



S179a Report

Proposed development of Cromcastle Underpass and associated external works situated at Cromcastle Road, Dublin 5

Pursuant to Section 179A of the Planning and Development Act 2000 (as amended)
and the Planning and Development Regulations 2001 (as amended by the Planning
and Development (Section 179A) Regulations 2023)



Above: Existing site showing Cromcastle Road, Kilmore Road and Oscar Traynor Road.

Housing and Community Services, Housing Development Section, is giving notification of a submission for the proposed housing development at Cromcastle Underpass, Cromcastle Road, Dublin 5, pursuant to Section 179A of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended by the Planning and Development (Section 179A) Regulations 2023). The development is led by the Land Development Agency in partnership with Dublin City Council.

Development Description

The Cromcastle Underpass site is bound by Oscar Traynor Road to the north-east, Kilmore Road to the south-east, Cromcastle Road to the south-west and the grounds of the HSE Primary Care Centre to the north-west in Dublin 5. The site also includes part of Cromcastle Road for road junction and water service connection works. The site has access to amenities, services, and transport in the locality. The proposed housing development will deliver 146 new homes and two new ground floor cultural and community facilities. The proposal is comprised of a shared podium level landscaped courtyard and 3 no. residential blocks, with an internal 'podium' level communal courtyard. The overall height is ranging from 1 no. to 8 no. storeys (including the semi- basement/podium level).

Tenure

The tenure breakdown of the 146 homes is detailed as follows:

- 13 social homes – 9%
- 133 cost rental homes – 91%

Typology Breakdown

The overall development, comprising of three residential blocks, will accommodate the following apartment mix:

- 13 no. studio- 8.9%
- 54 no. 1-bedroom apartments- 37%
- 11 no. 2-bedroom 3 person- 7.5%
- 56 no. 2-bedroom 4 person- 38.4%
- 12 no. 3-bedroom 5 person- 8.2%

The 13 no. social homes will accommodate the following apartment mix:

- 9 no. 1-bedroom 2 person- 70%
- 2 no. 2-bedroom 4 person- 15%
- 2 no. 3-bedroom 5 person- 15%

Cultural Community Spaces

The scheme will provide 2 no. new units dedicated to community, art and cultural use, comprising of 479.3 sq m. (this equates to 5% of the gross internal residential area as required under CUO22 of the Dublin City Development Plan). These units will be located in the northern and north-eastern portion of the subject site, with principal frontages along Oscar Traynor Road and a new public plaza.

Public Open Space

Public open space is proposed as 2 no. areas in the northern and southern parts of the site, with 706 sq. m provided in the southern corner of the subject site, beside the junction of Cromcastle Road and Kilmore Road and 441sqm provided as a public plaza in the northern corner of the subject site, fronting Oscar Traynor Road.

Transport and Mobility

An under-croft space below the podium level communal courtyard will provide parking, plant and ancillary accommodation. Surface level parking will also be provided. Below is a summary of the parking provision within the development:

- 103 no. car-parking spaces
- 319 no. cycle
- 5 no. motorcycle parking spaces

Vehicular access is provided from the south-western part of the site from Cromcastle Road, with a separate emergency access provided to the north-eastern part of the site from Oscar Traynor Road.

All of the homes will meet current Department of Housing, Local Government and Heritage's specifications and Dublin City Council's housing standards as expressed through the Dublin City Council Development Plan. The new buildings will be energy efficient and meet current NZEB requirements. The proposed development will bring a vacant site into positive, active use and will contribute to the area's stock of housing, addressing the supply shortage affecting the city. Beneficially, it will contribute to making a sustainable community through making available a mixture of tenures in the locality, with social and cost rental homes provided. The proposal for 2 no. dedicated community, art and culture units, in addition to high quality public open space, will be a positive contribution to the community.

Public Consultation

Public consultation on the proposed Housing Development has been ongoing since Q1 2023. The following consultation events took place:

- 2nd February 2023- Consultation at the Kilmore Centre with Local Elected members
- 15th February 2023- Consultation at the Kilmore Community Forum, Kilmore Centre
- 26th May 2023- Consultation with the Local Elected members at the Civic Offices
- 2nd September 2023- Public Information morning for members of the public at the Kilmore Centre
- 18th September 2023- North Central Area Committee Meeting. Notice was given of the intention to bring the development before the November Council meeting.

Following a public consultation in February 2023, feedback was taken into account and the scheme went under a process of redesign. On the 26th May, there was a public consultation event held with Local Councillors to present the revised scheme. On the 2nd September a public information morning took place in the Kilmore Recreation Centre. Representatives were present from DCC Housing Department, Local Area office and the LDA who were available to answer queries in relation to the proposed development. The event was attended by the local residents and the wider community.

Conclusion

The proposed Housing Development will develop a vacant site at Cromcastle Underpass and will provide 146 modern apartments across 3 no. blocks ranging in height up to 8 storeys. The blocks will be arranged around a podium level communal courtyard and will provide 2 no. new cultural and community spaces at ground floor. The proposed residential mix and dwelling typology is likely to provide a balance of homes across the subject site and create an integrated, mixed income and sustainable new community and overall would be consistent with the proper planning and sustainable development of the area.

The proposed Housing Development complies with the statutory definition of a "Housing Development" provided for by s.179A(5) of the 2000 Act.

In addition, the Housing Development, for reasons set out previously herein, complies with the provisions and criterion provided for by s.179A(1) of the 2000 Act. In this regard, by way of summary overview, compliance in this regard includes:

| Criteria | Compliance Summary |
|---|---------------------------|
| The proposed Housing Development is carried out by, on behalf of, or jointly or in partnership with, a local authority pursuant | Confirmed |

| | |
|--|--|
| to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity (s.179A(1)(a)). | |
| The proposed Housing Development does not materially contravene the development plan or local area plan for the area (s.179A(1)(b)). | Confirmed |
| The proposed Housing Development s in accordance with the strategy included in the development plan for the area in accordance with section 94(1) (s.179A(1)(c)). | Confirmed |
| The proposed Housing Development is not subject to a requirement, in accordance with the Environmental Impact Assessment Directive, for an assessment with regard to its effects on the environment (s.179A(1)(d)). | Confirmed |
| The proposed Housing Development is not subject to a requirement, in accordance with the Habitats Directive, for an appropriate assessment (s.179A(1)(e)). | Confirmed |
| The proposed Housing Development is on land: (i) that is owned by a local authority or a State Authority, (ii) that is zoned for residential use, and (iii) that has access, or can be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development(s.179A(1)(f)). | Confirmed |
| The proposed Housing Development is commenced before 31 December 2024 (s.179A(1)(g)). | Proposed commencement in December 2024 |

The proposed development is considered acceptable and the s.179a Part 8 Planning Report concludes with the following:

The proposed development: does not materially contravene the Dublin City Development Plan 2022-2028; is in accordance with development plan strategy and the Housing Strategy; is not subject to a requirement for an Appropriate Assessment or an Environmental Impact

Assessment; and is located on lands that are zoned Z4 – Key Urban Village and Urban Village and is a designated KUV – within which residential as well as community/cultural uses are permissible uses.

It is considered that the proposed development is consistent with the relevant requirements of S.179A of the Planning and Development Act 2000 (as amended). The proposed development shall comply with outstanding requirements of S.179A including the need to inform elected members etc.

Consultation with elected members and the local residents has been carried out throughout, led by the Local Area Office. Project updates were given at the North Central Area Committee at its meeting on the 18th September 2023. Internal DCC Departments made no objections to the proposed development. DCC Planning have recommended conditions. The Local Authority has concluded following a screening that there is no real likelihood of the proposed development having significant effects on the environment and therefore an EIA is not required.

The project is being funded by the Department of Housing, Local Government and Heritage and the Land Development Agency. The DHLGH have committed funding the 13 no. social homes. The Land Development is funding the 133 no. cost rental homes.

It is envisaged that construction on site will begin in December 2024, with full project completion and delivery of 146 new homes completed by the end of Q2 2027. The 13 no. social homes will be handed back to Dublin City Council on completion and the LDA will have ownership of the 133 no. cost rental homes.

In accordance with s.179A(5) of the 2000 Act, notification of the submission to the Elected Members of the Council is required prior to issuing a site notice and a newspaper notice, it is our intention to bring the proposal to the November Council Meeting for formal notification. This report is submitted to the City Council pursuant to s.179A of the 2000 Act and the 2001 Regulations and is to be read in conjunction with the appended s.179A- Part 8 Planning Report.

Frank d’Arcy
A/Assistant Chief Executive
25th October 2023



Proposed new Cromcastle Underpass development aerial view



Proposed new Cromcastle Underpass development view of social homes from Cromcastle Road

S.179A – Part 8 Planning Report

Proposing Department: Housing Department

Location/Site Description

The subject site, which has a total area of c.0.7574 Ha is bound to the north east by Oscar Traynor Road, Kilmore Road to the south-east, Cromcastle Road to the south-west and the grounds of the 2-3 storey stand-alone HSE Primary Care Centre to the north-west in Dublin 5 (The site also includes part of Cromcastle Road for road junction and water service connection work

The Northside shopping centre is located directly across the road to the north side of Oscar Traynor Road

The site was has been used as open space/pedestrian route way and previously also provided the southern entrance to a since filled-in pedestrian subway under the Oscar Traynor Road linking the residential areas south of the road to the shopping centre.

The submission notes that a sub-surface gas pipe runs within the site along the north-western and south-western edges/boundaries and as such a 7m wayleave or offset is to be provided on either side so as so protect this infrastructure.

Zoning

The site is located within an area governed by the land-use zoning objective 'Z4 – Key Urban Village and Urban Village (KUV) under the 2022-2028 Dublin City Development Plan (CDP) with the objective *To provide for and improve mixed-services facilities.*

It is also noted that the site in this instance is also designated a Key Urban Village on Map K of the CDP - *KUV 2 - Northside Shopping Centre'*

Flood zone

The site is located within flood zone C

Proposal

The development (15,280.5 sq m gfa) will be contained in 3 No. blocks,

- Block A: 6-storeys (c.20.5m) (inc. semi-basement/podium level),
- Block B: 1 to 8-storeys(c.27m) (inc. semi-basement/podium level) &
- Block C: 3-storeys (12.6m)

These will accommodate:

- 146 No. apartment units:
 - 13 x studios,
 - 54 x 1-bed
 - 67 x 2-bed
 - 12 x 3-bed
- 2 No. community/culture units (totalling 479.3sq m).

The development also proposes the following:

- 103 No. car parking spaces;
- 5 No. motorcycle parking spaces;
- 319 cycle parking;
- hard and soft landscaping including public open space, communal amenity space and private amenity spaces (as balconies and terraces facing all directions); boundary treatments;
- plant and communications rooms;
- double sub-station;
- bin store; lighting; blue-green roofs; rooftop PV arrays; lift overruns;
- 6 No. microwave dishes attached to 3 No. support poles affixed to the lift overrun of Block B;
- a new multi-modal entrance/exit at Cromcastle Road;
- all associated works above and below ground

Development Statistics Summary

| | |
|---|---|
| Total Gross Site Area | 0.7574 Ha |
| Main 'Development Area' (i.e. the main site area, excluding water service connections and junction/road works) | 0.7348 Ha |
| Overall Total Floor Area | 15,280.5 sq m |
| Net Residential Floor Area | 9,537.0 sq m |
| Net Community/Culture Floor Area | 479.3 sq m |
| Community/Culture as a Percentage of Residential | 5% |
| Plot Ratio | 1.7 |
| Site Coverage | 54% |
| Height | 1 No. to 8 No. storeys, inc semi-basement level |
| Public Open Space | 1,148 sq m (735 sqm required) |
| Communal Amenity Space | 1,188 sq m (888sqm required) |
| No. of Car Parking Spaces | 103 No. spaces: • 100 No. for residential use • 3 No. for community/culture use |
| No. of Cycle Parking Spaces | 319 No. spaces: • 237 No. for residents • 74 No. for residential visitor • 8 No. community/culture use |
| Residential Density – Units per Hectare | 198.7 uph |
| Proposed % of Dual/Triple Aspect Units | 57.5% (84 No. units) |

Planning History

| Reg Ref | Decision/Description |
|---------|---|
| 5950/07 | PP GRANTED for unimplemented masterplan redevelopment of Northside area (|
| 3548/13 | PP GRANTED for 2-3 storey Primary Care Centre |

Technical issues

Pre-planning comments from the Parks Division, Environment and Transportation Planning Division, Drainage, Parks Division, and EHO were received by the proposing department. The reports are attached. It is advised that recommendations/clarifications sought are considered by the proposing department prior to commencement of development on site

Relevant Plan Sections include the following:

Chapter 1: Strategic Context for the City Development Plan 2022-2028

Chapter 2: Core Strategy:

Section 4.5.3 'Urban Density', Section 4.5.5 'Urban Design and Architecture', Section 5.5.2 'Regeneration, Compact Growth and Densification', Section 5.5.5 'Housing for All', 14.7.4 Key Urban Villages and Urban Villages – Zone Z4 15.4 'Key Design Principles', Appendix 3 Density 'Height' 'Plot Ratio' and 'Site Coverage', 15.8 'Residential Development', Standard 15.13.1.4 and Appendix 5 'Car Parking/Bicycle Parking.

Relevant Ministerial Guidelines and Frameworks

The National Development Plan, Project Ireland 2040 including the National Planning Framework 2040 (NPF), and also the Regional Spatial and Economic Strategy 2019 -2031.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023).

Planning Assessment

'Residential' and *'cultural/recreational building and uses'* are permissible uses on Z4 zoned sites. The proposal is acceptable in principle subject to an assessment against relevant Development Plan criteria.

The Development Plan notes that Key Urban Villages form the top tier of centre outside the city centre and notes that these centres have, or will in the future have, the capacity to deliver on a comprehensive range of integrated services along with residential development. It is noted that the KUV area has been reduced in extent compared to the previous Key Development Centre (KDC) a similar designation under the 2016-2022 CDP (also zoned Z4 **District Centres**). The Northside Shopping Centre area had been designated a Level 3 centre under former Retail Strategies for the GDA. It is also noted that the Northside area under the 2005-2011 CDP was previously designated a Prime Urban Centre (PUC) which as had been previously noted -underpinned the previous Northside Framework Plan for the area as well as the masterplan planning application proposal made under the unimplemented and now expired Reg. Ref. 5950/07. This mixed use application was designed to fulfil the objectives for the PUC in its entirety and covered an area of over 30Ha (which included the subject site and the site of the Primary Care Centre adjacent- which is now zoned Z15.) This application originally proposed the following volume of works:

Phase 1

| | |
|---------------------------------|-------------|
| New retail centre | 45,000 sq.m |
| Medical Centre | 5,000 sq.m |
| Pool and leisure/fitness centre | 2,553 sq.m |

| | |
|--|------------|
| Energy centre | 1,100 sq.m |
| Phase 1 of Northside Town Centre Plaza | |
| Community Centre/Library | 4,170 sq.m |
| Residential Units | 940no. |
| Sports changing facilities | 200 sq.m |
| Pigeon Club | 150 sq.m |
| 1 no two storey creche | 850 sq.m |
| 1 no community building | 400 sq.m |
| 1 no retail unit | 167 sq.m |
| Management and security offices | 66 sq.m |
| Basement car parking spaces | 2,340 |
| Surface car parking spaces | 155 |
| Temporary accommodation for: | |
| Boxing club | 350 sq.m |
| Community Centre | 880 sq.m |
| Youth Club | 150 sq.m |

Phase 2

| | |
|--|-------------|
| New Northside high street retail space | 11,924 sq.m |
| Cinemas & family entertainment centre | 6,200 sq.m |
| Sports bar/restaurant | 1,000 sq.m |
| Offices | 7,990 sq.m |
| Tea rooms/restaurants | 828 sq.m |
| Residential units | 400 |
| 1 no creche | 600 sq.m |
| Basement car parking spaces | 954. |

There were a number of amendments to the application made by An Bord Pleanála (ABP) but was granted substantially as proposed- with notably the 16-storey landmark building to be omitted but with a requirement to a follow-up revised landmark building, and the cinema building to be given over to an alternative use.

As noted the masterplan redevelopment permission for Northside was not implemented with only piecemeal proposals coming in sporadically over the years since. These among other things included the previously long term derelict Atlantic Homecare site on Clonsaugh Road to the north western corner of the current KUV area being taken over extended and updated with The Range store, whilst next door to the latter a newly built Lidl store has recently been

opened. Adjacent west of the subject site a 2-3 storey primary health care centre has been operational for the last few years. While the Northside shopping centre has not seen any major expansion its elevations and presentation has been modernised and tidied up.

It is considered that the proposed residential element of the proposal will complement the mix of uses intended for the KUV and will help add to the vitality and viability of the area particularly the Northside Shopping Centre which anchors the KUV. The cultural/community element will also provide a relatively central local facility within the KUV area which will complement and synergise with the function of the shopping centre opposite.

Density

The development will have a proposed density of 198.7units per hectare (uph). While it is noted that as per Table 1 of Appendix 3 of the CDP suggests a density band ranging from 60-150uph for KUV, it is considered that the unit density reflects the restricted nature of the site –and the subscribes to the national objective in achieving the efficient use of scarce zoned and serviced lands in the interests of urban consolidation, as well as providing much needed homes, while adding both to the tenure and unit mix and profile of the local area. One should also reflect that the scheme even in conjunction with future proposals for DCC’s Cromcastle lands to the south only represents a much reduced proportion of the intended level of residential development originally proposed under the previous masterplan application

In comparison it is noted that recent SHD permissions in the area have seen the following permitted densities: 265 uph for Site 2, Mayne River Avenue, Northern Cross(ABP-307887-20); 347 uph. 332 uph at Clarehall (ABP-304196-19); 314 uph at Newtown, Malahide Road (ABP-305943-19; and c.200uph (if excluding it’s on site Z9 lands) at the Chivers site (ABP 304346-19 – as amended).

Site Coverage and Plot Ratio

The submission notes that site coverages and plot ratios set by the Development Plan are “*indicative*”, indicating flexibility with respect to their applicability. The submission in relation to site coverage and plot ratio considers that the site falls into both “*Regeneration Areas*” and “*Outer Employment and Residential Areas*” – with the scheme falling within both ranges

| Parameter | Site Coverage | Plot Ratio |
|-------------------------------------|---------------|------------|
| Proposed Development | 54% | 1.7 |
| Regeneration Area | 50–60% | 1.5–3.0 |
| Outer Employment & Residential Area | 45–60% | 1.0–2.5 |

Design & Integration

It is noted that the local built area is fairly low rise and somewhat low key– typical of the city’s more recent outer suburbs – with also no notable structures of any particular architectural merit or any built heritage bar Woodville House off Kilmore Road (RPS Ref. 4259) which is in a somewhat stranded setting and not readily visible from the public realm or the subject site – even though located close by. The area around northside hosts has expansive areas of open green space – but likewise seems underwhelming. The submitted photomontages and Landscape & Visual Impact Assessment (LVIA) etc illustrate the above.

The subject site is positioned on a key corner location and has the potential to become a local landmark and a nodal point to help navigate the area– and being the first major residential development in the KUV can set the tone for further high quality urban redevelopment within the area. As noted already there were ambitious redevelopment plans for the Northside area with 7-storey apartment blocks to line the south side of Oscar Traynor Road which would have

provided a firm urban edge and a contained streetscape – with residential developments projecting south wards into DCC’s Cromcastle landholding along both sides of the Kilmore Road. As demonstrated in the submitted photomontages and the LVIA, the subject scheme will partially replicate this vision, – though there will be longer terms ‘gaps’ in the streetscape to the west in the form of the low-rise 2-3 storey Primary Care Centre, its eastern side surface car park –with also no apparent redevelopment plans for KUV lands further to west. The submission however does note and factors in the redevelopment intentions for DCC lands south of Cromcastle Road along both sides of Kilmore Road to accommodate further residential development. It is noted that Block B will sit in tighter to the junction corner coming forward of the building line of Block A and the primary care centre onto Oscar Traynor Road. This is considered acceptable in urban design terms as it reinforces the primacy of the locally key junction site – with perhaps the envisaged streetscape of the 2007 being overly linear. It would be recommended however that any development to the west of the primary care centre is mainly aligned with the latter’s front building line onto Oscar Traynor Road. All in all the development will provide an up to date modern and robust presentation to the public realm at this junction site.

The submission describes the blocks as follows:

Block A is 6 No. storeys including the podium/semi-basement level, extending along the northwestern site boundary. By comparison with Block B, it is set back from Oscar Traynor Road, delivering the open area for the plaza public open space. Its materiality is principally comprised of buff, dark grey and white brick on public facing façades. The darker brick is used to ‘bookend’ the block, as shown in Figure 4.1. Render is proposed for the internal elevations, which will brighten the communal amenity space.

Block B is 1 No. to 8 No. storeys (including the podium/semi-basement level) with frontage along Oscar Traynor Road and Kilmore Road. It presents closely to the former, defining a new built edge to the public realm. Its materiality is principally comprised of buff, dark grey and white brick on public facing façades, with a vertical emphasis. However, a horizontal use of white brick along the ground floor level provides a contrast to the verticality otherwise sought. It also defines the different community/culture use thereat. Render is introduced to the internal elevations.

Block C contrasts with Block A and B in that it is entirely 3 No. storeys, with a jagged, pitched roof profile, which is a unique and intriguing design approach. Its use of dark grey brick on public-facing elevations will give it a distinctive appearance, with white render proposed for the internal elevation, within the courtyard

The submission notes:

..., careful modulation of the built-form and appropriate separation distances ensure that these heights are respectfully and sympathetically achieved, cognisant of the prevailing pattern of 2–4 No. storeys. However, the variation on the heights is such that the 8 No. storey portion is only an element of the overall development. Block A will be 6 No. storeys (including semi-basement/podium level), Block B will be 1 No. to 8 No. storeys (including semi-basement/podium level) and Block C will be 3 No. storey.

The varying height in the blocks and their arrangement and the fact that the main elevations are fairly well-articulated (without being over fussy) helps negate any concerns over the scheme massing, bulk and scale. While the lower 3-storey Block C has a ‘serrated’ roof arrangement it is not considered to be overly fussy and does provides a contrast to the taller

flat roofed blocks. Overall the scheme presents high quality elevations from all approaches to the site.

While there are no ground floor active spaces on the eastern side of Block B facing onto Kilmore Road, which 'fronts' the below-podium level car parking area, cycle parking and service rooms, the proposed use of perforated brick detailing will lighten the solidity of the ground floor elevation. Enhanced planting should also be used to relieve views of the ground floor elevation - but at the same time there is a need to avoid unsupervised areas and blind spots. The northern ground floor presentation with the glazed community frontages onto Oscar Traynor Road will be much more enlivened and will add to the vitality of the area.

The primary brick treatment across the scheme is welcome and considered to be a more robust finish with several tones being used – which adds further variety. It is recommended that any render treatments are kept to a minimum – especially where they can be seen from the surrounding public realm. Such treatments are also potentially more prone to being despoiled where subject to persistent overshadowing and reduced access to sunlight. It is not fully clear how the projecting balcony bases will be finished – although the detailing suggests brick. A rendered or untreated cement finish may overly contrast with the higher quality of the primary brick finish to the main elevations, and may again be more prone to despoiling – due to run off. Detailing should be carefully considered for example in relation to the treatment and colouring of rainwater goods, wall vents, service doors etc.

In terms of main entrances to the blocks the submission notes that Blocks A and B have large doors, lighting, facade detail and canopy (in case of block A) to signify entrance, while in Block C it is proposed to enlarge the door, provide a canopy and additional lighting to highlight this entrance.

The applicant's boundary strategy is noted.

Height strategy

At the national and regional strategic levels – the NPF's NPO6, NPO13 and NPO35 and the RSES's RPO4.3 and RPO5.4 specifically encourage the rejuvenation of urban areas reutilising existing buildings and brownfield sites for increased heights and densities subject to compliance with a series of qualitative assessments. This site while currently grassed open space was intended for redevelopment so the above objectives would apply in this instance.

The Development Plan's Height Strategy states that the main determining factor in considering appropriate heights is the need to create exemplar urban development with attractive streets, spaces and public areas that integrate successfully with the surrounding area. The key factors that will determine height will be the impact on adjacent residential amenities, the proportions of the building in relation to the street, the creation of appropriate enclosure and surveillance, the provision of active ground floor uses and a legible, permeable and sustainable layout.

The Building Height Guidelines note that general building heights of at least three to four storeys, coupled with appropriate density in locations outside what is defined as city centre, and which would include suburban areas, must be supported in principle at development plan level

The general principle is to support increased height and higher density schemes in the city centre, Strategic Development Regeneration Areas, key urban villages (KUVs), areas close to high frequency public transport and some other areas (as identified) considered as suitable for increased intensity of development. Appendix 3 of the CDP recognises the role of increased height and density in KUV, and it is recognised in the CDP that many of the city's urban villages are underdeveloped and have scope for greater intensification and

consolidation – which has been the intention of several developments for the northside area. It is noted that as a general rule, the development of innovative, mixed use development that includes buildings of between 5 and 8 storeys, including family apartments and duplexes is promoted in the key areas – such as KUVs – with the subject scheme having a maximum height of 8-storeys.

Noting the positioning of the site on the Oscar Traynor Road-Kilmore Road junction, the wide street-cross sections, the set back from the low-rise shopping centre, the site’s distance from existing residences and potential redevelopment areas, it is considered, in line with the Development Plan’s height strategy that the corner site can adequately accommodate the scheme’s proposed 8-storey maximum height.

As a comparison it is noted that nearby recent SHD permissions have seen heights of: 7-9 storeys over GF/Upper Basement/28m-31m for Site 2, Mayne River Avenue, Northern Cross (ABP-307887-20); 9- storeys/29.8m at Clarehall (ABP-304196-19); 10-storeys/33m at Newtown, Malahide Road (ABP-305943-19); and up to 10-storeys/31m at the Chivers site (ABP 304346-19 – as amended).

The submission noting local the prevailing height is generally of 2–4 No. storeys in its immediate

environ has tested the proposal against the performance based criteria set out in the national guidelines. The applicant’s daylight/sunlight study notes there will be minimal impact on existing access to daylight or sunlight to nearest existing residences nor will it be overbearing to them. The submitted micro-climate study notes no significant negative impacts, while it is stated that appropriate mitigation has been proposed noting the development’s proximity to existing telecommunications infrastructure to the north on the shopping centre. As noted there are no protected buildings adjacent to or in view of the site, as well as no recorded monuments.

A draft management plan and building life cycle report are submitted the proposal. The proposer has submitted a taken-in-charge plan which it has been noted includes all publicly accessible areas, and incorporates some areas already in the Council's charge.

Apartment standards

Unit Mix

The apartment mix and ratios therein are in compliance with SPPR1 of the DHLGH’s 2023 *Design Standards for New Apartments* (2023 DSfNA)

| Unit Type | No. Units | Percentage Mix |
|------------------|------------------|-----------------------|
| Studio | 13 | 9% |
| 1-bed | 54 | 37% |
| 2-bed (3-person) | 11 | 8% |
| 2-bed (4-person) | 56 | 38% |
| 3-bed | 12 | 8% |
| Total | 146 | 100% |

While the scheme proposes 11no. 2Bed/3P units they only make up 8% of all units which is below the 10% maximum recommended in 3.6 of the 2023 DSfNA. All these units exceed minimum required unit floor area of 63sqm by over 10%, with 10no of them being designed to ‘Universal Design’ standard.

Unit Size/Accommodation standards

The unit sizes comply with SPPR 2, as well as the accommodation standards set out in Appendix 1 of the 2023 DSfNA. With regard to Safeguarding Higher Standard it is noted that 78 no. (53.4%) exceed the minimum floor area by at least 10% - with also studio units being discounted from this tally – in line with requirements.

Universal Access

As required by the Development Plan (QHSN011QHSN16) the scheme will provide 39 No. units designed to 'Universal Design' standards - which constitutes 50% of the units in this scheme that exceed the minimum by at least 10% floor area, - constituting 27% of all of the proposed 146 No. units.

Private Open Space

The submitted Housing Quality Assessment (HQA) notes that each unit is provided with adequate area of open space and it is confirmed that all balconies meet or exceed the minimum 1.5m depth.

The submission also notes that where there may be a perceived risk of overlooking or where opposing separation distances between windows/balconies and other balconies are narrow, screens are proposed to protect privacy and residential amenity.

It is noted that ground floor level and first floor level terraces interfacing with the public realm and communal amenity space areas respectively have been screened by a 'buffer strip' of planting and hard features to define the extent of the private areas and to provide additional privacy and screening for resident.

It is however recommended that balconies consist of opaque glazing rather than railings – as these tend to be subject to personalised privacy treatments especially for projecting balconies at lower levels. There would be a concern at the level of privacy of such treatments for 1st floor level units sitting over public footpaths. It would be preferred at such interfaces balconies are recessed or part recessed – as required by Variation 21 of the 2005-2011 CDP. It is acknowledged that such treatments may lead to reduced access to daylight to apartments within.

Dual Aspect

It is noted that 84 No. units, equating to 57.5% of units, have been designed as dual aspect; thereby, improving their daylight/sunlight ingress and residential quality, and exceeding the minimum standard. All 12 No. of the 3-bed units are dual aspect. The above would be in line with SPPR 4 of the 2023 DSfNA.

It is however noted that there are 6 no. predominantly north-facing single aspect units – all 1-beds in Block B. It would be preferable that these units were split and amalgamated with the adjoining units to each side.

Ceilings

In line with SPPR 5 of the 2023 DSfNA it is noted that 2.7m floor-to-ceiling heights are proposed for the ground floor level apartments units with a height of 2.5m proposed at upper level floors

Lifts/core Access

In line with SPPR 6 of the 2023 DSfNA it is noted that no block has been designed with more than 12 units per floor per core

No. apartments per single core per floor.

| Block | Max No. |
|--------------|----------------|
| Block A | 12no. |
| Block B | 12no. |
| Block c | 3no. |

Refuse/Bins

An Operational Waste Management Plan has been submitted with the submission. It is noted that a total of 4no. bin stores are proposed at the ground floor / semi-basement level of the development; 1 No. will serve each of the residential blocks and 1 No. will serve the community/culture units. It is stated that the bin store areas have been designed to a size to accommodate the expected waste produced by the future occupants.

Socia/community Audit

A *Community and Social Audit* has been prepared which notes that the Kilmore and Coolock area within which the subject site is located, has a large range of open space and recreational facilities, education facilities including a third level university, and a good provision of community and local retail facilities located throughout the area. Beaumont Hospital provides a significant range of healthcare needs serving a much wider area. The site is also located immediately adjacent to a shopping centre and primary care centre. However the Cultural Infrastructure (Impact) Assessment (CiiA) submitted with the proposal notes that there is a paucity of cultural facilities

Community/Culture Units

Under CUO25 of the Development Plan there must be a provision of 5% Cultural Space for schemes over 10,000sqm. In this instance 2 No. community/culture units are proposed, totalling 479.3 sq m. which equates to 5% of the proposed net residential floor space. The submitted CiiA states that they are sufficient in scale to host multiple cultural (artist workspace, performance, rehearsal, maker or multipurpose space) and community typologies, as well as to accommodate a wide range of art forms and community use. Notwithstanding the above, it would be desirable to provide for additional cultural and community space.

Both double height spaces are located in the northern / north-eastern portion of the subject site, facing onto frontages along Oscar Traynor Road opposite the shopping centre.

Space No. 01 has an area of 320.83 sq m at ground floor level of Block B and opens onto (1) the public open space plaza in the northern corner and adjacent to the junction of Oscar Traynor Road and (2) Kilmore Road. It is a direct presence along Oscar Traynor Road with large sections of glazing, allowing for ingress of natural light and egress of activity generated within the space. A floor-to-ceiling height of 5.85 m is proposed.

Space No. 02 has an area of 158.44 sq m at ground floor / semi-basement level of Block A. It faces onto the public open space plaza, although is slightly setback from Oscar Traynor Road than Block B due to the footprint of the Block A. It is at a lower level than the street, but is accessible via an internal stair and external ramp. A floor-to-ceiling height of 3.825 m is proposed.

Cycle parking of 8 No. spaces is proposed for these units in the public open space plaza, which is noted will benefit from passive surveillance as well as allowing for quick and easy arrivals and departures.

A bin store of 19.8 sq m is proposed in Block B to cater for the needs of the 2 no. units.

Childcare/School spaces

The Childcare *Provision Report* submitted with the proposal concludes that although only 18–21no. childcare places could be generated by the proposed development based on the unit mix, but that demand may only be for some 5 No. places (informed by the CSO’s Quarterly National Household Survey). Based on existing and forthcoming childcare provision, it is anticipated that this demand can be accommodated in the local area.

The submitted *Schools Provision Report*, which acknowledges there are no new schools in the pipeline for the area, considers that proposed scheme has the potential to generate potential demand for 81 no. school place for children between 5-18 age group once the development is fully occupied and established (though noting that not all school children will enter the local schools at the same time and demand would likely be spread over a number of years).

Play space

Children’s play areas are to be included as part of the communal amenity space atop the podium. As noted below the podium courtyard area will be subject to all-round passive surveillance.

Communal Open Space

It is noted that 888sqm of communal open space is required based on the proposed unit mix, but that 1,188sqm will actually be provided -which is 300 sqm or 33.8% in excess of the minimum requirement

| Unit Type | Communal Amenity Space Standard | No. Units | Total Requirement |
|------------------|--|------------------|--------------------------|
| Studio | 4 sq m | 13 | 52 sq m |
| 1-bed | 5 sq m | 54 | 270 sq m |
| 2-bed/3P | 6 sq m | 11 | 66 sq m |
| 2-bed/4P | 7 sq m | 56 | 392 sq m |
| 3-bed | 9 sq m | 12 | 108 sq m |
| Total | | 146 | 888sqm |

The communal amenity space is proposed atop of the podium level which will form a courtyard space centrally located between and well supervised by Blocks A, B and C. The submission notes that it will be accessible to all future residents as a semi-private area that incorporates children’s play features, seating, lawned area and specimen tree planting to give it character and a distinct context. The submitted daylight/sunlight study notes that 87.02% of this open space receives at least 2 hours of direct sunlight on March 21 – which exceeds the recommendations set out for same in 3.3.17 of BRE 209(3rd edition).

Parks have commented on the landscape treatment of the communal open space noting that it seems to be of a very high quality not normally attributable to a social housing complex.

Public Open

It is noted that the 10% public open space requirement (735 sqm) has been exceeded in this instance, with approximately 0.1148 Ha or 1,148 sqm proposed; equivalent to 15.6% of the 0.7348 Ha Development Area.

Public open space is proposed at two locations:

- 706 sq m - In the southern corner of the subject site, beside the junction of Cromcastle Road and Kilmore Road, adjacent to Blocks B and C. It has been noted that 98.07% of this open space receives at least 2 hours of direct sunlight on March 21 which exceeds the recommendations set out for same in 3.3.17 of BRE 209(3rd edition).
- 441 sq m - In the northern corner of the subject site, fronting Oscar Traynor Road, adjacent to Blocks A and B. The submitted daylight/sunlight study notes 58.59% of this open space receives at least 2 hours of direct sunlight on March 21.

While Parks don't appear to regard these open spaces as public open space these plaza areas will provide for outside landscape areas.

It is noted that although the site currently is largely public open space, is zoned Z14 with redevelopment of this site being a long term objective as part of wider area proposals.

Security

A Community Safety Strategy has been provided as required under QHSNO15 of the Development plan is required for schemes over 100 units.

As is noted the communal open space and play areas therein will be subject to passive surveillance from surrounding apartments of all three blocks. There are no ground floor apartments that will interact with the public realm to the north and east of the scheme along the primary public realm and streetscape. The upper units and lower level balconies will also provide passive surveillance of the adjoining public realm. The scheme will be adequately lit and will avoid secluded areas. Robust materials will be used particularly at ground level with an aim to discourage any types of vandalism.

Daylight/Sunlight

The submitted daylight/sunlight assessment has used the Building Research Establishment's (BRE) *Site Layout Planning for Daylight and Sunlight: A guide to good practice* (BRE 209 – 3rd edition / 2022 edition) for its assessments and analyses. In this instance BRE 209 (3rd edition / 2022 edition) is to be used with BS EN 17037 and its UK National Annex[C1].

The findings have been summarised as follows:

Daylight for proposed units

The proposed apartment units perform very well in terms of Spatial Daylight Autonomy (SDA); 96% of rooms (357 No. of 370 No.) are compliant in a 'summer state' and 97% of rooms (359 No.

of 370 No.) are compliant in a 'winter state' with the targets of >50% of kitchens achieving at least

200 lux, >50% of living rooms achieving at least 150 lux and >50% of bedroom areas achieving at

least 100 lux over at least half of the daylight hours.

.Where rooms in units have not met the target values, a series of compensatory measures have been detailed – these include:

Compensatory design measures for rooms that are not compliance in terms of Spatial Daylight Autonomy include the fact that some units will:

- Benefit from dual aspect design;
- Have an orientation towards amenity space;
- Have greater residential amenity (i.e. floor area in excess of the minimum);
- Enjoying larger external private residential amenity; and
- With all units having floor-to-ceiling heights in excess of the 2.4 m minimum

Sunlight Access

The assessment of the proposed units' 'Sunlight Exposure' (SE) was undertaken and revealed that in scenarios with *"trees as opaque objects"* and *"without deciduous trees"*, compliance rates

were 71% (104 No. of 146 No. units) and 72% (105 No. of 146 No. units) respectively. Although a small proportion of rooms/units do not meet the SDA and SE targets, this is considered to be acceptable given the location of the site within an established area and in a KUV, the constraints of the site, the positive development potential and the overall quality of the proposed development.

The submission notes that there is not an expectation that all assessments must result in 100% compliance with caveats set out in the BRE 209, the 2023 Apartment Guideline and the Development Plan.

Amenity space

As noted above - the assessment notes that all the public open and communal amenity spaces exceed the recommended target of 50% of the space achieving 2 hours of direct sunlight on March 21st:

- Public Open Space (South Park) – 98.07%
- Public Open Space (Plaza) – 58.59%
- Communal Amenity Space – 87.02%

Overlooking/Privacy

It is noted that no existing residential areas adjacent will be overlooked – with the submission noting that there are 'ample' separation distances (36 metres from Block C and 37.7 metres from Block A) have been proposed along Cromcastle Road, thereby ensuring that the existing residences to the south are not overlooked or overborne. It is also noted that the development will sufficiently set back from the proposed DCC residential redevelopment scheme south of Cromcastle Road.

The submission noted the following in relation to potential concerns of overlooking within the scheme:

With respect to separation distances, the Development Plan states that *"traditionally a minimum distance of 22m is required between opposing first windows."* However, it also remarks that greater separation distance may be required in some instances, yet the Plan does indicate that: ***"In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. Separation distances between buildings will be assessed on a case by case basis."***

In all instances where the minimum separation distances are not met, each

*development will be assessed on a case by case basis having **regard to the specific site constraints and the ability to comply with other standards set out within this chapter in terms of residential quality and amenity.***

Therefore, the Development Plan provides flexibility in terms of the application of the 22m standard, which is ultimately supported by the Apartment Design Guidelines: *“In particular, **general blanket restrictions on building height or building separation distance that may be specified in development plans, should be replaced by performance criteria, appropriate to location.***

*While it would not be appropriate for these Guidelines to indicate performance criteria for building height or building separation distance relative to location, **it is recognised that there is a need for greater flexibility in order to achieve significantly increased apartment development in Ireland’s cities.***

In addition, we are cognisant of the forthcoming *Sustainable and Compact Settlements Guidelines for Planning Authorities*, with the Consultation Paper (published March 2023) indicating a relaxation of the typical minimum separation distance between opposing upper storey habitable rooms to 16 m.

There are several instances of opposing upper level windows between the proposed development’s blocks. These have been extracted in a series of diagrams in the Architectural Design Statement, and demonstrate the efforts made to ensure that opposing windows and balconies do not result in negative outcomes for residential amenity. Opposing windows have been given adequate distances or are of secondary aspects.

Furthermore, some balcony partitions (e.g. frosted glazed screen) have been added to provide additional screening.

*Ultimately, a **pragmatic position** with respect to the applicable of the above standard is appropriate, recognising:*

- *The constrained nature of the subject site and the potential to support and sustain the*
- *Northside Shopping Centre Key Urban Village;*
- *National, regional and local level planning and development policy’s emphases on improving land-use efficiencies and development densities; and*
- *The overall quality of the proposed development, which justifies a reduction in separation distances.*

Notwithstanding the above it is recommended that secondary windows identified in the Architectural Design Statement are fitted with opaque glazing to at least 1.8m above FFL.

It is recommended that all landing lights above ground floor level are fitted with opaque glazing.

It is recommended that 1.8m high screens are applied to the sides of projecting balconies that are in close proximity to each other

As suggested above it is recommended that all balconies be fitted instead with opaque glazing or at least opaque glazing to the back of metal railings.

Apartment –living.

It is preferred that household activity of apartments is maximised as much as possible. It is noted that many of the apartments' entrance halls are arranged so as to privatise the internal areas of the apartments for e example '1 Bed B', '1 Bed D', '2 Bed E' and '3 Bed B'.

There may be opportunities to move bedroom doors directly opposite the external doorways as with types '1 Bed E', '1 Bed F', '2 Bed F', and '3 Bed A.' Apartment entry to types '3 Bed C UD' and '3 BED C UD' open opposite bathroom doors – but there is much less potential through-traffic in Block C.

The apartments doorways to either side of the corridor in Block A are staggered i.e. they will not open directly across from each other.

Light Pollution

A *Site Lighting report* has been submitted with the proposal. It has been noted that the proposed lighting design has been prepared to light public areas, whilst seeking to avoid conflicts with sensitive species and trees, and that conflict and light spill that might disturb residents has also been considered during the design process.

Noise/Disturbance

The site is not located near any Noise Sensitive Development. It has been noted that the proposed residential and community/culture units are unlikely to generate significantly disruptive levels of noise given the nature of their use, occupation and operation, and noting the ambient noise setting of the development in relation to the Oscar Traynor Road, Kilmore Road and the adjacent Northside Shopping Centre.

The applicant notes that positioning of the community/culture units at ground floor level at Oscar Traynor Road is intentional in order to activate this side of the development, but also to avoid conflict between residential uses and greater levels of vehicular movement along this carriageway.

It is stated that quality and choice of the design and materials is such that they will reasonably protect residential amenity from external noise disturbances.

There will inevitably be some short term noise and disturbance from construction activity, but these will be subject to standard works practices. An Outline Construction Environmental Management Plan (CEMP) is submitted with the proposal to mitigate against such impacts.

Tenure Mix/Social Housing

The submission notes that it is anticipated that the tenure of the proposed units will be social and cost rental which will broaden the range of tenures within the locality and by extension, and will also widen and diversify the socio-economic and demographic profile of the community. In this instance 13no units or 8.9% of all units will be social homes – which will be all located in Block C.

Social Unit mix In Block C

| Type | No. | % |
|--------------|-----|-----|
| 1-Bed/2P | 9 | 70% |
| 2-Bed/4P | 2 | 15% |
| 3-Bed/5P | 2 | 15% |
| <i>total</i> | 13 | |

Traffic/Access/parking

A Traffic & Transport Assessment Report has been submitted with the proposal. It is stated that the vehicular access arrangement is by way of a simple priority junction from the Cromcastle Road to the south west corner of the site. While the development will not be gated and there is permeability throughout the site access to the communal space will be controlled.

Car Parking

The development includes a total of 103 No. car parking spaces, 100 No. spaces of which are intended for the 146 No. residential dwellings equating to a car parking ratio of 0.7 No. spaces per unit. It is noted that of the 100 No. residential spaces, 6 No. are dedicated for persons with mobility impairments (6%) and 3 No. are intended as car share spaces. It is stated that these car share spaces are recognised as representing the equivalent of multiple privately owned vehicles; thus the 'effective' car parking ratio is significantly greater than the above referenced 0.7

These spaces are located as follows:

- 64 No. in the semi-basement/under-podium car park;
- 25 No. along the north-western site boundary (3 No. of which are dedicated to the community/culture units); and
- 14 No. along the south-western site boundary (i.e. parallel to Cromcastle Road).

The submission also notes that for the community/culture units, 3 No. spaces are proposed, 1 No. of which is for mobility impaired persons. It is expected due to the localised nature of these uses that most users/attendees will use active and public modes of transport to reach them; therefore, matching the maximum provision is not deemed to be necessary or appropriate.

The 3 No. community/culture spaces are proposed in the northern corner of the site, accessed by the same vehicular entrance as the residential spaces at Cromcastle Road. These space are to be adjacent to the plaza and the community/culture units in Blocks A and B, which it is noted makes them easily accessed and benefitting from passive surveillance.

It is noted that EV charging is proposed for 52 No. of the spaces (50.5%), and ducting/conduits will be provided for the balance of the spaces to allow for easy retrofitting/upgrade

Motorcycle Parking

The motorcycle parking standard is set by the Development Plan as 5% of the provided car parking rate and therefore 5 No. motorcycle parking spaces are proposed. 3 No. are located internally within the podium/undercroft car parking area and 2 No. are located along the north-western site boundary, beside Block A

Cycle Parking

237no. residential cycle space are required and are to be provided, as well as 74no visitor space provided (73no. required) along with a provision of 8no cycle spaces for the cultural/community units.

It is noted that the 237 No. residential cycle space are primarily proposed in 3 internal stores:

- 91 No. spaces (inc. 1 No. cargo-bike space) proposed in the store beneath Block B, accessed by the semi-basement car park;

- 86 No. are proposed in a store between Block B and C, accessed via Kilmore Road; and
- 4 No. are in a store at the entrance to Block C.
- 24 No. spaces are dispersed throughout the semi-basement car parking area. It is stated that these bike stores are all safe and secure, and will require key/fob/code access
- 22 No. resident cycle parking spaces are proposed in the plaza area between Blocks A and B. It is noted that these spaces will benefit from passive surveillance from the 2 No. community/culture units, the residential dwellings at upper levels and from passers-by using Oscar Traynor Road.

Outside of formal, enclosed cycle store areas so as facilitate ease of arrival and departure for residents who may be returning home for only a short-period of time the following are also provided:

- 4 No. spaces are proposed beside the entrance to the car park and
- 6 No. spaces are proposed in the eastern corner at the entrance to Block B, beside the community/culture unit.

The 74 no visitor cycle spaces are dispersed across the site area

The 8 No. spaces associated with the community/culture units are all located in the plaza, immediately adjacent to the entrances to the 2 No. community/culture units at Blocks A and B

Biodiversity

An Ecological Impact Assessment (EclA) and an AA Screening Report have been submitted with the proposal (which have both informed in the EIAR screening report). The subject site would be described as being mainly maintained amenity grass land, which is traversed with tarmac paths – but with some re colonisation of hardstanding due to the closure of the pedestrian underpass and reduced permeability/movement through the site. The area is illuminated at night with lamp standards. In terms of linkages and pathways to European sites and pNHA's it is noted that the Santry River is located 200m north of the site – and local surface water may drain to this point. It is however noted Hydrobrakes and petrol interceptors are to be included as part of this proposed drainage network. It is also proposed to include extensive green and blue roof coverage, which will allow for the infiltration and attenuation of rain water. It has also been noted that the hydrological pathway to downstream protected sites is 5km downstream along the Santry River, over which any potential pollutants that may enter the transitional waterbody at North Bull Island via drainage from the site would become diluted to indiscernible levels. The AA Screening Report considers that therefore, this hydrological pathway to these downstream European sites is considered insignificant

No noted habitats or species were found in relation to the site - with also no bat species recorded within a surveyed 2km grid square associated with the site. The AA Screening report noted that the site does not offer suitable *ex-situ* feeding/roosting/staging habitat for any SCI species of birds listed for the relevant European sites due to the small size of the site and relatively high levels of human activity on and around the Site. It has been considered that proposal offers little risk in terms of bird flight paths. No bodies of water were recorded on site. No records for the presence of rare or protected flora were found. In relation to Invasive Species it is stated that no species listed on the Third Schedule of the European Communities

(Birds and Natural Habitats) Regulations (S.I. 477 of 2011) including Japanese knotweed (*Reynoutria japonica*) were recorded at the site. It was noted that the one recorded 'Medium Impact' invasive plant species *Buddleia* (*Buddleja davidii*), also known as butterfly bush, which was observed as a small stand along the east boundary of the site, within the amenity grassland onsite but is to be removed in accordance with the mitigation measures set out in the EclA.

The submission notes that the proposed development will support Biodiversity by augmenting the species and habitats present at the subject site, which is currently of limited ecological value – with new tree, hedge and under storey planting resulting in an improvement on the current arrangement. Whilst 3 No. poor quality trees in the southern corner of the site will be removed due to the proposed development it is noted that native, pollinator friendly and fruiting species have been proposed, which then are to be distributed across the public open spaces, the communal amenity space and the other supplementary landscaped areas.

Requirement for Appropriate Assessment

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI NO.94/1997 "European Communities (Natural Habitats) Regulations (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Act 2000 (as amended).

An Appropriate Assessment screening was carried out. Following screening of the proposed apartment scheme having regard to Articles 6(3) and 6(4) of the Habitats Directive, it has been determined that is not necessary for the conservation management of any European Site and is not likely to have a significant effect, individually or in combination with other plans or projects on the Special Conservation Interests / Qualifying Interests and their respective Conservation Objectives of any Natura 2000 site. The Planning Authority therefore considers that no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site. In conclusion, the Planning Authority considers no impacts are likely as a result of the proposed development on the conservation objectives or overall integrity of any Natura 2000 Site. Therefore, a Stage 2 Appropriate Assessment is not required.

This determination has been made following consideration of the information contained in the submitted AA Screening Report (to which this determination is attached) including consideration of the potential to damage, disturb or result in the loss of qualifying habitat or qualifying species / special conservation interests of European Sites and undermine the conservation objectives of the European Sites.

Environmental Impact Assessment

The proposed development which involves the development of less than 500 dwelling units on serviced urban lands underwent an EIA Screening Exercise. It is considered that the Screening Report has been carried out giving full consideration to the EIA Directive which set out requirements for mandatory and sub-threshold EIA. As the proposed scheme is sub-threshold as per Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), it has therefore, been assessed on a case-by-case basis in accordance with the criteria set out in Schedule 7A of the Planning and Development Regulations 2001 (as amended) for determining whether or not a development would or would not be likely to have significant effects on the environment.

The Planning Department concludes that due to the nature, scale and location of the proposed development there is no real likelihood of significant effects arising as a result of the proposed development and therefore that environmental impact assessment and the preparation of an environmental impact assessment report is not required.

Conclusion

The proposed development will provide much needed residential accommodation and broaden the range of tenures within the locality and by extension, will widen and diversify the socio-economic and demographic profile of the community and overall would be consistent with the proper planning and sustainable development of the area.

The following amendments should be considered:

- It is noted that there are 6 no. predominantly north-facing single aspect units – all 1-beds in Block B. It would be preferable that these units were split and amalgamated with the adjoining units on each side to provide larger dual aspect units or alternatively that the door serving the recessed balconies for these units be provided with a high degree of glazing in order to optimise the potential daylight / sunlight from the secondary aspect.
- The submitted information indicates that the proposed cultural and community floor space equates to 5% of the proposed net residential floor area. It would be desirable to provide for additional cultural and community space.
- It would be desirable for balconies to consist of opaque glazing rather than railings – as these tend to be subject to personalised privacy treatments especially for projecting balconies at lower levels. There would be a concern at the level of privacy of such treatments for 1st floor level units sitting over public footpaths. It would be preferred at such interfaces balconies are recessed or part recessed. It is acknowledged that such treatments may lead to reduced access to daylight to apartments within
- Any render treatments to be kept to a minimum – especially where they can be seen from the surrounding public realm and detailing should be carefully considered for example in relation to the treatment and colouring of rainwater goods, wall vents, service doors etc.
- Secondary windows identified in the Architectural Design Statement are fitted with opaque glazing to be provided to at least 1.8m above FFL.
- All landing lights above ground floor level to be fitted with opaque glazing.
- 1.8m high screens to be applied to the sides of projecting balconies that are in close proximity to each other

The proposed development: does not materially contravene the Dublin City Development Plan 2022-2028; is in accordance with development plan strategy and the Housing Strategy; is not subject to a requirement for an Appropriate Assessment or an Environmental Impact Assessment; and is located on lands that are zoned Z4 – *Key Urban Village and Urban Village* and is a designated KUV – within which residential as well as community/cultural uses are permissible uses.

It is considered that the proposed development is consistent with the relevant requirements of S.179A of the Planning and Development Act 2000 (as amended).

The proposed development shall comply with outstanding requirements of S.179A including the need to inform elected members etc.

Siobhán O'Connor
A/Senior Planner
16.10.2023