

# **Statement of Response to An Bord Pleanála's Opinion**

*(to be read in conjunction with the Architectural Response to An Bord Pleanála prepared by Reddy Architecture and Urbanism)*

*In respect of*

## **Proposed Student Accommodation at The Former Victor Motors Site, Goatstown Road, Dublin 14**

*Prepared by*

**John Spain Associates**

*On behalf of*

**Orchid Residential Ltd**

**March 2022**



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## 1.0 INTRODUCTION

- 1.1 The pre-application consultation opinion from An Bord Pleanála (ABP) in relation to the proposed strategic housing development for student accommodation at the Former Victor Motors Site Goatstown Road, Dublin 14 was received on 9<sup>th</sup> June 2020 case reference: ABP-306829-20 (the “Opinion”).
- 1.2 The subject application addresses the matters raised in this opinion. It is noted that an application was previously granted in relation to a student accommodation scheme on the subject site (ABP-308353-20) and this was subsequently quashed following judicial review. The subject proposal includes a reduction of 20 no. bedspaces when compared to this scheme and a reduction in building height at the south-eastern boundary of the site in order to improve daylight access to adjoining residential developments to the rear.
- 1.3 The following statement response addresses the matters raised in the Board’s opinion received on 9<sup>th</sup> of June 2020 and is still relevant.
- 1.4 The Opinion states that ABP *‘is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development’*.
- 1.5 The Opinion further states that *‘An Bord Pleanála, considers the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development’*. The issues listed are under the following headings:
- 1. Building Height**
  - 2. Provision of Communal Open Space and Student facilities and Amenities**
  - 3. Potential Impacts on Residential and Visual Amenities**
  - 4. Frontage and Interaction with the Public Realm at Goatstown Road**
- 1.6 Section 2 of this report sets out how the Applicant has responded to each of the issues raised by ABP in its Consultation Opinion, with particular reference to the reports and drawings prepared by the design team, which accompany this application. This Statement of Response, and the associated amendments to the scheme, respond in turn to the key issues raised by Dun Laoghaire Rathdown County Council (DLRCC) in its report on the pre-application proposals.
- 1.7 This response document is to be read in conjunction with the Architectural Response to An Bord Pleanála prepared by Reddy Architecture and Urbanism.
- 1.8 Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 states:

*‘(5) At the conclusion of a pre-application consultation, the Board may do either or both of the following: (b) notify the prospective applicant that specified information should be submitted with any application for permission for the proposed development, including*

*photographs, plans, maps, drawings or other material or particulars and, where the Board considers it appropriate, either or both—...’.*

1.9 The pre-application consultation Opinion from ABP states pursuant to Article 285(5)(b) that the following specific information (summarised) should be submitted with any application for permission:

1. *A Housing Quality Assessment.*
2. *Student Accommodation Management Plan*
3. *A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within specific habitable rooms within the development, in communal open spaces and in public areas within the development.*
4. *A report that specifically addresses the proposed materials and finishes to the scheme including;*
  - *specific detailing of finishes,*
  - *landscaped areas,*
  - *pathways,*
  - *entrances and boundary treatment/s*
5. *Comprehensive landscaping proposals to include details of hard and soft landscaping, outdoor exercise equipment (if provided), boundary treatments, delineation of public and communal open space provision, pedestrian and cycle facilities, public lighting, car and cycle parking areas and refuse storage areas*
6. *Topographical survey of the site and detailed cross sections to indicate existing and proposed ground levels across the site, proposed FFL's, road levels, open space levels, drainage infrastructure, landscaping, etc. relative to each other and relative to adjacent lands and structures including public roads.*
7. *Rationale for proposed cycle parking provision -quantum, design and layout*
8. *Statement of Compliance with the Design Manual for Urban Roads and Streets (DMURS).*
9. *Road Safety Audit and Quality Audit.*
10. *Additional drainage details having regard to the report of DLRCC Drainage Planning Section (undated).*
11. *AA Screening Report*

1.10 The necessary information to address Items 1 to 11 above accompany this application and are discussed further in Section 3 of this report.

## **2.0 STATEMENT OF RESPONSE TO ISSUES RAISED**

2.1 The following sets out how the applicant has addressed the 4 no. issues raised in ABP's Notice of Pre-Application Consultation Opinion, with reference to the accompanying documentation submitted, to ensure the subject application constitutes a reasonable basis for an application for strategic housing development.

### **Scale & Design of the Development**

- '1. *Further consideration of the documents as they relate to the building heights proposed in the development, including visual impacts, impacts on residential amenities and the achievement of a satisfactory transition in scale between the proposed development and adjacent properties.*

*This consideration and justification should have regard to, inter alia, the guidance provided in the Building Height Strategy of the Dun Laoghaire Rathdown County Development Plan 2016-2022, the site specific guidance provided in the Goatstown Local Area Plan 2012 (as extended) and Policy UD6 of same and the Urban Developments and Building Height Guidelines for Planning Authorities 2018.*

*The applicant is to consider whether the development constitutes a Material Contravention of the Building Height Strategy set out as Appendix 9 of the Dun Laoghaire Rathdown County Development Plan 2016-2022. If considered necessary, the applicant is to submit a Material Contravention Statement and to publish a Newspaper Notice in accordance with the requirements of section 8(1)(a)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.'*

- 2.2 The site is located within the administrative area of Dun Laoghaire Rathdown County Council and is therefore subject to the land use policies and objectives of The Dun Laoghaire Rathdown County Development Plan. The Dun Laoghaire Rathdown County Development Plan 2022-2028 was adopted on 10th of March 2022 and will come into effect on 21st April 2022. Therefore, the plan will be in effect at the time of decision making by An Bord Pleanála. Notwithstanding, at the time of lodgement, the Dun Laoghaire Rathdown County Development Plan 2016-2022 remains the relevant development plan in effect.
- 2.3 It is also noted that the Goatstown LAP 2012 will expire on the 10<sup>th</sup> of April 2022. Again, the plan remains relevant at the time of lodgement and is therefore addressed in this statement of consistency. The plan will however have expired at the time of decision making by An Bord Pleanála.
- 2.4 Accordingly, the key provisions of relevant local planning policy relating to the proposed development being:
- Dun Laoghaire County Development 2022-2028;
  - The Dun Laoghaire Rathdown County Development Plan 2016-2022;
  - The Goatstown Local Area Plan 2012 (as extended to 10<sup>th</sup> April 2022).
- are set out in this response document and within the Statement of Consistency and Material Contravention Statement by John Spain Associates.
- 2.5 With respect to the rationale for the proposed height of the development, this is qualified within the accompanying Architect's Design Statement and the Architectural Response Document prepared by Reddy Architecture and Urbanism (Reddy Architecture). The response includes detailed sections and elevations which show the relationship between the proposed development and;
- The three storey dwellings to the rear of the site;
  - The 4-5 storey residential apartments to the north of the site; and
  - The 2 storey neighbourhood centre to the south of the site.

- 2.6 The application is accompanied by a Townscape and Visual Impact Assessment prepared by Parkhood which states;

*“The Application Site comprises a commercial site that contributes little to the character and visual quality of this part of Dublin. The proposed development, while more substantial, would result in a positive contribution to the townscape character and urban fabric of Goatstown. While recognising a high magnitude of impact to the Application Site itself, this report concludes that this proposal, on balance, has no unacceptable townscape / landscape or visual effects and can be successfully absorbed into the character and views of this part of the city.*

- 2.7 A Statement of Material Contravention has also been prepared by John Spain Associates and is included within the application documents. The statement sets out a clear rationale for the proposed building heights on the site in the context of the surrounding neighbourhood which is considered to be a material contravention of the building heights set out in the Goatstown LAP 2012 and the Dun Laoghaire Rathdown County Development Plan 2016-2022.

- 2.8 The proposed building heights are not considered to materially contravene the building height policies of the newly adopted Dun Laoghaire County Development 2022-2028 and the Building Height Strategy contained at Appendix 5 therein, as it is not more than 2 storeys higher than the prevailing building height of the immediate area and compliant with the criteria set out at Table 5.1 of the Building Height Strategy. Accordingly, we refer the Board to the Statement of Consistency and Planning Report prepared by John Spain Associates which addresses the provisions of the Dun Laoghaire Rathdown County Development Plan 2022-2028 (including Appendix 5 – Building Height Strategy) in detail. For this reason, a response is not repeated here.

***Dun Laoghaire Rathdown County Development Plan 2016-2022 and the Goatstown Local Area Plan 2012 (as extended)***

- 2.9 As the Dun Laoghaire Rathdown County Development Plan 2016-2022 remains the relevant development plan in effect at the time of lodgement, the following is submitted:

- 2.10 Appendix 9 of the *Dun Laoghaire Rathdown County Development Plan 2016-2022* includes the *Building Height Strategy* (the strategy) for the council area. At the outset it is noted that the Goatstown Local Area Plan 2012 (as extended) sets out the specific height controls relating to the subject site.

- 2.11 *Section 4.2 - Local Area Plan Boundaries* of the Strategy states that;

*“The forthcoming local plans will likewise include specific policy on building height....*

*It is considered that these local plans are the most appropriate vehicle for providing the kind of fine-grained analysis which can determine if taller buildings are appropriate or not to any given location.....*

*This section specifically focuses on all of those residual suburban areas **not already included within the boundaries the cumulative control area** identified in Section 4.7.”*

2.12 **Comment:** The subject site is within the boundaries of the Goatstown LAP 2012 and accordingly the relevant controls for the site are set out within. Notwithstanding a review of the relevant sections and policies of the Building Height Strategy has been undertaken and is included in the following sections.

2.13 The Strategy states;

*'Generally, 'High Buildings' or 'Higher Buildings' are defined as buildings which are higher than the overall building height in any given area, whilst 'Tall Buildings' are defined as buildings that are significantly higher than their surroundings and/or have a considerable impact on the skyline.'*

2.14 **Comment:** The proposed development is one storey higher than the adjoining Trimbleston scheme. At the highest point, the development is 2 storeys higher than the height nominated in the Goatstown LAP being 3 storeys (with possible setback floor). The scheme, at the highest point (adjacent to Trimbleston) reaches 5 storeys with the 6<sup>th</sup> floor setback at the top-level fronting Goatstown Road.

### **2.2.1 Sustainability and Density**

*'The sustainability approach seeks to combine high-density development juxtaposed to good social facilities to minimise the need for travel, and with high quality public transport provision to limit the use of the private car. With the need to promote the principle of sustainable growth, high density, mixed-use development requires to be facilitated and encouraged in town centres and around major transport interchanges and nodes'*

2.15 **Comment:** It is considered that the subject site is well located and placed to accommodate the proposed development being 1.3km from a green line Luas stop, 1.5km from Dundrum and within 800m of UCD Belfield Campus. The proximity to UCD Campus of the proposed student accommodation ensures that the proposal complies with the principles of sustainable growth and will reduce the need for students to commute over long distances to access UCD. A dedicated cycle lane runs adjacent to the front boundary of the site and leads directly to UCD campus.

2.16 The site is also served by orbital bus route 175 (Taney Road) and 17 (Roebuck Road) and is also 700m from proposed Bus Connects Orbital bus corridor S6 (Tallaght – Dundrum – UCD – Blackrock) stop on Taney Road (current route 175 orbital bus stop). Therefore, the site is within 1,000m /10 minute of a 'Core/Quality Bus Corridor'.

2.17 There are an extensive range of services, amenities, shops and facilities available within a 1km and 2km radius of the site. This includes medical centres, dentists, shops, hairdressers, physios, pharmacies, gyms supermarkets etc. The neighbourhood centre directly adjacent to the site includes a café/restaurant, bike repair shop, in addition, a spar and pharmacy are available at the Clonskeagh neighbourhood centre on Bird Avenue. This is in addition to the wide range of services provided within the UCD campus including gyms, sports centre, shops, libraries and a medical centre. The development as proposed is considered suitable given the context of the site and the proximity to a wide range of services, shops and facilities.

2.18 Section 3 of the guidelines state;

*“Broadly, there are two types of site where these kinds of development are promoted. The first group comprises smaller infill sites within the established fabric of the built-up urban or suburban area, in which the proposed development can often exceed the average height of its immediate surroundings. In some cases, such developments - which may be only two storeys higher than the surrounds - can help to create new localised high points which are contextually acceptable, may set the standard for future, more intensive development in the surrounding area, and can assist in the establishment of attractive local landmarks. On the other hand, certain developments - if out of context - may appear jarring, detract from the legibility of an urban area, appear out of scale compared with their surroundings and may have a particularly detrimental effect where their location does not coincide with a central place or node”*

2.19 **Comment:** The proposed development is located within an area which includes ‘higher’ residential development (4-6 storeys) on Goatstown Road (see below images) which is in line with national policy guidance for the development of infill sites at accessible locations. This includes;

- The Grove – 5 storeys;
- Errew House - 4 storeys; and
- Trimbleston – 4-5 storeys

The proposed scheme is consistent with the emerging trend of development which fronts Goatstown Road, a main arterial route leading to the city centre.



**Figure 1 - Location of surrounding similar scale developments (site outline in red)**

2.20 Section 3.4 'Suburban Infill' of the plan notes that;

*"There has been a discernible pattern of gradually increasing residential densities in 'infill' sites within the built up area of the County over the last decade or so. Many of these infill developments have been at a higher density and with a taller building height profile than the prevailing local low rise context."*

2.21 **Comment:** The plan acknowledges that this pattern of development is a direct result of the Government document "Residential Density Guidelines" (1999). We further note that the Building Height Guidelines referred to earlier (a 2018 government document) states;

*"these guidelines outline wider and strategic policy considerations and a more performance criteria driven approach that planning authorities should apply alongside their statutory development plans in securing the strategic outcomes of the National Planning Framework."*

- 2.22 The Building Height guidelines have been addressed in detail in the accompanying reports and demonstrate that the proposed development is reflective of the emerging context of the area.

**Figure 2 – The Grove - 5 storey development on Goatstown Road**



**Figure 3 - Errew House and Trimbleston – existing 4 and 5 storey developments on Goatstown Road**



- 2.23 Section 5 - general principles of the Strategy includes guidance which seeks to protect the residential amenities of the County;

*“Increased densities and heights should not detract from residents’ living conditions, should avoid significant loss of privacy and light, and the scale and bulk of new development should have regard to its setting. The challenge for this strategy is to achieve sustainable densities without adverse impacts on residential amenities (caused by excessive building height).”*

- 2.24 **Comment:** The subject development has been carefully designed to complement the local context of the site. The site is adjoined by a mixture of building heights including 2, 3 and 5 storey buildings. As a direct response, the development has been designed to include single storey, 4 and 6 storey elements.

- 2.25 A single storey refuse room has been located to the rear of the site within the courtyard to maintain solar access and prevent over shadowing of the existing 3 storey buildings to rear. The central courtyard will provide a leafy (and improved) outlook and increased building setbacks (c. 27m) from the existing 3 storey dwellings.

- 2.26 The accompanying Daylight and Sunlight Assessment prepared by Passive Dynamics demonstrates compliance with BRE standards both for adjacent developments and within the proposed subject student residences.

## **2. Provision of Communal Open Space and Student Facilities and Amenities**

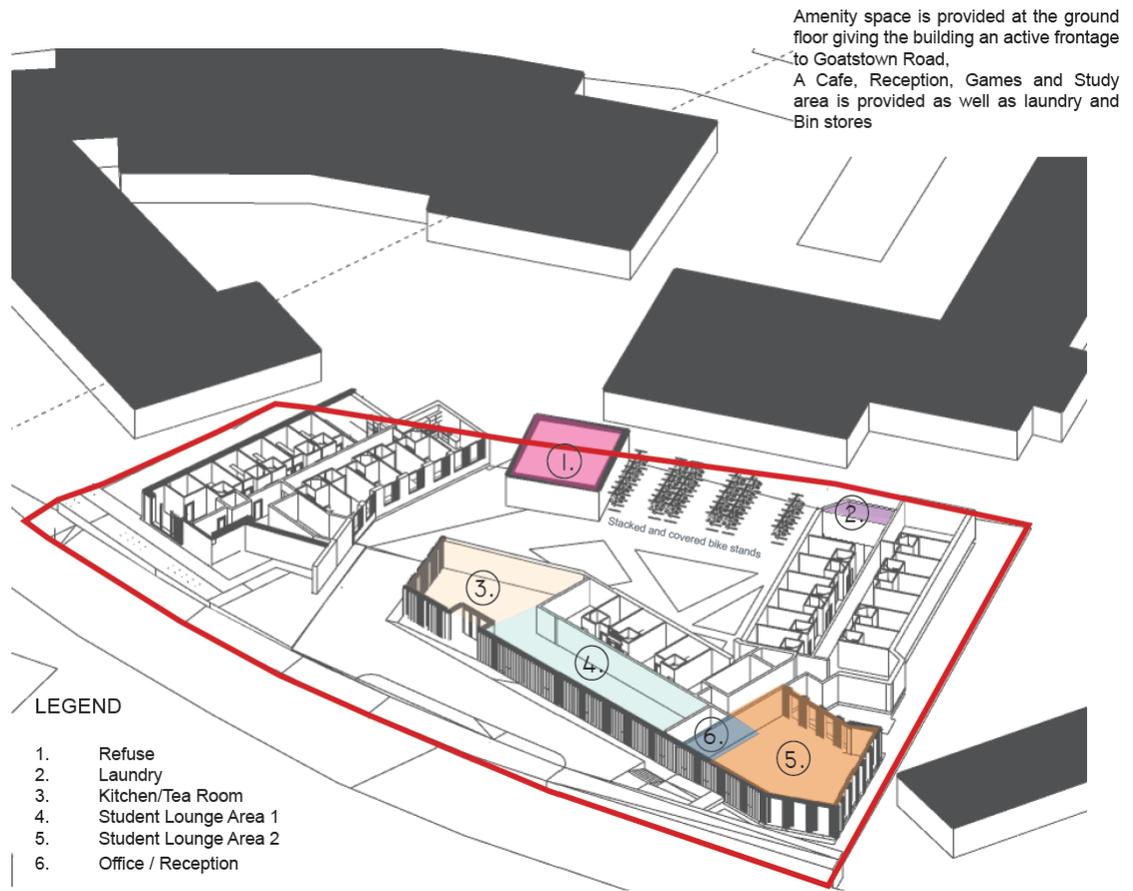
*Further consideration of, and if necessary, further justification for, the quantum and distribution of public open space provided to serve the development, also internal communal services and amenities for residents of the scheme, to address the following matters:*

- *Hard and soft landscaping and SUDS measures, including the detailed layout, accessibility and management of roof gardens (if provided);*
- *Potential integration of cycle parking and refuse storage into the ground floor of the development.*

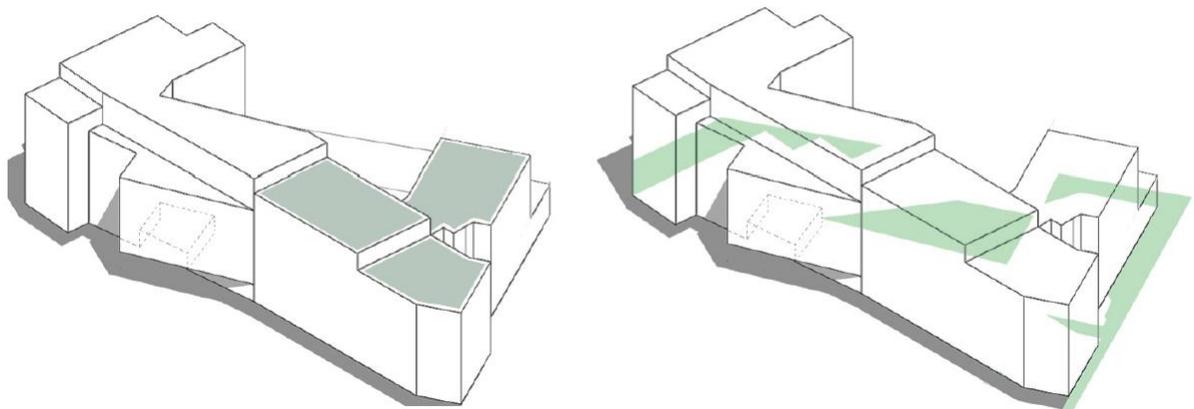
*This consideration / justification should have regard to the Department of Education and Science Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999, Policy RES12 and section 8.2.3.4 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and other relevant guidance on student accommodation. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.*

2.27 **Response:** The following section is to be read in conjunction with the Housing Quality Assessment prepared by Reddy Architecture which provides a detailed breakdown including illustrative diagrams of the communal open space provision and allocated amenity space through out the site. A total of 2,025sqm of amenity space is provided throughout the site in the form of 1,516 sqm of external amenity space and 509 sqm of internal amenity space. This equates to c. 9sqm of amenity space per resident which is allocated through-out the scheme as shown below.

**Figure 4 - Locations of internal student amenity space through out the development including central courtyard landscape proposal**



**Figure 5 - Locations of external student amenity space throughout the development at ground and roof top levels**





### Hard and soft Landscaping

- 2.28 **Response:** Detailed landscape plans and a Landscape Design Rationale have been prepared by Ronan MacDiarmada Landscape Architects and is included with this application. An extract from the site-wide SUDs Strategy is included below. This is further detailed within the Civil Engineering Infrastructure Report prepared by Barrett Mahony and includes a management plan for each element of the SUDs strategy.
- 2.29 The SUDs measures to be included in this development consist of permeable paving, green roofing, tree pits, and an attenuation tank. All will be installed in accordance with CIRIA document C753 and all manufacturers guidelines and recommendations. Each element will be managed as outlined at Appendix 1 of the Engineering Infrastructure Report.
- 2.30 In addition, a Third Party SuDS audit was carried out by Punch Consulting Engineers and is also included at Appendix 1 of the same report. The outcomes of the audit were discussed with the third-party consultant and DLR Council prior to lodgement. DLR did not provide a response to the report. Should DLR Council have any concerns with the proposal, the applicant is happy to accept a condition to address the same. We note this report has not been updated since the previous application on the site (2020) as there have been no significant changes to the engineering proposals. The recommendations remain relevant and valid and are incorporated as required. The proposed SUDs measures are considered to be fully in compliance with DLR Council policy and requirements.

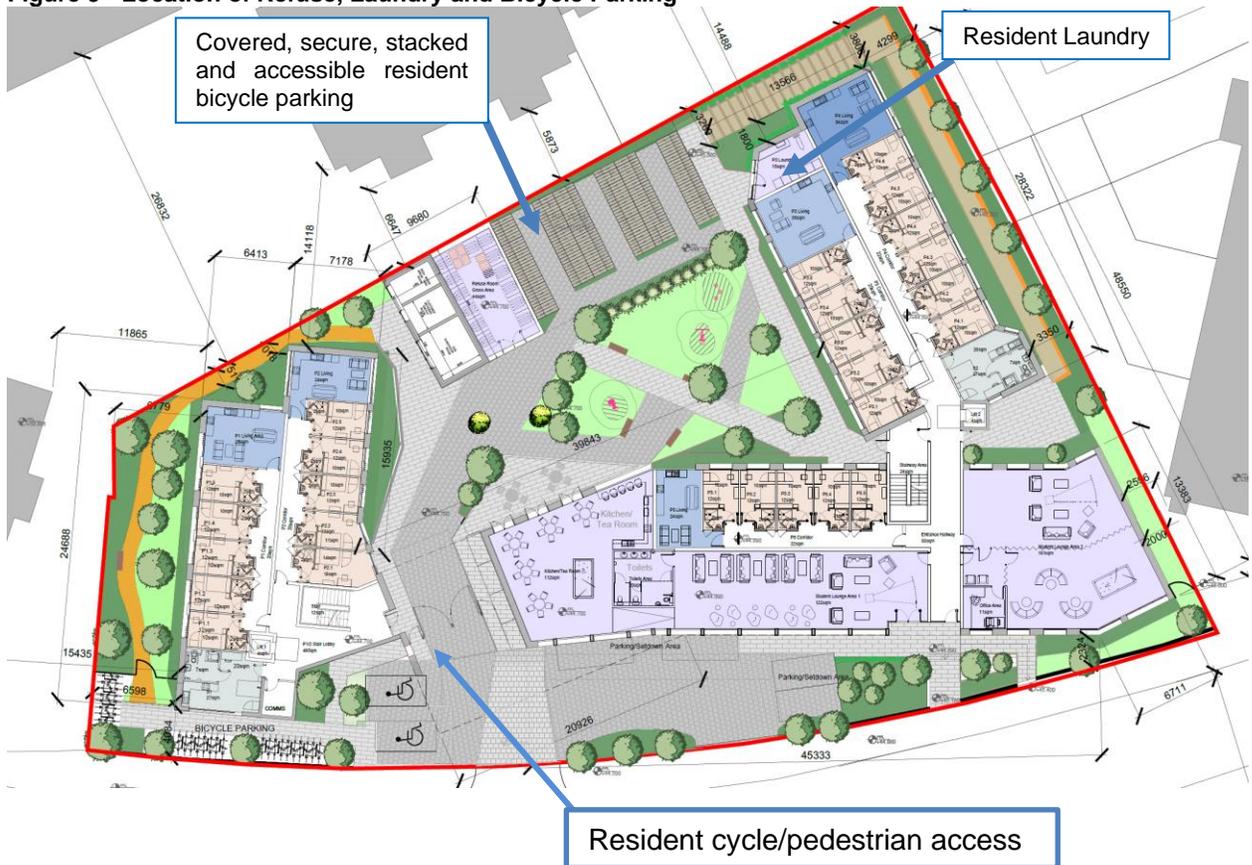
Figure 8 - Proposed Strategy including roof top gardens



### Integration of refuse and cycle parking

- 2.31 **Response:** The scheme as submitted at pre-application consultation stage included a single storey building within the courtyard including a laundry and refuse store. Bicycle parking was located adjacent to the same as shown below.
- 2.32 Relocation of the bicycle parking area was further investigated however, it was determined that the proposed location was the most suitable area on site to provide a secure and easily accessible area to cater for the large quantity of bike spaces required for the future residents of the scheme. A covered, stacked parking arrangement is proposed as detailed in the accompanying Opinion Response document prepared by Reddy Architecture.
- 2.33 The laundry facility was relocated from the courtyard to the ground floor of the building as shown in figure 4 below.

**Figure 9 - Location of Refuse, Laundry and Bicycle Parking**



**Figure 10 - Courtyard CGI showing resident bike stands**

- 2.34 Compliance with the *Department of Education and Science Guidelines on Residential Developments for 3<sup>rd</sup> Level Students* is demonstrated below and detailed within the Housing Quality Assessment prepared by Reddy Architecture which accompanies the application.
- 2.35 It should be noted that the ‘*Guidelines on Residential Development for 3<sup>rd</sup> Level Students*’ (*Department of Education 1999*) and the supplementary document produced in 2005 are not Section 28 Guidelines and were published on the basis for tax relief. It is therefore considered that these documents are guidelines only and should not be read as requirements to meet specific standards.
- 2.36 It should also be noted that these guidelines are significantly out of date and were prepared for a tax incentive scheme which was terminated a number of years ago. The provision of privately management student accommodation schemes have since evolved using internationally accepted models which now set a precedent for student accommodation schemes.
- 2.37 Dublin City Council is one of the few planning authorities at present to specifically set out requirements for privately managed student accommodation facilities. As such, it is considered that some of these standards can be applied to the subject student development, as demonstrated in the HQA and noted above.
- 2.38 Notwithstanding this, the proposal complies with the requirements of the 1999 Department of Education document as follows:

**Figure 11 - Compliance with the Department of Education Standards (Section 50 of the Finance Act)**

| <b>Dept. Of Education Recommendation</b>   | <b>Proposal</b>   |
|--|---|
| <ul style="list-style-type: none"> <li>Each unit to consists of minimum 3 bed spaces, maximum 8 bed spaces.</li> <li>Study bedrooms shall be arranged in units sharing a common entrance hall and kitchen/living room.</li> </ul>  | The proposal complies with this requirement. Bedrooms are arranged in groups of 5, 6, 7 or 8 and include a communal kitchen/living/dining area. See Page 7 of the HQA prepared by Reddy Architecture.   |
| <ul style="list-style-type: none"> <li>Minimum GFA 55 sq.m., maximum GFA 160 sq.m. Study bedrooms to be arranged in units with a common entrance, access stairs and corridors and ancillary facilities.</li> </ul>   | The proposal complies with the requirements as outlined in the schedule of accommodation within the accompanying HQA.   |
| <ul style="list-style-type: none"> <li>Provision of shared kitchen / dining / living room at a minimum of 4 sq.m. per bedspace.</li> </ul>   | The proposal meets and exceeds this requirement as shown within the schedule of areas in the accompanying HQA.  |
| <ul style="list-style-type: none"> <li>Single ensuite study bedroom 12 sq.m.</li> <li>Single disabled study bedroom with ensuite 15 sq.m.</li> </ul>   | The proposal meets this requirement. Proposed studios are 27sqm and accommodate disabled access.  |
| <ul style="list-style-type: none"> <li>Circulation and storage provision.</li> </ul>   | Storage is provided in each bedroom as demonstrated in the HQA.   |
| <ul style="list-style-type: none"> <li>Where not located on campus, adequate open space should be provided within developments for the amenity of students.</li> </ul>   | 1,516 sqm of external amenity space is provided for student use. This equates to 6.8sqm of external space per resident.   |
| <ul style="list-style-type: none"> <li>Communal facilities including:- caretaker/security office and apartment; centralised storage; laundry facilities; drying rooms and utility rooms; and a seminar room. The floor area of these facilities shall not exceed 12% of the total area of the development, and their cost shall not exceed 12% of the total qualifying expenditure.</li> </ul> | <p>The following communal facilities are proposed equating to 509sqm (7.6% of the GFA).</p> <ul style="list-style-type: none"> <li>Kitchen/ Tea Room,</li> <li>Multi- functional Space 01</li> <li>Multi- functional Space 02</li> <li>Laundry</li> <li>Office / Concierge</li> <li>Communal Toilets</li> <li>Refuse</li> </ul> |
| <ul style="list-style-type: none"> <li>Disabled access and provision of accessible bedrooms.</li> </ul>  | The proposal complies with this requirement   |
| <ul style="list-style-type: none"> <li>Bicycle storage provision.</li> </ul>   | 210 no. bicycle spaces have been provided for resident and visitor use within the courtyard and within a secured area at the frontage of the site.  |
| <ul style="list-style-type: none"> <li>Refuse storage provision.</li> </ul>  | A refuse storage room is provided within the courtyard to the rear of the site.   |
| <ul style="list-style-type: none"> <li>No. of apartments per lift core not &gt; 30.</li> </ul>   | The proposal complies with this requirement.  |

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Minimum 1 / 50 bedspaces designed for disabled.</li> </ul> | <p>The proposal complies as 10 studios are provided to meet this requirement.</p> |
|---|---|

2.39 Compliance with Policy RES12 and section 8.2.3.4 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and compliance with Section 12.3.8.12 of the newly adopted Dun Laoghaire Rathdown County Development Plan 2022-2028 is included and demonstrated within the Statement of Consistency prepared by John Spain Associates and within the Housing Quality Assessment by Reddy Architecture and therefore is not repeated here.

2.40 Compliance with Dublin City Council Development Plan 2016-2022 as the most recent relevant design guidance document for student accommodation is also included at the above reports. A high-quality scheme has been designed in accordance with all relevant requirements and will deliver much needed student accommodation within 800m of UCD Campus.

### 3. Potential Impacts on Residential and Visual Amenities

*Further consideration/justification of the documents as they relate to potential impacts on residential and visual amenities at Trimbleston and Willowfield Park and other adjacent residential properties to include:*

- *Detailed elevations and cross sections indicating existing and proposed levels relative to the Goatstown Road and to adjacent residential properties and open spaces within Trimbleston and Willowfield Park.*

2.41 **Response:** Detailed sections are included within the Response Report prepared by Reddy Architecture showing the levels of existing adjoining development, relative to the proposed scheme. The proposed development has been designed to respect the amenity of adjoining development. The scheme has been amended to set back above ground floor along the eastern boundary at Trimbleston.

- *Visual Impact Assessment to include verified photomontages of the development from Goatstown Road (north and south of the site), from within the Trimbleston development and from Willowfield Park. The VIA should include views of the development with both winter and summer vegetation and to include any plant or other structures on the roof of the proposed development, in order to give as accurate a representation as possible.*

2.42 **Response:** A Townscape and Visual Impact Assessment has been prepared by Parkhood Landscape Architects and accompanies the application. Verified Views and photomontages from 14 locations including summer and winter time views have been prepared by 3D Design Bureau and accompany the application (see below). Extracts below show the views from Willowfield Park and Trimbleston respectively as required. The assessment states;

*'Any assessment must be measured against that of the situation that pertains at present and the current site contributes little to the local townscape setting being a commercial site with utilitarian buildings set in a largely functional landscape.'*

Figure 12 - Verified View points (source: 3DDB)



2.43 In relation to the proposed built form, the TVIA states;

*'The architecture and mass is compatible with the adjacent Trimbleston and nearby Grove developments which have both demonstrated that Goatstown Road is broad enough to be able to absorb higher buildings without causing detriment. The architecture and landscape design quality at Trimbleston further demonstrates how the local townscape has been positively changed in line with National Planning Framework objectives while providing built form that breaks up the mass of low-rise and ubiquitous housing types in this area. This proposal correlates and effectively integrates with the scale and context of these developments and will contribute to the legibility, sense of place and urban townscape of this part of Goatstown.'*

*'In isolation, the proposal will result in a distinctive and major new building that will add to this area's sense of place and be a significant addition to the local architecture and townscape. Given the LAP notes the areas ubiquitous character that is dominated by standard detached and semi-detached two-storey dwelling houses, such an introduction would have positive effects to this area in terms of townscape character, definition and variety of built form.'*

*'In summary, the effects, while significant will be a positive statement in terms of the townscape development, legibility and future while tying effectively in with the ambitions and objectives of the Goatstown LAP and the County Development Plan in terms of compact, appropriate and sustainable development.'*

Figure 13 - View of the neighbourhood centre from Willowfield Park showing the scheme in the background

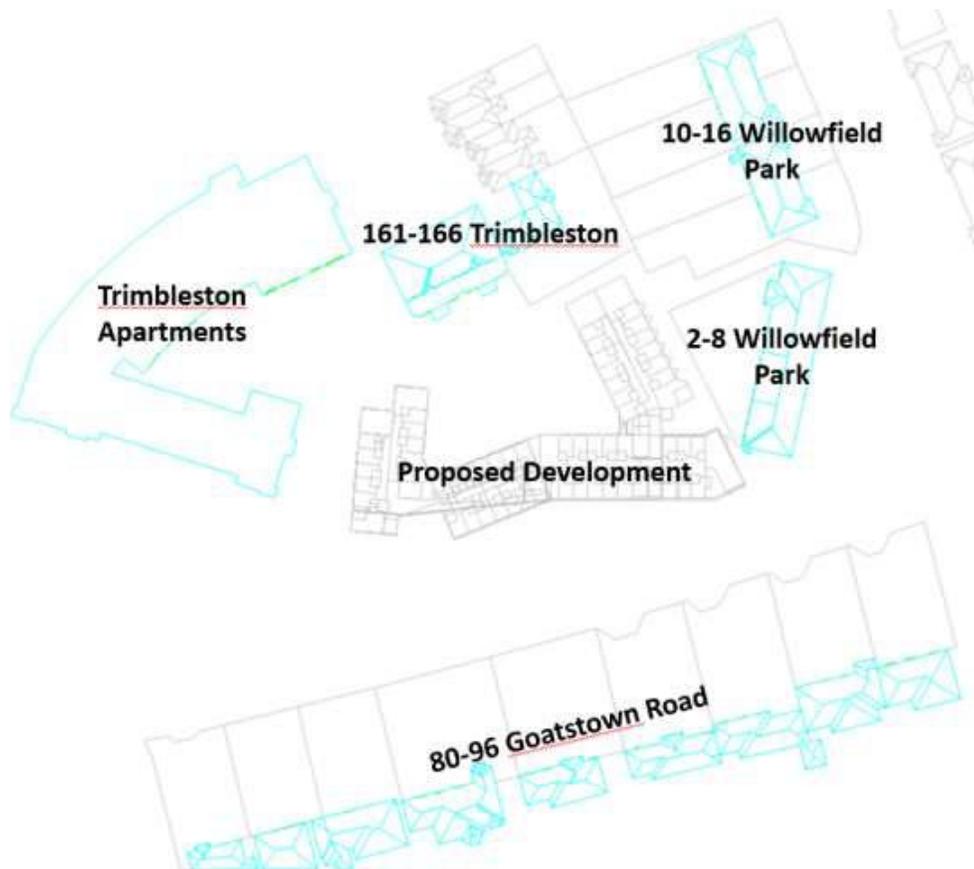


Figure 14 - View from Trimbleston showing the scheme in the background



- *Assessment of overshadowing and impacts on natural daylight in adjacent habitable rooms, communal open spaces and private amenity areas having regard to BRE guidance.*

2.44 **Response:** A Sunlight/Daylight Analysis Report has been prepared by Passive Dynamics and accompanies the application. The below image identifies all residential properties proximate to the site which were subject to VSC testing:

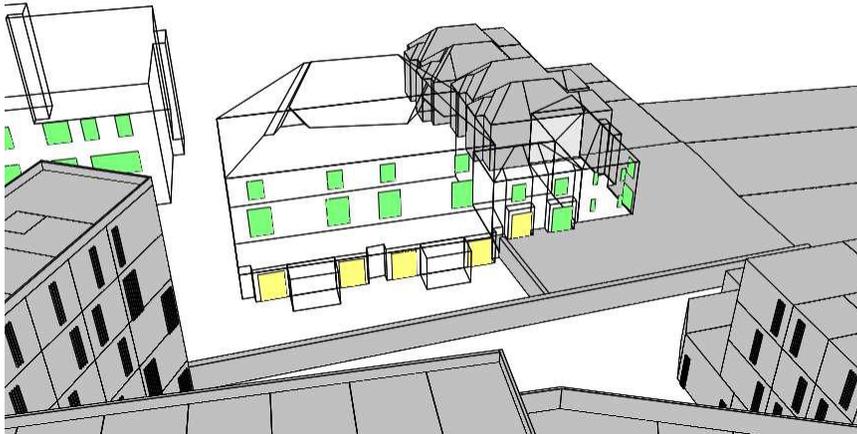


- 2.45 The results of all testing is included in the Passive Dynamics Report with extracts referenced below. In relation to the VSC assessment, the report concludes:

*“the windows of properties surrounding the proposed development will not incur a noticeable loss of skylight in accordance with BRE Guidance (shown in green and yellow).”*

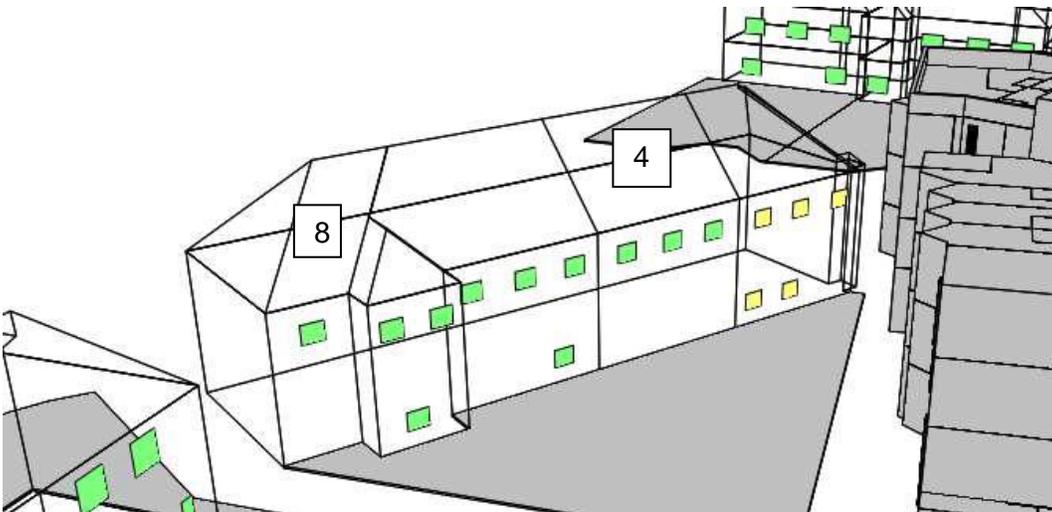
- 2.46 More specifically, in relation to surrounding adjacent duplexes at 161-166 Trimbleston the report found:

*“Windows shown in green have achieved a VSC of  $\geq 27\%$ . If the VSC is greater than 27% then enough skylight should be reaching the window of the existing buildings. The windows in yellow achieve a VSC of less than 27% but the new VSC is greater than or equal to 80% of its initial value pre-development in line with the recommendation of the BRE Guide. As shown, the openings of all properties assessed in 161 to 166 Trimbleston meet BRE recommended VSC targets.”*

**Figure 15 - Nos. 161-166 Trimbleston (Source: Passive Dynamics)**

- 2.47 It is noted that only two residential units adjoin the development at the upper floors (nos. 4 and 8) of the neighbourhood centre. The units are angled away from the site and as demonstrated in the VSC assessment achieve the required VSC of  $\geq 27\%$ . The report prepared by Passive Dynamics found that (see also below diagram):

*“Windows shown in green have achieved a VSC of  $\geq 27\%$ . If the VSC is greater than 27% then enough skylight should be reaching the window of the existing buildings in accordance with the recommendation of the BRE Guide.”*

**Figure 16 - Nos. 2 - 8 Willowfield Park (neighbourhood centre) [Source: Passive Dynamics]**

- *The proposed development is to be designed to avoid direct overlooking of adjacent residential properties.*

- 2.48 **Response:** The below image prepared by Reddy Architects outlines the proposed setbacks to adjacent properties and the design techniques used to minimise direct overlooking of adjoining residential development. It is also noted that windows are angled and offset on the southern boundary of the site. There is no direct overlooking of unit numbers 4 and 8 Willowfield Park. Separation distances and windowless gable walls are



Figure 18 - The subject site in the context of the prevailing building height of 4-5 storeys at Trimbleston



- *Provision of an active frontage to Goatstown Road at ground floor level, to include consideration of the location of the proposed concierge/reception area;*

2.50 **Response:** The concierge building has been positioned to front Goatstown Road. The ground floor of the building fronting Goatstown Road will accommodate the primary internal amenity space for resident use as shown at Figures 12 and 13 below. The spaces include floor to ceiling glazing fronting Goatstown Road. This will allow for direct interaction with the street. Direct sight lines and a physical connection is also provided from the street to the concierge office via pathway.

Figure 19 - Proposed ground floor amenity spaces

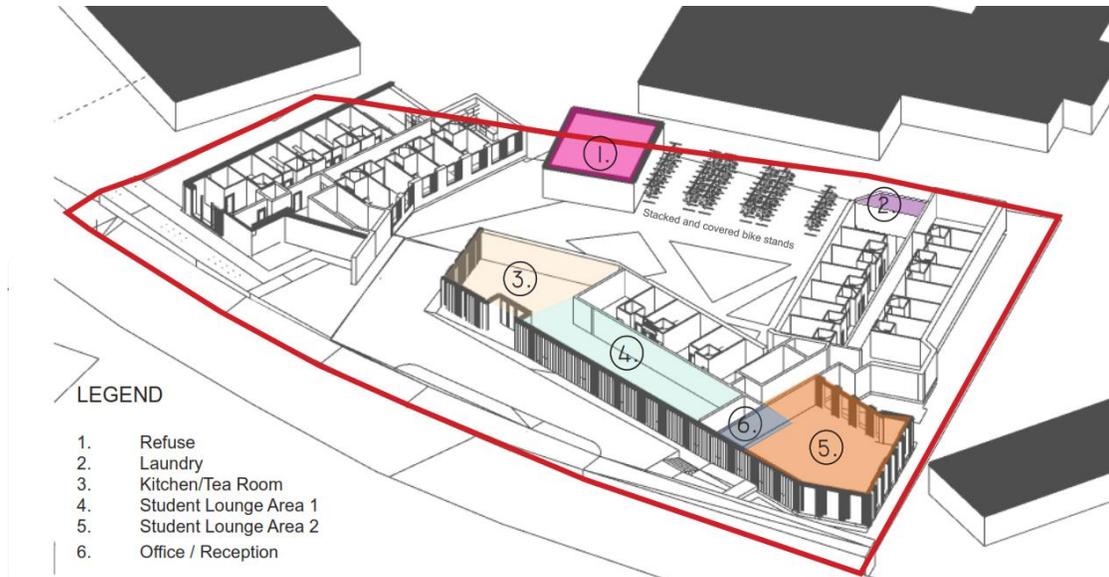


Figure 20 - Concierge office (shown below in yellow) is directly accessible from Goatstown Road



- Provision of safe vehicular, pedestrian and cycle access to the development with regard to DMURS and to the safe provision of accessible car parking and cycle parking, to include consideration of the proposed set down area;

2.51 **Response:** Section 6.4 of the Civil Engineering Infrastructure Report prepared by Barrett Mahony address the DMURS criteria and concludes;

*'The above statement of consistency sets out how the proposed development has been designed to achieve the objectives set out in DMURS (2019). Having regard to the above, we are of the opinion that the proposed development is consistent with the key design principles and requirements as set out in DMURS (2019).'*

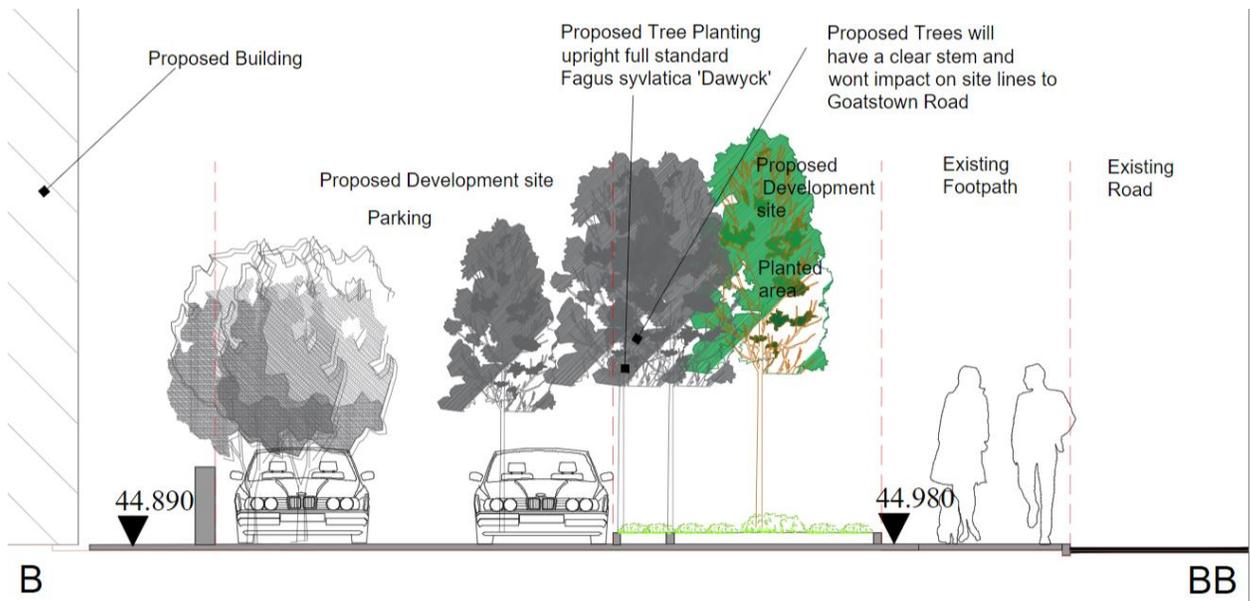
- *Provision of a positive contribution to the public realm at Goatstown Road, to include boundary treatment, pedestrian and cycle facilities and hard and soft landscaping.*

2.52 **Response: Details of the proposed landscape response is included in the Design Rationale** and accompanying plans prepared by Ronan MacDiarmada Landscape Architects. A low wall is proposed (600mm) to match Trimbleston to the north. This will include a railing adjacent to the bike stands to ensure security of the bikes. Access to visit cycle spaces will be via coded gate entry, again to secure the bikes. As the site curves to the south, planting islands are proposed along the frontage as shown at Figure 20, providing pedestrian permeability through the frontage of the site and providing seamless integration with the public domain. Pedestrian permeability is the focus and centrepiece of the landscape proposal at the street interface.

2.53 As noted earlier in this report, there is an existing cycle lane directly outside the site (on Goatstown Road) which connects the site directly to UCD. Detailed civil drawings show the proposed connection points between the site and the cycleway and the road. Low level planting is proposed in addition to upright full standard 'Fagus sylvatica 'Dawyck'', a tree species with a clear stem that will ensure sightlines to the road.

2.54 As part of the subject application, it is proposed to provide planting on the site boundary as it intersects with Goatstown Road (discussed above). The proposed entrance points to the site the proposed landscaping solution is considered appropriate at this interface. Should DLR Council required additional planting on Goatstown Road adjacent to the cycle lane, the applicant would be happy to accept a condition to provide the same to Council requirements.

**Figure 21 - Section showing the site interface with Goatstown Road**



**Figure 22 - Proposed site frontage to Goatstown Road**

### **3.0 STATEMENT OF RESPONSE TO SPECIFIC INFORMATION REQUIRED**

3.1 The following sets out how the applicant has addressed ABP's request for additional specific information in respect of the proposed development.

#### **1. An environmental management plan for demolition and construction.**

3.2 A Construction and Demolition Waste Management Plan and an Operational Waste Management Plan, prepared by AWN Consulting Engineers, are submitted alongside this application.

3.3 The Construction and Demolition Waste Management Plan provides information necessary to ensure that the management of construction and demolition waste at the site is undertaken in accordance with current legal and industry standards including the *Waste Management Acts 1996-2011* and associated Regulations, the *Protection of the Environment Act 2003* as amended, the *Litter Pollution Act 1997* as amended, and the *Eastern-Midlands Region Waste Management Plan 2015-2021*.

3.4 The Plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, where possible. It also seeks to provide guidance on the appropriate collection and transport of waste from the site to prevent issues associated with litter or other environmental pollution. The Plan includes legal and policy framework for construction and demolition waste in Ireland, estimates of types generated and recommends the management of these waste streams.

#### **2. A Housing Quality Assessment, to consider;**

- **Department. of Education and Science Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999,**
- **Policy RES12 and section 8.2.3.4 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and other relevant guidance on student accommodation.**

3.5 A Housing Quality Assessment (HQA) has been prepared by Reddy Architecture and accompanies this application. The HQA includes a detailed numerical compliance assessment of the scheme against the provisions of the Department. of Education and Science Guidelines on Residential Developments for 3<sup>rd</sup> Level Students Section 50 Finance Act 1999. The assessment also includes a compliance review of the scheme against the provisions of Section 16.10.7 of the Dublin City Development Plan 2016-2022

as the most relevant recent policy guidance in relation to the design of student accommodation schemes.

- 3.6 The Statement of Consistency prepared by John Spain Associates provides an assessment of the scheme against the provisions of Policy RES12 and section 8.2.3.4 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and an assessment against PHP28 and with Section 12.3.8.12 of the newly adopted Dun Laoghaire Rathdown County Development Plan 2022-2028. Both reports demonstrate full compliance with the listed policies.

**3. Student Accommodation Management Plan to provide details of the ongoing management of the proposed student accommodation, including any use of the facility as tourist accommodation outside of term times.**

- 3.7 A comprehensive Student Accommodation Management Plan prepared by Fresh Property Group (FPG) accompanies this submission and provides a detailed explanation of how the site will be managed both during and outside of academic term time.
- 3.8 The management plan notes that the accommodation will be offered to students, tourists and visitors during the summer months. It is anticipated that the operation of the summer business will be undertaken by a third-party agency whilst FPG staff will be on hand to advise as needed.
- 3.9 A similar procedure to that of the 'move in' and 'move out' of students will apply to the arrival of guests by private car or taxi, with specific time slots arranged in advance. Entry to the site will continue to be regulated by reception personnel, with pedestrian access gained via security card or fob system.
- 3.10 It is considered that the proposed residential use outside academic term time will be managed appropriately and is compliant with the definition of student accommodation as per section 13 of the Planning & Development (Housing) and Residential Tenancies Act 2016 as it constitutes '*residential accommodation that is used as tourist or visitor accommodation but only if it is so used outside of academic term times*'.

**4. Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within specific habitable rooms within the development, in communal open spaces and in public areas within the development.**

- 3.11 A Daylight and Sunlight Analysis Report prepared by Passive Dynamics is submitted alongside this application. This assesses the quantity and quality of light access as a result of the proposed development from the adjacent residential development to the north, east and south of the proposal at Trimbleston and Willowfield Park, as well as within the development.
- 3.12 A summary of the results is provided below:

*“Calculated ADF results for all rooms eligible for assessment are as follows:*

- 99.53% of Bedrooms achieve the recommended ADF of  $\geq 1.50\%$  (Living room target adopted for student bedrooms as occupants are likely to use this space as a main living space as well as a bedroom)*
- 100% of Bedrooms achieve an ADF of  $\geq 1.00\%$*

- 92.00% of Living/Kitchens and Studio Apartments achieve the BRE recommended ADF of  $\geq 2.00\%$  for kitchens
- 100% of Living/Kitchens and Studio Apartments achieve an ADF of  $\geq 1.50\%$  for living spaces.

97.2% of bedrooms achieve the required annual illuminance according to BS EN 17037 (150 Lux test) • 84.0% of kitchens/living/dining rooms achieve the required annual illuminance according to BS EN 17037 (200 Lux test) • 94.6% of the total number of spaces assessed achieve the annual required illuminance according to BS EN 17037.

The analysis confirms that the vast majority of eligible living space windows of the proposed development achieve the BRE target sunlight hours for annual and winter assessments, meaning these spaces will appear reasonably sunlit in line with BRE guidance.

The vast majority of surrounding building openings assessed achieve the BRE recommended 25% annual probable sunlight hours and 5% winter probable sunlight hours. There are 4 openings assessed that do not achieve this sunlight target. These openings are all shaded to the south by protruding sections of the existing adjacent buildings themselves which causes a reduction in sunlight availability.

The analysis confirms that each of the individual amenity spaces assessed within the proposed development will achieve 2 hours of sunshine on the 21st of March over at least 50% of its area in line with BRE recommendations. The tabulated results for each individual space can be seen in Section 9. This analysis verifies that the proposed development will not have an adverse impact on the sunlight availability in the amenity areas of its neighbouring properties. Each area assessed achieves sufficient sunlight over at least 50% of its area.

#### Overshadowing Analysis

March 21st - Partial overshadowing of the surrounding properties/gardens to the west limited to short time periods during the morning. Minor overshadowing to the open space of the adjacent apartments to the north limited to a short time period in the late afternoon. No other additional overshadowing impact was recorded.

June 21<sup>st</sup> - Partial overshadowing of the adjacent residential blocks to the east limited to short time periods in the evening. No other additional overshadowing impact was recorded. December 21st Partial overshadowing of the adjacent apartments and courtyard to the north during the afternoon. No other additional overshadowing impact was recorded.”

#### **5. A report that specifically addresses the proposed materials and finishes to the scheme including;**

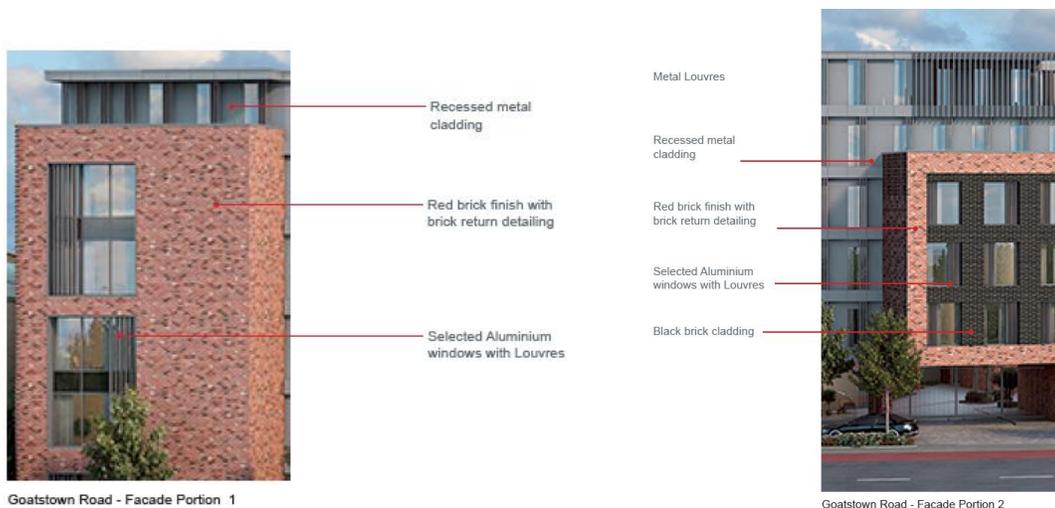
- **specific detailing of finishes,**
- **landscaped areas,**
- **pathways,**
- **entrances and boundary treatment/s.**

**Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for**

**the development. The report should also demonstrate that the development provides the optimal architectural solution and sustainable development of the site and in this regard, the proposed development shall be accompanied by an architectural report and accompanying drawings which outlines the design rationale for the proposed height and design strategy having regard to inter alia, national and local planning policy, the site's context and locational attributes.**

- 3.13 A Landscape Rationale has been prepared by Ronan MacDiarmada and Associates and details the specific finishes and materials to be used throughout the proposed landscape scheme for the site. In addition, detailed sections have also been prepared by the landscape architects and illustrate the proposed boundary interface with the public realm.
- 3.14 In relation to the building itself, detailed finishes and material selections have been included within Section 4 of the accompanying Architectural Response Report prepared by Reddy Architecture. These include;
- Brick finish with brick return detailing
  - Recessed metal cladding / brick / rendered panels
  - Protruding bay windows
  - Glazed Curtain Walling with a selected Aluminum Windows /Doors

**Figure 23 - Proposed finish**



- 3.15 Section 1 of the Architectural Response Report also includes details in illustrating the design rationale for the site in relation to national policy guidance and the specific site context and attributes as required by An Bord Pleanála. Further finish details are also provided within the Urban Design Report prepared by Reddy Architecture.

**6. Details of Comprehensive landscaping proposals to include details of hard and soft landscaping, outdoor exercise equipment (if provided), boundary treatments, delineation of public and communal open space provision, pedestrian and cycle facilities, public lighting, car and cycle parking areas and refuse storage areas.**

- 3.16 Detailed landscape drawings have been prepared by Ronan MacDiarmada and Associates, Landscape Architects and address the above requirements. In addition, a site

wide lighting plan has been prepared by Ronan Meally Consulting Engineers and addresses the need to provide appropriate lighting, sensitive to bat species (as recommended by Malone O'Regan Environmental) throughout the site.

**7. Topographical survey of the site and detailed cross sections to indicate existing and proposed ground levels across the site, proposed FFL's, road levels, open space levels, drainage infrastructure, landscaping, etc. relative to each other and relative to adjacent lands and structures including public roads.**

- 3.17 A detailed survey of the of the site is included within the 'Existing Site Layout Plan' prepared by Reddy Architecture. In addition, sections and elevational drawings are including within the architectural pack and include the existing levels of neighbouring sites, levels on Goatstown Road and existing and proposed levels on the subject site as required. Detailed levels are also provided on the accompanying civil drawings prepared by Barrett Mahony Consulting Engineers.

**8. Statement of Compliance with the Design Manual for Urban Roads and Streets (DMURS).**

- 3.18 A statement of compliance with DMURS is included at Section 6.4 of the accompanying Civil Engineering Report and Flood Risk Assessment for Planning prepared by Barrett Mahony Consulting Engineers. The statement concludes;

*'The above statement of consistency sets out how the proposed development has been designed to achieve the objectives set out in DMURS (2019). Having regard to the above, we are of the opinion that the proposed development is consistent with the key design principles and requirements as set out in DMURS (2019).'*

**9. Road Safety Audit and Quality Audit**

- 3.19 A Road Safety Audit was conducted by Bruton Consulting Engineers and is included at Appendix V of the Civil Engineering Report and Flood Risk Assessment for Planning prepared by Barrett Mahony Consulting Engineers (BMCE). The recommendations and outcomes of the report have been agreed with DLRCCO. It is noted that a new road safety audit was not undertaken in 2022 as the recommendations of the previous assessment have not changed and remain valid, as confirmed by the project engineers, BMCE.

**10. Additional drainage details having regard to the report of DLRCC Drainage Planning Section.**

- 3.20 Appendix VI of the Civil Engineering Report and Flood Risk Assessment for Planning prepared by Barrett Mahony Consulting Engineers includes detailed responses to each of the matters raised in the above report. In addition, a SUDs audit was undertaken by a third-party consultant and the results are included in the Barrett Mahony report. Detailed civil drawings also accompany the application. It is noted that a audit was not undertaken in 2022 as the recommendations of the previous assessment have not changed and remain valid, as confirmed by the project engineers, BMCE.

**11. AA Screening Report**

3.21 An AA Screening Report has been prepared by Malone O'Regan Environmental and accompanies the application.

#### **4.0 CONCLUSION**

4.1 This document summarises how the issues outlined in the pre-application consultation opinion from ABP in relation to the proposed student accommodation development at the former Victor Motors Site, Goatstown Road, Dublin 14 have been fully addressed by the Applicant and design team prior to lodgement of this application. Please refer to the accompanying documentation for further details.

4.2 The document also addresses the specific information requested by ABP and identifies the source or location of the information within the planning application documentation.

4.3 The prescribed authorities identified in the pre-application consultation opinion from ABP have also been notified of the submission of the planning application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

4.4 It should be noted that the proposed development now submitted to An Bord Pleanála comprises a reduction in bedspaces to now accommodate 221 no. residents. This design change has been implemented following the quashing of the previous grant of approval from the Board in respect of the development. The reduction in scale and massing of the building (and resultant reduction of bedspaces) relates specifically to the south-eastern corner of the site. This change increases the setback of building from the rear boundary and maintains existing levels of daylight access to adjoining properties to the east and south of the site. It is considered that the site is capable of accommodating the proposed development at this accessible location, proximate to UCD Belfield campus, a short distance to the east.

4.5 The proposed height and design changes incorporated into the final scheme are considered justified at this location and to result in improvements to the overall proposed development in accordance with current and emerging national policy and guidelines and ensure that a high-quality scheme is presented to An Bord Pleanála for approval.

4.6 It is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines.