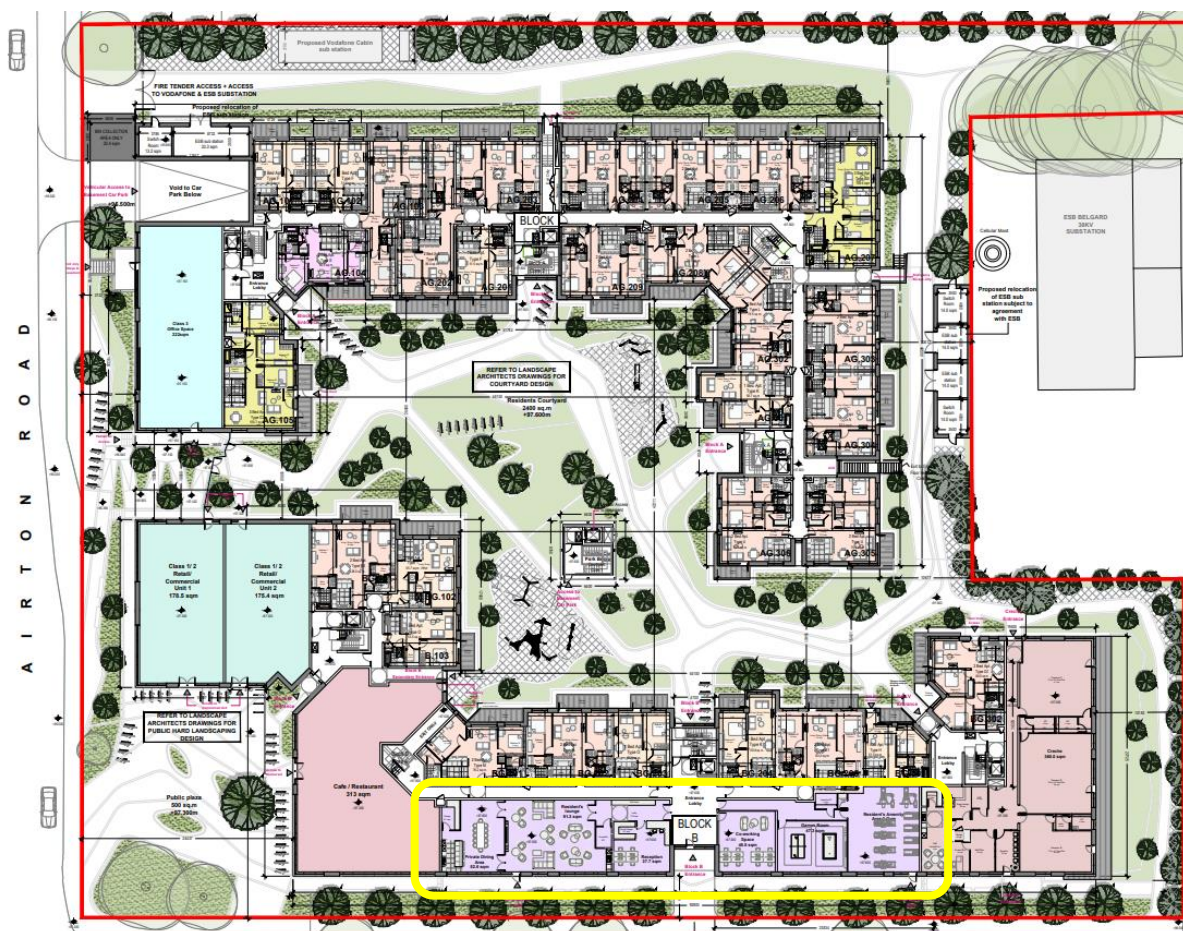


Figure 36.0 Ground floor layout plan approved under ABP Ref. ABP-305763-19 with the consolidated internal communal amenity space featuring outlined in yellow

5.5 Relocation of the substation and switch room and associated alterations to Blocks A and D

The subject S146B amendment proposal includes the relocation of the substation and switch room previously proposed in Block D to Block A and associated alterations to previously approved ground floor Apartments 2 and 3 in Block D and Apartments 1 and 2 in Block A. More specifically, it is proposed to remove the substation and switch room previously proposed at ground floor of Block D and subsume the associated floor space into previously approved ground floor Apartments 2 and 3 in Block D (a studio and 1-bed apartment) to create a 1-bedroom apartment and a 2-bedroom apartment; and to

reposition the substation and switch room at ground floor of Block A replace previously approved ground floor Apartments 1 and 2 in Block A (2 no. 1-bed apartments) with 1 no. 2-bed apartment.

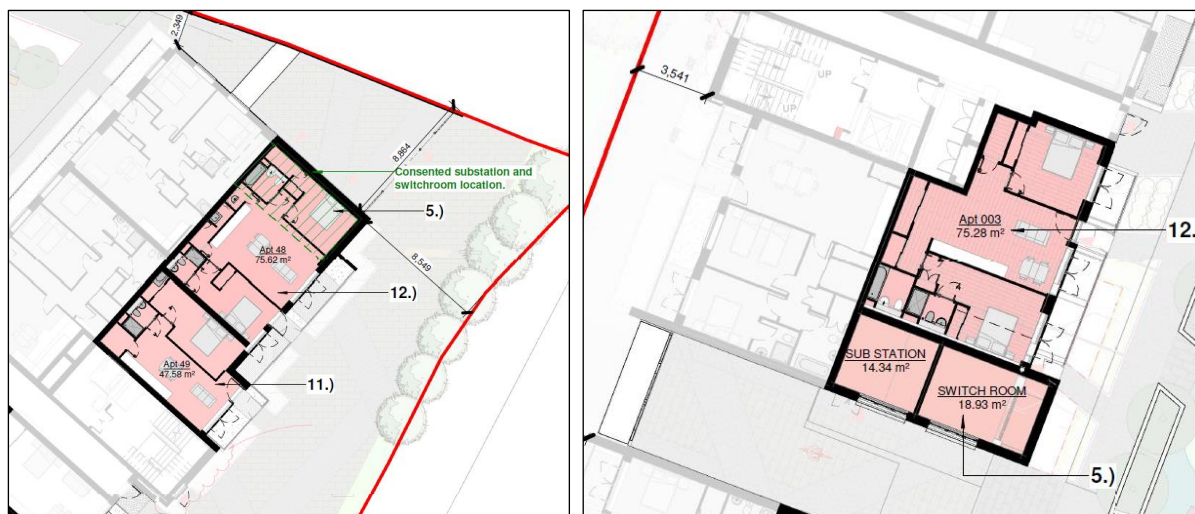


Figure 37.0 Excerpt from ground floor plan of development proposed under S146B amendment illustrating amendments to Block D (left) and Block A (right) to facilitate relocation of substation and switch room

This amendment is proposed to improved access to the substation. Upon review and in consultation with the ESB, the location of substation and switch room in Block D is unsuitable for access due to the location of the Luas line.

This change will be imperceivable from the street given the location of the as approved and amended substation and switch room and the limited external changes required to the external walls of the applicable apartments required to facilitate this relocation.

5.6 Party wall alterations and associated apartment amendments

The subject S146B amendment proposal includes minor alterations to party walls (including a reduction in depth) in Blocks A, B and D to accommodate a no. of 1 bedroom apartments in lieu of previously approved studio apartments. More specifically the following previously approved apartments under ABP Ref. ABP-305763-19 will be replaced by 1-bed apartments:

- Block A – Apartments 7, 13, 14, 21, 22, 29, 30, 37 and 38;
- Block B – Apartments 35, 41 and 47; and
- Block D – Apartments 12, 13, 19, 20, 27, 28, 35, 36, 43 and 44.

As illustrated in the Housing Quality Assessment, prepared by Reddy Architecture + Urbanism, which accompanies this application these proposed 1-bedroom apartments have been designed having regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020). Further to this, these proposed 1-bedroom apartments have been designed having regard to the most up-to-date BRE Guidelines. This application is accompanied by a Daylight and Sunlight Assessment Report, prepared by 3D Design Bureau, which assesses these proposed 1-bedroom apartments against the BRE Guidelines. In the context of these proposed 1-bedroom apartments, it found that all 1-bedroom apartments assessed complied with the ADF target values set out in the applicable BRE Guidelines (2% for living/kitchen/dining areas and 1% for bedrooms).

5.7 Minor alteration to previously approved facades, building line and internal partition walls and slight increase apartments nos.

As alluded to in the previous sections of this report, minor alterations to the previously approved facades, building line and internal partition walls are proposed to accommodate the aforementioned amendments. These minor alterations include the following: - slight alterations to window and door

positioning and internal partition walls to facilitate the addition of and revisions to apartments; alterations to the building façade associated with the removal of Core C and the removal of the balcony surround from the courtyard facing apartments in Block C; and slight alterations to the ground floor building line and door/window positioning in Block C to accommodate the repositioning of the concierge/reception area, communal amenity areas, creche and 2 no. commercial units required to facilitate the introduction of a larger commercial unit capable of accommodating a small supermarket.

The majority of these changes will be imperceivable from the street given the location as they are proposed internally, fronting the internal courtyard or are de minimis in nature.

Further to the above, the proposed amendments result in a slight increase in the number of apartments featuring within the development, from 196 no. to 204 no.. These additional apartments have been accommodated as a result of the omission of Core C and associated reconfiguration of the internal floor space of Block C and do not result in increases to the building footprint or building height.

6.0 Assessment of the Proposed Amendments

Further to the above discussion, the cumulative impact of the proposed amendments is considered to be appropriate in this instance for the for the reasons outlined below.

6.1 Streetscape Presentation

Given the internal and minor nature of the amendments proposed, they will be indiscernible from the streetscape. The knock-on effects of the proposed amendments to the buildings external presentation to the streetscape are di minimus as the subject proposal maintains a similar building footprint, massing, height and ground floor use mix as that approved under ABP Ref No. 303803-19 and only minor changes to the elevational treatment and fenestration are required to facilitate proposed amendments (as illustrated in Figures 38.0 to 44.0 below and overleaf). The majority of changes are proposed internal to the building, at basement level or along the buildings interface with the central courtyard and therefore will be indiscernible from the streetscape.



Figure 38.0 Roof plan of development approved under ABP Ref No. 303803-19 (left) and roof plan of proposed amended development (right)



Figure 39.0 Southern elevation of development approved under ABP Ref. No. 303803-19

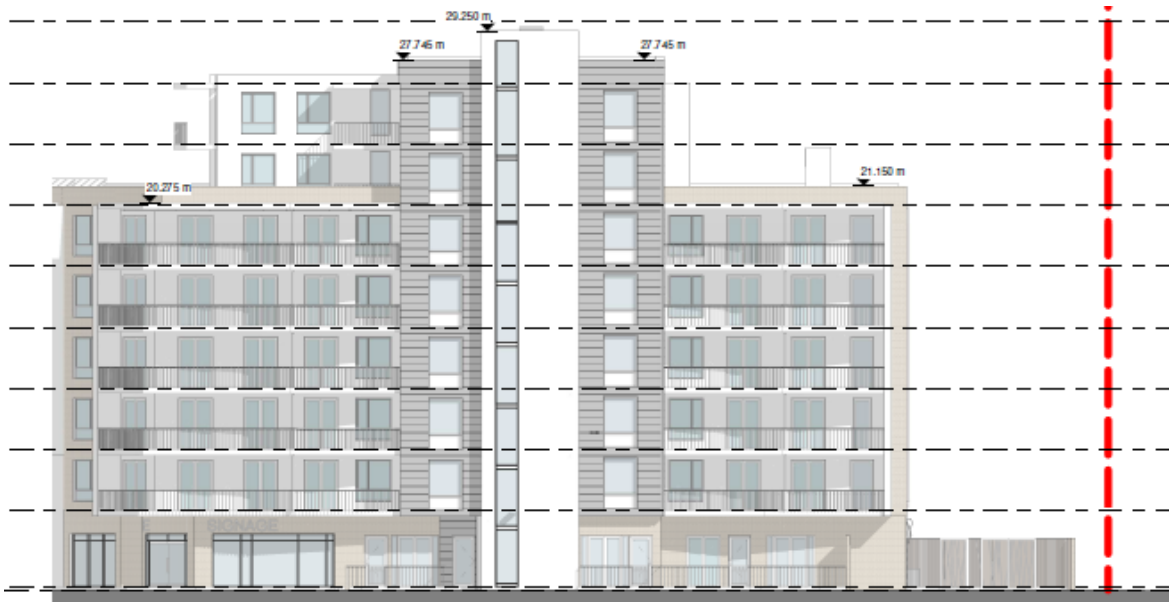


Figure 40.0 Southern elevation of proposed amended development



Figure 41.0 Western elevation (fronting onto Cookstown Way) of development approved under ABP Ref. No. 303803-19



Figure 42.0 Western elevation (fronting onto Cookstown Way) of proposed amended development



Figure 43.0 Northern elevation (fronting onto Second Avenue) of development approved under ABP Ref. No. 303803-19

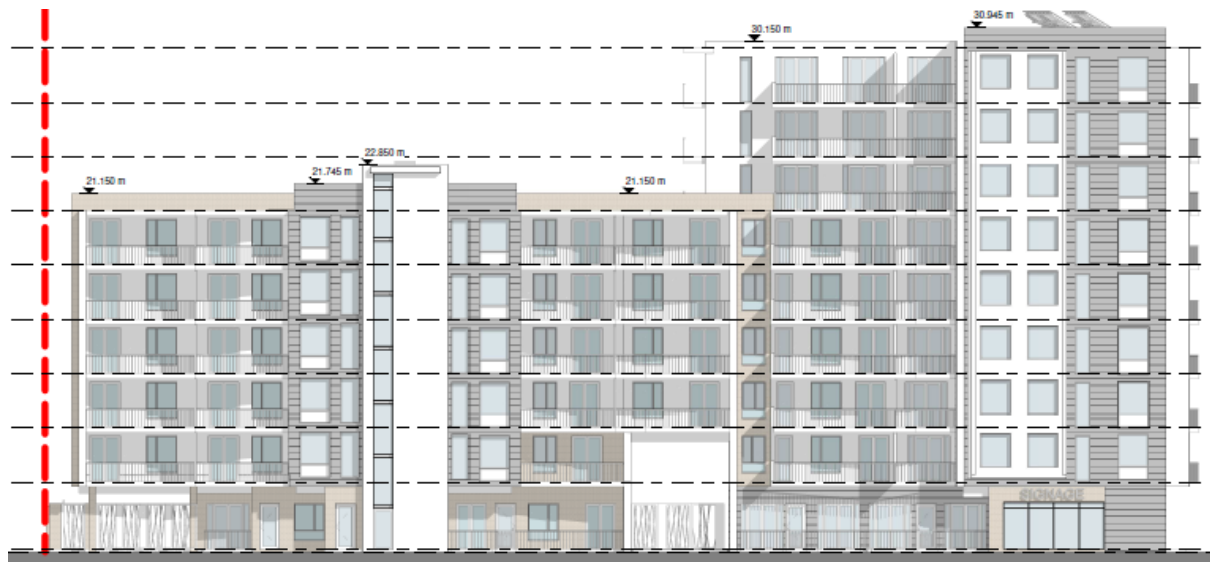


Figure 44.0 Northern elevation (fronting onto Second Avenue) of proposed amended development

In the context of the proposed amendments to the buildings interface with the central courtyard, we would contend that the removal of the balcony surrounds proposed to ensure appropriate daylight/sunlight access to amended and newly proposed apartments and the resultant tweaks to the materiality and architecture will in fact improve Block C’s eastern façade and Block D’s northern facade

as viewed from the courtyard and where glimpses can be seen in the surrounding area. This is clearly illustrated in the before and after CGIs, prepared by Reddy Architecture + Urbanism, featuring in their Design Statement which accompanies this amendment application (an excerpt of which is included below).



Figure 45.0 Before (left) and after (right) CGIs of Block C's eastern elevation and Block D's northern elevation, prepared by Reddy Architecture + Urbanism

With regards to the introduction of the larger commercial unit capable of accommodating a small supermarket, we would contend that the introduction of this aspect of the amendments as well as the provision of internal communal amenity spaces at ground floor level will in fact improve the streetscape presentation due to the increase footfall and activation that will be generated by such uses. Further to this, we would contend it is consistent with the mixed-use land use mix assigned to this area of the Cookstown Industrial Estate and the mixed use frontage sought along Second Avenue and Cookstown Way, in Sections 2.4.1 and 2.4.2 of the recently published Tallaght Town Centre Local Area Plan 2020-2026, respectively.

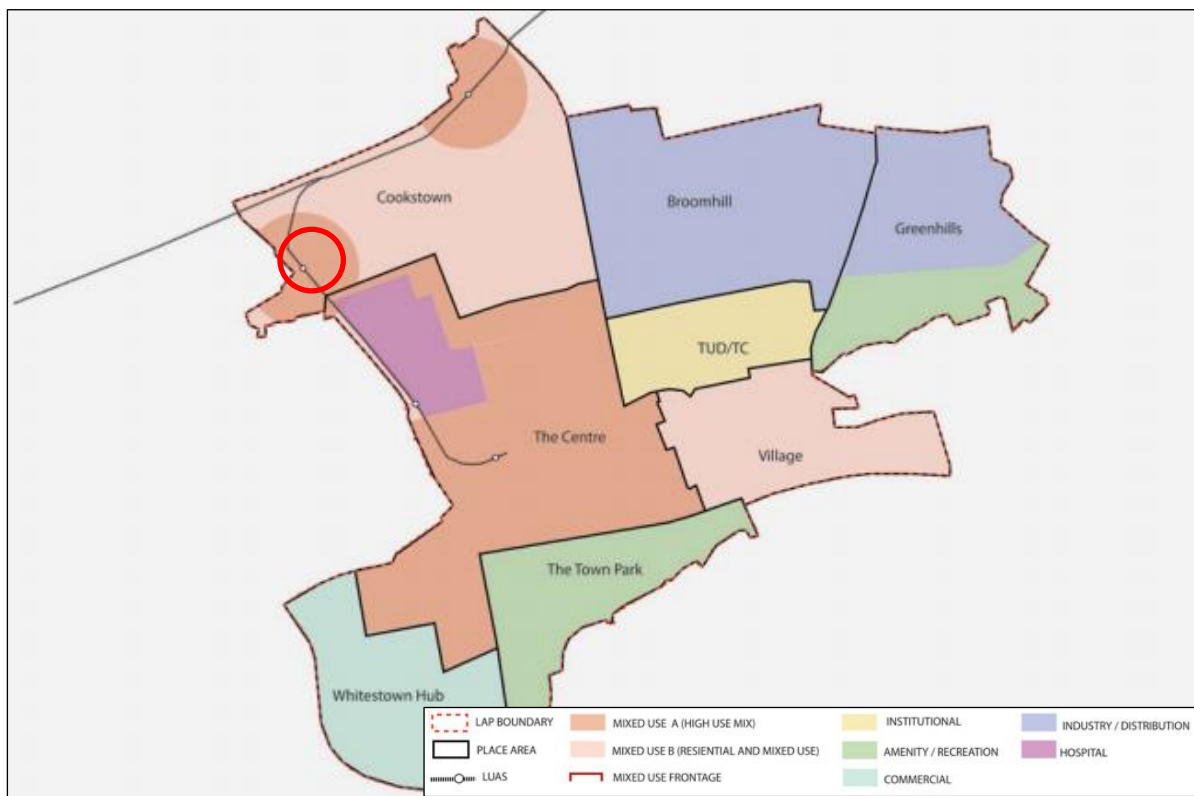


Figure 46.0 Urban Function Map from Tallaght Town Centre Local Area Plan 2020-2026 (subject site identified in red)

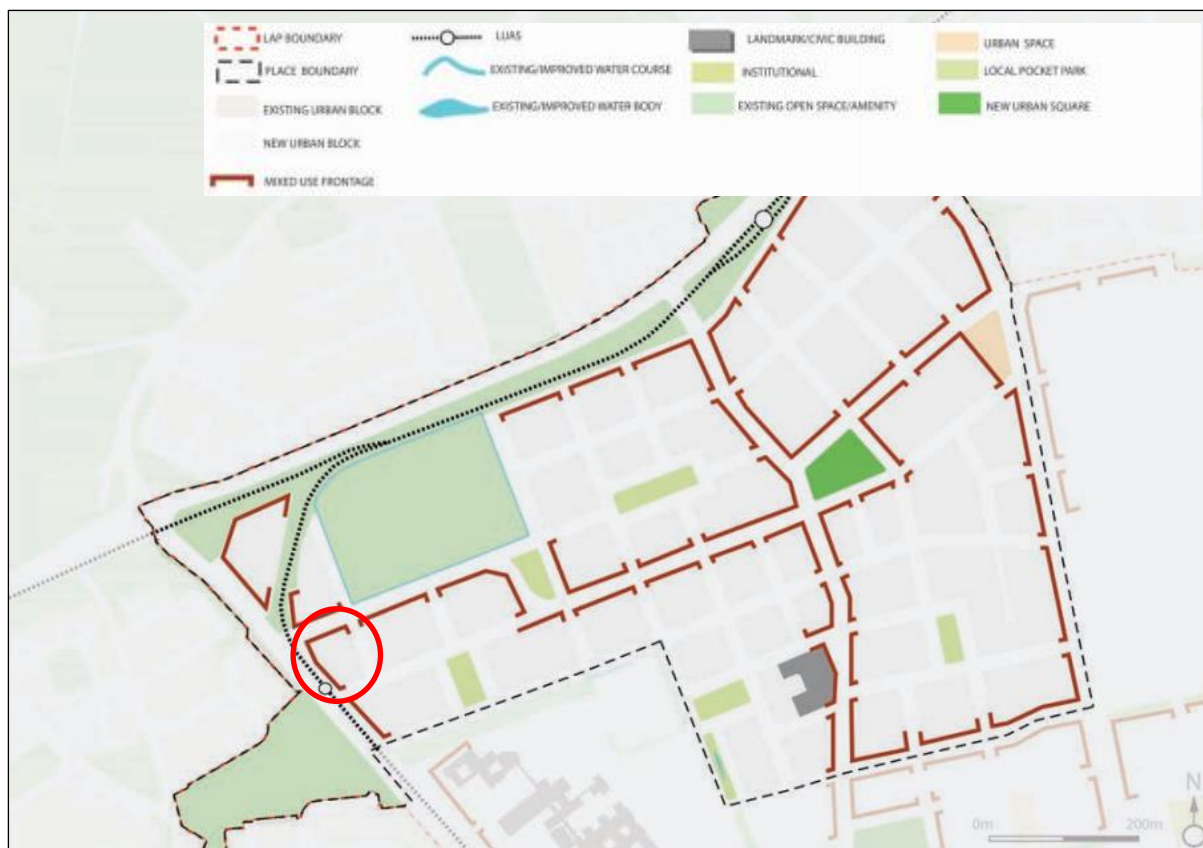


Figure 47.0 Mixed Use Frontage map from Tallaght Town Centre Local Area Plan 2020-2026 (subject site identified in red)

6.2 Residential Amenity

A similar, be it slightly improved, mix of residential apartments is proposed in this S146B amendment than the development originally approved under ABP Ref. No. 303803-19. The development originally approved under ABP Ref. No. 303803-19 featured the following unit mix:

- 45 no. studio apartments;
- 48 no. one-bed apartments; and
- 103 no. two-bed apartments.

The subject amendment proposal includes the following unit mix:

- 15 no. studio apartments;
- 90 no. one-bed apartments; and
- 99 no. two-bed apartments.

The improved housing mix is consistent with the mix of residential apartments sought in Section 5.2.1 of the recently published Tallaght Town Centre Local Area Plan 2020-2026.

A similar level of residential amenity is afforded to the residents of the development following the proposed amendments as was in the development as originally approved under ABP Ref. No. 303803-19. As illustrated in the Housing Quality Assessment prepared by Reddy Architecture + Urbanism, which accompanies this amendment application, the amended and newly proposed apartments will comply with the various standards contained within the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020). In fact, in certain instances the situation is improved upon, in the case of studio apartments being replaced by 1-bedroom apartments for example.

In the context of daylight and sunlight access, the proposed new and amended apartments have been assessed against the most up-to-date BRE Guidelines. As outlined in the Daylight and Sunlight Assessment Report, prepared by 3D Design Bureau, which accompanies this application of the proposed new and amended apartments tested 96% complied with the BRE guidelines when the ADF target value of 2.0% was applied to living/kitchen/dining areas was applied and 100% when the ADF target value of 1.5% was applied to living/kitchen/dining areas was applied.

By amalgamating and consolidating the communal amenity space at ground floor level, the residents of the development will have access to a larger volume of internal communal amenity space. Further to this, due to less apartments abutting the communal amenity space the level of disturbance to residents due to noise, vibration, music etc. will be reduced as a result of this aspect of the amendment proposal. The internal communal amenity space will be provided in the form of a concierge/reception area, a communal hot desk room, and 4 no. multi-purpose communal amenity rooms (1 no. which is inclusive of a wellness suite). The development proposal, as amended, will continue to provide a high level of residential amenity to its residents.

With regards to the residential amenity of the surrounding area, as no major changes are proposed from the development as approved under ABP Ref No. 303803-19 in regards to building footprint, massing, height and ground floor use mix and only minor changes are proposed to the elevational treatment and fenestration are required to facilitate the proposed amendments, the development will maintain a very similar visual presentation to the residential areas to the west. Also, overlooking and overshadowing to the adjacent residential development will not be increased as a result of the proposed amendments given their de minimis nature and the surrounding area will continue to benefit from the commercial facilities provided at ground floor level. In fact, the proposed supermarket will in fact improving amenities available to residents in the surrounding area.

6.3 Car Parking and Bicycle Parking Provision

The development under ABP Ref. No. 303803-19 comprised of 196 no. units and features 67 no. car parking spaces which generated a car parking rate of 0.34. The proposed amendments result in a minor increase in unit nos. to 204 no. The revised basement car park featuring in the subject proposal provides car parking for 67 no. cars, which equates to a car parking rate of 0.33, a slight reduction from that previously approved.

We contend that if the proposed amendments are adopted, the development continues to provide an appropriate level of car parking despite a slight reduction in car parking rate. It is worth noting that the Board recently saw fit to grant permission for a Strategic Housing Development at Site at the corner of Airton Road and Belgard Road, Tallaght, Dublin 24 (under ABP Ref. No. ABP-305763-19), which provided car parking at a rate of 0.24 per apartment. This development involved a similar kind/scale of development (demolition of existing buildings, construction of 328 no. apartments, crèche and associated site works) to the subject proposal but is less proximate to the LUAS.

The subject amendment application involves a positive change to the no. of bicycle parking spaces provided, with 436 no. bicycle parking spaces provided.

6.4 Aviation

The subject site lies under the Approach and Take-Off Climb Surfaces to/from Casement Aerodrome's main runway 11/29 in South County Dublin and also lies under the Inner Horizontal Surface at Casement Military Aerodrome. The development approved under ABP Ref. No. ABP-303803-19, which had a maximum height of 139.3 metres was considered to be acceptable from an aviation perspective, as stated in the Inspectors Report (dated 17th July 2019).

The proposed amendments do not involve an increase in the building height or massing as approved ABP Ref. No. ABP-303803-19. Therefore, the amended development will not create any issues from an aviation perspective.

7.0 Conclusion

The applicant seeks approval for alterations to the Strategic Housing Development previously approved under ABP Ref. No. ABP-303803-19, pursuant to Section 146B of the Planning and Development Act, 2000 (as amended).

The proposed alterations are minor and unperceivable from the streetscape. The proposed alterations are considered reasonable and consistent with the zoning objectives for the site and the local, regional and national planning policies the application under ABP Ref. No. ABP-303803-19 was originally assessed against.

It is submitted that the proposal is in accordance with the proper planning and sustainable development of the area and, as such, we request that this amendment be granted in this instance.

Should you have any queries, or if we can be of further assistance, please do not hesitate to contact the undersigned.



Margaret Commane MIPI
Associate
for and on behalf of HPDC Ltd