



In compliance with the provisions of Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) and in compliance with the provisions of the Local Government Act 2001 and pursuant to the requirements of the above, notice is hereby given of Dublin City Council's intention to carry out the following works:

Application No: 3511/22

Proposal: LAW: Planning and Development Act 2000 (as amended) Planning and Development Regulations 2001 (as amended) - Part VIII

Applicant: Dublin City Council Housing and Community Services

Location: Site of c.0.55ha at East Wall Road, Dublin 3

Proposal: Demolition of existing industrial-type structures (c. 382m²) and construction of 60 apartments and 8 duplex units in two blocks as follows: One block ranging from three to six storeys in height and fronting East Wall Road, including 60 units (13 x one-bedroomed, 28 x two-bedroomed and 19 x three-bedroomed); one duplex terrace block, three storeys high and located to the west of the site, including eight duplex units (four x one-bedroomed and four x three-bedroomed).

Development also includes surface car parking (34 spaces), communal open space, boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB substation, bin and bicycle storage, landscaping, play area, all ancillary site services and development works above and below ground.

The Local Authority has concluded following a preliminary examination that there is no real likelihood of the proposed development having significant effects on the environment and therefore an EIA is not required.

Date of Site Inspection: 15/04/2022

Site Notice: in order 15/04/2022

Zoning

- The site has zoning objective Z4 – 'to provide for and improve mixed services facilities'.
- The site is within SDRA6 (Docklands)

Site Description

The site is an existing brownfield site situated on the south side of East Wall Road facing the river Tolka, c.40m west of the junction with North Strand Road/Poplar Row, part of a Z4-zoned area which includes both sides of North Strand Road. The site is a former concrete batching plant which is currently vacant. The site is bounded to the west by North Strand fire station, the site of which extends to the corner of North Strand Road at the junction with Poplar Row. The site is bounded to the east by the rear gardens of existing two-storey terraced houses on Hope Avenue and the side garden of an existing two-storey house at No. 24 East Wall Road, of similar age and design to the Hope Avenue houses which appear to be early twentieth century in origin. To the south the site is bounded by the rear gardens of existing houses on Leinster Avenue which are single storey to the front and two-storey to the rear. The site has its main frontage and access at East Wall Road. The site boundary at East Wall Road consists of a poor quality concrete wall with a railing in front of this and a row of trees behind.

The site has a stated area of 0.55ha (5,500m²). It is stated that the site has been vacant since 2006. There is an existing two-storey flat roofed brick building to the front of the site, with a floor area of 297m² and with an 85m² return, in addition to an ESB substation, an oil tank and remnants of other buildings. The site currently has a variety of surfaces including concrete ground slabs, ramps and plinths.

Proposed Development

The proposal is for demolition of the existing industrial-type structures on the site (c. 382m² in area) and construction of a residential development comprising 60 apartments and eight duplex. The proposed development is laid out in two blocks, one ranging from three to six storeys in height and fronting East Wall Road, which includes 60 units (13 x one-bedroomed, 28 x two-bedroomed and 19 x three-bedroomed) and one duplex terrace block which is three-storey and is situated to the west of the site, including eight duplex units (four x one-bedroomed and four x three-bedroomed).

The proposal also includes surface car parking (34 spaces), communal open space, boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB substation, bin and bicycle storage, landscaping, play area, all ancillary site services and development works above and below ground.

Planning History

The site has the following planning history:

- 4426/05: Permission refused for demolition of a concrete batching plant and two office blocks totalling c.600m² and construction of 130 apartment units, made up of 11 x one-bedroomed units, 89 x two-bedroomed units and 30 x three-bedroomed units, in an arrangement of six and twelve-storey blocks; balconies to be provided on all floors above ground level to front and rear; development includes 214 underground car parking spaces and revised vehicular entrance off East Wall Road at 5-23 East Wall Road (Readymix site).

The reasons for refusal were as follows:

1. *The proposed development consists of blocks of 6 and 12 storeys in height of very poor quality, monolithic and horizontal design, with no relationship to East Wall Road, which are of an overbearing and visually obtrusive scale that would be contrary to Section 15.1.0 of the Dublin City Development Plan 2005-11, and which would seriously injure the streetscape at this location, seriously injure the amenities of dwellings in the vicinity and seriously injure the amenities of the area. Therefore,*

the proposed development would be contrary to the proper planning and sustainable development of the area.

2. *The proposed development, including the 12 storey element, is of very poor design quality, does not relate to the street, does not fit-in with existing or evolving streetscape in this area and is completely flawed in urban design terms. The proposal completely fails to meet any of the criteria provided Section 15.6.0 "Special Standards applying to medium and high rise buildings" of the Dublin City Development Plan 2005-11 and would seriously injure the amenities of the area. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.*
3. *The proposed development provides a high proportion of single aspect apartments which would be contrary to Section 15.9.4 Layout of Apartment Developments (Daylight and Sunlight) of the Dublin City Development Plan 2005-11 and, therefore, contrary to the proper planning and sustainable development of the area.*

Observations

A large number of third party observations have been received from local residents, residents' groups and elected representatives. The issues raised can be summarised under the following broad headings (with some overlap between headings):

Principle of Development/Zoning

- Proposal is contrary to Z4 zoning which requires mixed use - no commercial or community uses are proposed;
- Proposal relies on interdependence with the adjoining fire station site which is not part of this site;
- Mixed use development should be considered on this site;
- Proposal is illegal project splitting as it relies on potential future development of the fire station site to provide a use mix in accordance with the zoning, with communal open space for the fire station site being provided on this site;
- No transparency in relation to future plans for the fire station site;
- Cumulative impact of development combined with plans for the fire station needs to be assessed – this could require an EIAR;
- Commercial and community uses must be provided on this site;
- Proposal should include community facilities as a stand-alone development, independent of any future application for development on the adjoining site;
- Proposal does not provide for a village hub in accordance with the Z4 zoning;
- Proposal should provide commercial/community facilities in accordance with the Z4 zoning.

Scale/Design/Interface with East Wall Road

- This application should be refused and the proposed development redesigned;
- The development is at the heart of a village community and needs to be of a better quality and more ambitious design;
- Proposed development appears basic and low cost;
- Unclear whether the trees shown on the drawings will be part of the proposed development;
- Mature full foliage evergreen trees should be planted at the site boundaries to provide privacy and act as a sound barrier;
- Anti-social activity should be designed out of the proposed development;

- Interface with East Wall Road is unclear but proposed 2.1m high flood wall shown on sections is unacceptable and will result in anti-social activity – the flood barrier should be absorbed into the building;
- Public realm area to front should be at the same level as East Wall Road;
- Design is poor quality and dated on this prominent site - a more contemporary approach would be required;
- Proposal does not represent progressive urban regeneration;
- Design needs to deter anti-social activity – columns and railings should not be used;
- Opportunity for architectural innovation on prominent site beside the river Tolka and Fairview Park;
- Proposed development is too high and dense for the area;
- Development needs to be reduced in scale;
- Need to retain original boundary wall;
- Note development under construction at 87 North Strand Road which includes commercial use at street level – proposal should mirror this;
- Example of Summerhill where the failure to provide non-residential uses at street level has resulted in security issues due to lack of activity, and to faster deterioration of the buildings.

Impact on Adjoining Conservation Area

- Intrusive scale of proposed development adjacent to a Z2-zoned residential conservation area;
- Proximity to residential conservation area is contrary to urban development and green belt recommendations;
- Inadequate stepping down of height in vicinity of Z2 area- a maximum height of three storeys should be provided at this location;;
- Scale of proposed development is incongruous in the context of the adjoining Z2 area – development should step down to three storeys;
- Size and scale of proposed development adjoining a Z2-zoned area – proposal would be disproportionately intrusive and result in ghettoisation and anti-social activity;
- A reduction in scale should be considered to reduce the impact on the adjoining residential conservation area.

Impact on Adjoining Residents

- Adjoining single storey Z2-zoned houses have a further level below street level, which increases the impact of the proposed development - height should step down to three storeys;
- Impact on daylight to houses – 2018 standard should be used;
- If 2018 standards were to be used the houses on Hope Avenue might be above the baseline threshold for daylight;
- Balconies are all to the rear and will overlook houses backing on to the site – they should be to the front and overlook Fairview Park;
- Concerns in relation to security of existing rear gardens backing onto proposed development – this could be improved by planting of mature trees.

Housing Mix/Tenure

- Impact on the local community of overconcentration of social housing on a site that should accommodate mixed use development;
- The development should provide a tenure mix including affordable housing for local people who do not qualify for social housing, and senior citizen housing;
- Lack of regard for recommendation by area committee that development on the site should have a majority of one-bedroomed units for single people, including senior citizens downsizing from larger units;

- Note under-occupation of existing two, three and four-bedroomed units in the area;
- Proposal needs to have regard for other developments planned in the vicinity to ensure an appropriate tenure mix and density – including AIB site (17 BTR units), 3 Poplar Row (39 social housing units), 14A Poplar Row (16 long term rental apartments), 14D Poplar Row (eight one-bedroomed apartments), SHD for Docklands Innovation Park (336 apartments), former Canavan Motors site (hotel, offices and 116 BTR apartments), Leech Papers (33 apartments) and potential development on the fire station site;
- Overconcentration of social housing will have adverse impacts on the neighbourhood – mixed tenure is needed including affordable housing and senior citizen housing;
- Proposal would exacerbate issues of social and economic deprivation in the area;
- Development should be age friendly and managed by Dublin City Council or an approved housing body;
- Development should be managed by a housing agency such as Cluid;
- Proposed overconcentration of social housing is contrary to best practice in urban development – a mix of social, affordable and private housing would be required to promote healthy communities;
- A mix of housing tenures and typologies should be provided on this site;
- Mixed tenure is needed to combat socio-spatial segregation in accordance with the Housing Agency report;
- There should be mixed housing on the site as many young people from the area will never qualify for social housing.
- Social housing on its own will result in ghettoisation and fragmentation of communities;
- The area has enough social housing with resulting social problems;

Community Facilities

- Lack of community facilities as part of proposed development;
- Development should incorporate community facilities;
- The development should include amenities such as shops and artists' studios;
- Need for local amenities should be viewed in conjunction with all other developments which are planned or under construction in the vicinity;
- This is already a high density and economically deprived area;
- Local amenities such as a community centre, local shop or bakery could be provided on the site;
- Impact on community infrastructure needs to be considered in conjunction with other developments which are approved or in the planning process;
- Developments under construction in the area include 625 studios, 1,200 one-bed, 1,000 two-bed, 110 three-bed, four four-bed apartments and five five-bed houses, accommodating up to 5,000 people within 1.5km of the site (not including Docklands) – impact of this on community facilities and social infrastructure;
- Errors and oversights in the social infrastructure report, in particular relating to education and childcare, with cumulative impact of developments in the area not being considered;
- Cumulative impact of piecemeal developments in the area is adding to the shortage of childcare facilities which is identified in the community audit report;
- In reality there are only 29 primary school places available in the area;
- All schools in the area showing increased capacity are DEIS schools;
- No evidence that childcare capacity will increase over time or that there is excess capacity in other parts of the city;
- Community audit identifies a shortage of childcare places in the wider area but then states that the proposed development does not require a childcare facility as there are only 68 units;
- Current lack of amenities such as childcare and a community centre in the North Strand where basic public realm infrastructure has not been upgraded for decades;

- Over-reliance on community facilities in Ballybough and East Wall for North Strand, which is a distinct neighbourhood and suffers from significant anti-social activity and a lack of community facilities;
- Community facilities must be provided on fire station site in consultation with local residents.

Traffic/Parking

- Lack of car parking and need for traffic management;
- Car parking should be reduced due to proximity to the city centre;
- Excessive car parking provision in this area which is well serviced by public transport - this is contrary to Objective 13 of Project Ireland 2040;
- Area is not well served by public transport as all buses passing through during morning rush hour are full.

Construction Impacts

- Welcome development of this long derelict site, but query what guarantees are available in relation to timely development of fire station site and provision of mixed service facilities in accordance with the zoning, and request safeguards in relation to minimisation of disruption and damage during construction, surveying of nearby buildings before and after construction, careful removal of contaminants including asbestos and provision of a construction management plan to minimise disruption to residents, tree planting needs to be reviewed to ensure sufficient privacy and sound protection; the development should be mixed tenure and include age friendly housing in addition to standard social housing;
- Support development of social housing on the site but commitments given to local residents need to be addressed, including allocation of units by local area office, provision of replacement trees, construction site access to be from East Wall Road, residents to be advised of disruption to utilities, contract to be finalised, community forums to take place, emergency contact numbers to be distributed;
- Proposed visual condition survey of surrounding streets and buildings does not go far enough - adjoining houses need to be surveyed before, during and after construction and a compensation/remediation scheme put in place;
- Need to maintain existing boundary wall and assess it before, during and after the construction works;
- Potential damage to foundations and boundary wall with No. 30 Leinster Avenue which has floating foundations - house should be surveyed prior to any works being carried out on the site and any damage rectified in full;
- Damage to health of existing residents including elderly residents as a result of the decontamination process;
- Impact on residents of removal of asbestos from site;
- Contamination on site could be detrimental to the health of local elderly population;
- Residents need to be able to liaise with site management in relation to any concerns;
- Ongoing assessment of noise is needed during construction;
- Need for consultation with residents in relation to construction process and access – regular updates need to be provided;
- Hours of work – start time on Saturdays should be 9.30 or 10am;
- Need for safe identification and removal of contaminated substances;
- Working hours need to be adhered to;
- Ongoing monitoring of noise would be required;
- Contractors on site should not park in the local area and access to homes needs to be maintained.

Drainage/Infrastructure

- Concern in relation to flooding - flood risk assessment does not address the impact of increased flood risk to the surrounding area as a result of the proposed development, as has happened as a result of water runoff from other new developments in the area;
- Impact on drainage and water supply.

Consultation

- Inadequate consultation with local residents and limited timeframe for observations
- Lack of consultation with residents and elected representatives;
- Lack of engagement with residents in the design process;
- No consultation with residents throughout the design process and the numerous technical documents attached are confusing
- Impossible for local residents to understand the 58 technical documents attached to the application, including screening for EIAR;
- Need for consultation re. public realm, tree planting and naming of proposed development.

Environmental Screening

- EIAR not deemed necessary despite multiple contaminants on site – Part 8 process could not be used if an EIAR was required;
- Project splitting - no detail on number of residential units planned for fire station site and overall development could require an EIAR.

These observations are noted.

Interdepartmental Reports

Drainage: Report received; no objection subject to conditions.

Transportation: Report received; note that the site is located on the northern part of East Wall Road (R131) of which the southern part leads to Dublin Port; the site is outside the canal ring and is c.1.3km to Clontarf and Connolly stations; there is a bus stop a short distance away on North Strand Road; there is a c.1.8m wide footpath along East Wall Road which reduces in certain locations; note site layout including a new area of public realm providing access to the ground floor apartments, and including a row of trees, with a minimum width of 1.8m outside the tree line; the proposed changes along East Wall Road are welcome; note works proposed along the East Wall Road carriageway, all of which should be in accordance with Dublin City Council's standards and subject to agreement prior to commencement of development; note proposed internal layout and circulation arrangements with 5.5m wide carriageway and 1.8m wide footpaths; no objection to proposed arrangements; the site is in development plan car parking area 3 where the maximum standard for car parking is 1.5 spaces per dwelling unit; the standard for bicycle spaces is one space per unit and one visitor space for every two units; the proposed development provides 34 car parking spaces where a maximum of 102 would be permitted; a mobility management plan has been submitted; proposed car parking and mobility management arrangements are considered to be acceptable; 70 bicycle spaces and 18 visitor spaces are proposed which is considered acceptable; note traffic and transport assessment (TTA) which has been carried out; the traffic generated would be below 5% of the turning movements at all of the junctions below the threshold for a detailed traffic assessment; note submitted construction management plan, servicing arrangements, road safety audit and taking in charge; no objection subject to conditions.

External Consultees/Interested Parties

Irish Water: No response.

Irish Rail: No response.

Environmental Impact Assessment

The relevant information has been submitted to allow the planning authority to screen for EIAR. This sets out the relevant legislation and guidelines in relation to EIAR and notes that, where a local authority proposes to carry out a sub-threshold development, the authority must carry out a preliminary examination, which includes examination of the nature, size and location of the proposed development. In the event of a doubt in relation to the likelihood of significant effects on the environment as a result of the proposed development, this is followed by a Stage 3 screening determination, in which the proposed development is assessed having regard to the criteria set out in Schedule 7, Schedule 7A information, further information provided regarding the characteristics of the proposed development and its likely impacts, mitigation measures proposed and the available results of any preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account, and the likely significant effects on certain sensitive ecological sites.

The site has a stated area of 0.55ha which is below the threshold of 2ha above which an urban development project would require an EIAR. The proposal is for 68 residential units, 34 car parking spaces and ancillary works. It should be noted that the adjoining Dublin Fire Brigade site, which is in the same ownership and would be likely to accommodate mixed use development, has an area of c.0.3 hectares. There are currently no concrete proposals for this site which can be assessed; however, the combined area of the two sites is still significantly below the 2ha minimum threshold for urban development in a business district (10ha in the case of other parts of the built up area).

The nature, scale and density of the proposed development, in itself or in conjunction with potential development on the adjoining site, is not exceptional in the context of the surrounding environment, and is not considered to be sufficient as to result in a requirement for an EIAR to be carried out.

A preliminary examination of the proposed development has been carried out, followed by a Stage 3 screening determination. Having regard to the above information and to the documentation submitted with the application, including Appropriate Assessment (AA) screening, Ecological Assessment and Biodiversity Management Plan, Outline Construction and Demolition Waste Management Plan, asbestos survey and contaminated land assessment, together with mitigation measures proposed, it is concluded that, subject to the implementation of mitigation measures proposed, there is no real likelihood of the proposed development having significant effects on the environment, either in itself or cumulatively with any other existing or approved projects, and that an EIAR is therefore not required.

Appropriate Assessment

A screening for Appropriate Assessment has been carried out by NM Ecology. This considered hydrological and hydrogeological connections to the South Dublin Bay and River Tolka Estuary SPA but these were ruled out. There are therefore no pathways to any Natura 2000 sites within 5km of the site and it is therefore concluded that the proposal will not cause direct, indirect or in-combination effects on any Natura 2000 sites. Having regard to this, it is considered that a Stage 2 appropriate assessment/Natura statement is not required.

Assessment

The proposal is for demolition of existing industrial-type structures (c. 382m²) and construction of 60 apartments and 8 duplex units in two blocks as follows: one block ranging from three to six storeys in height and fronting East Wall Road, including 60 units (13 x one-bedroomed; 28

x two-bedroomed and 19 x three-bedroomed); one duplex terrace block, three storeys high and located to the west of the site, including eight duplex units (four x one-bedroomed and four x three-bedroomed). The proposed development also includes surface car parking (34 spaces), communal open space, boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB substation, bin and bicycle storage, landscaping, play area, all ancillary site services and development works above and below ground.

The purpose of this report is to assess whether the proposed development, as submitted, is in keeping with planning policy, including national policy and the requirements of the current Dublin City Development Plan (2016-22), and with the proper planning and sustainable development of the area, having regard to the issues raised in the third party submissions. It is not within the remit of this report to suggest alternatives to the proposal, but rather to assess the development as submitted under the relevant headings.

Zoning/Principle of Development

Under the current Dublin City Development Plan (2016-22) the site has zoning objective Z4– ‘to provide for and improve mixed services facilities’, and is part of a Z4-zoned area situated on both sides of North Strand Road.

Section 14.8.4 of the plan notes that Z4-zoned areas (i.e. district centres, which include urban villages), provide a far higher level of services than neighbourhood centres, with outlets of greater size selling goods or providing services of a higher order, while their catchment areas extend spatially to a far greater area. To maintain their role as district centres, new developments should enhance their attractiveness and safety for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. In this regard, opportunity should be taken to use the levels above ground level for additional commercial/retail/services or residential use with appropriate social facilities. Higher densities will be permitted in district centres, particularly where they are well served by public transport. New developments should enhance the attractiveness and safety of district centres for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. Residential use is permissible in principle within the zoning; however, it is intended that this be at the upper levels of developments rather than at street level.

The proposal does not provide for a mix of uses on the site or for active uses at street level. The covering submission with the application notes that the proposed development is part of the Social Housing Public Private Partnership (PPP) Programme which aims to design, construct, finance and maintain c.1,500 homes in three project bundles of social housing development on sites around Ireland. The Department of Housing, Local Government and Heritage is the approving authority for this programme. The East Wall site is one of three sites in the Dublin City Council area, each of which includes a mix of housing typologies. The site has a mix of apartments and duplexes.

The applicant has not provided a rationale for the lack of active uses on the site in accordance with the Z4 zoning; however, in this regard it is noted that the site is part of a large Z4-zoned area which includes the North Strand fire station and the triangle between North Strand Road, Poplar Row and Annesley Place. The centre provides a limited mix of uses for its size, including convenience and lower order comparison type units (hardware, paint shop, florist, barbers), in addition to non-active/residential uses at street level. The site is also a short distance (c.300m) from Fairview/Marino, which is also a Z4-zoned district centre and appears more vibrant, and is less than 2km from the city centre. The zoning of the subject site does not reflect an existing use, as it is currently vacant and was previously in use as a concrete works, so there would be no loss of retail floorspace, while the proposal would deliver a residential development with a mix of unit sizes. The proposed residential use on the site can be considered in this context; however, it should be assessed on its merits and should not be viewed as setting a precedent for future residential developments on Z4-zoned lands. While

there is concern that the lack of active uses proposed on the site could erode the function of the Z4-zoned area as a district centre, it is recognised that fully residential developments have previously been permitted on Z4-zoned sites in the vicinity.

It is noted that the adjoining fire station site is also in the ownership of Dublin City Council and could potentially be developed to provide more active uses fronting North Strand Road. While an indicative layout on this site has been included on some of the documentation with this application, there are currently no concrete proposals for development on this site and it is therefore considered appropriate to assess the proposed development as a separate development.

The site is situated within SDRA6 (Docklands) as outlined in Map K of the development plan, although not in the North Lotts and Grand Canal Dock SDZ area. Guiding principles for SDRA6 include the following:

- Social sustainability is central to the regeneration strategy;
- Opportunity to create an exemplary model of good neighbourhoods and successful placemaking;
- Holistic approach to housing, achieving successful integration of residential, neighbours and the wider community;
- Achieving successful interaction between the SDZ scheme and surrounding streets and public realm to retain and foster a strong sense of neighbourhood within communities;
- Safeguard residential amenity and ensure appropriate transition in scale, with design of new developments to have regard to the context, setting and amenity of existing housing within the SDZ and wider Docklands area;
- To encourage local employment and explore new opportunities for local employment, both in the construction sector and elsewhere;
- All new developments to provide a minimum of 5% of space for social, cultural, creative and artistic purposes;
- Social infrastructure and community facilities to be provided in accordance with the infrastructure schedule set out in Appendix 4 of the North Lotts and Grand Canal SDZ Planning Scheme.
- Promotion of Docklands as a location for sustainable tourism including cultural, recreational and business tourism;
- Promote the development of retail use to serve existing residential communities, new residents and visitors;
- To support sustainable transportation initiatives and recognise and promote the potential for walking and cycling;
- To continue to secure the distribution of residential use throughout the Docklands by requiring an appropriate residential/commercial land use mix;
- To ensure that the public realm operates as a connected network of social spaces and to create a unique sense of place;
- To use street furniture, informal spaces, pocket parks, civic spaces and the spaces between buildings, and to promote opportunities for increased interaction and mobility within the Docklands;
- To integrate the public realm, streets and routes of Docklands with the surrounding city

The covering submission notes that the proposed development complies with the requirements for SDRA6, in providing a mix of one, two and three-bedroomed homes adjacent to existing residential areas and close to the city centre and to amenities, with apartments designed for universal access, in addition to communal open space, play space, car and bicycle parking, landscaping and tree planting. The proposal is stepped in height to respond to the adjacent two-storey houses.

It is recognised that the proposal provides for regeneration of an existing vacant site with housing which will add to the existing community. Having regard to the need to provide flood mitigation measures, the proposed interface with the public realm is considered acceptable in this instance, including landscaping and trees in addition to providing passive surveillance of the street and riverbank. It is noted that the proposal does not provide the 5% of space which is required for social, cultural, creative and artistic purposes as required within the SDRA. The potential for conversion of an apartment at ground floor level for a non-residential or community use has been previously noted and this could potentially meet part of the 5% requirement.

Site Development Standards

In the development plan the indicative plot ratio for sites with zoning objective Z4 is 2.0, while the indicative site coverage is 80%. The proposal provides for a plot ratio of 1.54 which is below the indicative standard. It is stated that this is for the purpose of respecting the residential amenities of existing dwellings on Hope Avenue and Leinster Avenue which back onto the site. Site coverage is 32.2% which is also below the indicative standard and it is stated that this is for similar reasons. The proposal provides for a residential density of 135 dwellings per hectare which is relatively low. The development plan does not set a standard for residential density, as this is normally determined by the need to comply with other standards in relation to unit size and layout and open space, and the need to have regard to adjoining residential amenities.

Infill Development

Policies in relation to infill development are also considered relevant. In this regard Section 16.10.10 states that, having regard to policy on infill sites and to make the most sustainable use of land and existing urban infrastructure, the planning authority will allow for the development of infill housing on appropriate sites. In general, this should comply with all relevant development plan standards for residential development; however, in certain limited circumstances, the planning authority may relax the normal planning standards in the interest of ensuring that vacant, derelict and under-utilised land in the inner and outer city is developed. Infill housing should:

- Have regard to the existing character of the street by paying attention to the established building line, proportion, heights, parapet levels and materials of surrounding buildings
- Comply with the appropriate minimum habitable room sizes
- Have a safe means of access to and egress from the site which does not result in the creation of a traffic hazard.

Design, Scale and Massing

The proposal provides for two blocks, with the larger of the two fronting East Wall Road and providing access through to the shared open space and parking area to the rear of the site, where the smaller duplex block is also located. While the proposal does not utilise a perimeter block type design where all blocks have street frontage, the courtyard design is one which has frequently been used in social housing developments in the city, including the nearby Poplar Row blocks which are protected structures. The main block is divided into elements which break down the otherwise horizontal scale and provide a stepping up in height from four storeys adjacent to the existing two-storey houses at Hope Avenue to six storeys adjacent to the corner which is part of the adjoining fire station site. The vehicular and pedestrian entrance into the interior of the site is via an opening in the main block at street level. The main finish at the elevation to East Wall Road consists of brick.

The ground floor level of the building is set above street level on East Wall Road, with the interface to East Wall Road consisting of a low wall with railing above. The proposal provides

for two 'through' entrance cores to the blocks, one on each side of the vehicular entrance, together with individual entrances to five of the street level units which are all 'through' units, and to the caretaker's office. These entrances are off a number of walkways which are accessed from East Wall Road via steps. Ideally entrances would be provided at street level, either to the blocks, the individual units or to active non-residential uses at street level, in order to provide an improved interface with the street. In this case it would appear that the proposed provision of a wall above street level is required as a flood mitigation measure, due to the proximity to the river Tolka in an area with a high risk of flooding. Although level access would be preferred, the provision of entrances fronting onto the public street would generate some activity on East Wall Road and provide passive surveillance.

The proposed rear block reads as a terrace of three-storey houses, and includes four three-bedroomed duplex apartments and four one-bedroomed apartments. The duplex apartments are situated at ground and first floor level, which is considered more beneficial for families with children, while the one-bedroomed apartments are at second floor level and are dual aspect, benefitting from better light penetration. This block has no frontage to East Wall Road and relies on the vehicular and pedestrian route through the main block for access.

The submitted design statement notes that the adjoining fire station site on North Strand Road is also in the ownership of the applicant, Dublin City Council. It is intended that this will be developed in the future and this has been taken into account in the design brief for the proposed development. The proposed development has been designed in such a way as not to prejudice the development potential of the adjoining fire station site, which will be subject to a later process of consultation and planning and does not form part of this application. Details of potential development on the fire station site have been included on some of the drawings to give context.

Sustainable Neighbourhoods

Section 16.10.4 of the development plan refers to sustainable neighbourhoods. New developments should harmonise with the local character and further develop the unique character of these places, and should also make a contribution to social infrastructure to enable the creation of sustainable neighbourhoods. Proposals should have regard to the DEHLG's Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual 2009, the Guidelines on Local Area Plans and the related Manual, 2013 and the joint DTTS and DECLG's Design Manual for Urban Streets and Roads (DMURS), 2013 in the making of sustainable neighbourhoods, as well as the principles and key characteristics of a good neighbourhood, as set out in the chapter on Sustainable Communities and Neighbourhoods (Chapter 12). Section 12.3 of the plan also notes that good urban neighbourhoods at sustainable densities must incorporate quality living spaces, amenity areas and green infrastructure, as well as fostering a distinctive sense of place and a safe environment.

All proposals for new development of over 15 units (or 1,500m²) must demonstrate how they constitute a positive urban design response to the local context and how they contribute to place-making and the identity of an area, whether an urban village or a neighbourhood or district centre, and to the provision of social infrastructure to facilitate the creation of sustainable neighbourhoods, with regard to the key characteristics of a good urban neighbourhood.

Proposals for developments with 50 or more units must make a contribution to an area in terms of community facilities and social infrastructure where significant shortfalls are identified. When submitting plans for large-scale residential, typically over 50 units depending on local circumstances, and/or mixed-use schemes (i.e. circa 5,000m² and above), developers will be required to submit an audit of existing facilities within the area and to demonstrate how the proposal will contribute to the range of supporting community infrastructure. Proposals in

excess of 50 dwelling units must be accompanied by an assessment of the capacity of local schools to accommodate the proposed development in accordance with the above guidelines and the DES and DEHLG's Code of Practice on the Provision of Schools and the Planning System 2008. The planning authority may also require developers to submit a phasing and implementation programme for large residential schemes in excess of 50 units.

A social infrastructure audit has been carried out for the site and is referred to in the application documentation. This notes the location adjacent to the city centre and the range of social and community amenities available in the vicinity. It is concluded that, having regard to the proximity to the city centre and the existing provision of community infrastructure in the area, the proposed development would not result in pressure on existing facilities or result in a requirement for new facilities.

In this regard the third party submissions refer to the cumulative impact of new developments which have been permitted or are under construction in the vicinity in recent years. While the cumulative impact of these developments is acknowledged, it is also recognised that many include a higher proportion of smaller residential units (studios and one-bedroomed apartments) which will have less impact on the requirement for school and creche places. Having regard to the scale of the proposed development relative to the population of the surrounding area, and to the mix of unit sizes proposed (17 one-bedroomed and 51 two or three-bedroomed), it is considered that surrounding area is capable of absorbing the resulting population.

As previously noted, the site is situated in SDRA 6 and the proposed development would therefore need to incorporate 5% of space for social, community, cultural or artistic purposes. While this could potentially be provided on the adjoining fire station site, as yet there are no proposals for development on this site. The applicant should therefore investigate the use of one of the ground floor residential units for these purposes, unless it can be demonstrated that sufficient space of this type will be accommodated on the fire station site within a defined timeframe.

Residential Standards

The floor area standards for new apartments are currently set out in the DOEHLG document – 'Sustainable Urban Housing: Design Standards for New Apartments' (December 2015, updated 2018 and 2020). The minimum floor area required for a studio apartment is 37m², for a one-bedroomed apartment is 45m², for a two-bedroomed apartment is 73m² and for a three-bedroomed apartment is 90m². In developments of 10 units or more, the majority of all units must exceed the minimum floor area by 10%. Studio apartments must be included in the total, but are not calculable as units that exceed that the minimum by at least 10%. In certain circumstances, a two-bedroomed, three-person apartment with a minimum floor area of 63m² may be permitted.

At least 33% of units should be dual aspect in more central and accessible, and some intermediate, locations, defined as on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage, and subject to high quality design. Where there is a greater freedom in design terms, such as in larger apartment developments on greenfield or standalone brownfield regeneration sites where requirements like street frontage are less onerous, it is an objective to have a minimum of 50% dual aspect apartments, while any three-bedroomed apartments should ideally be dual aspect. Where single aspect apartments are provided, the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. Dual aspect apartments can include corner units. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further

discretion to consider dual aspect units below the 33% minimum on a case-by-case basis, subject to overall design quality in other regards.

In relation to unit mix, SPPR1 of the Guidelines is that apartment developments may include up to 50% one-bedroomed or studio type units (with no more than 20-25% of the total proposed development as studios), while there is no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment or housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA) which has been agreed and incorporated into the relevant development plan.

Private open space of 4m² per unit is required in the case of studios, 5m² per unit for one-bedroomed, 7m² for two-bedroomed and 9m² for three-bedroomed apartments. A further 4m² of communal open space per unit is required in the case of studios, 5m² per unit in the case of one-bedroomed apartments, 7m² for two-bedroomed apartments and 9m² for three-bedroomed apartments. A minimum depth of 1.5m is required for balconies. Internal storage of 3m² is required for studio and one-bedroomed apartments, 6m² for two-bedroomed apartments and 9m² for three-bedroomed apartments with individual storage rooms not to exceed 3.5m².

The proposal provides for 68 apartments of which 17 (25%) are one-bedroomed, 28 (41%) are two-bedroomed and the remaining 23 (34%) are three-bedroomed. From examination of the floor plans, all of the proposed apartments meet or exceed the minimum floor area requirements and are acceptable in respect of internal layout, floor area and internal storage. It is noted that in some cases storage is provided in bedrooms; however, it appears to be additional to bedroom wardrobes. In such cases, the area of the store should not be included as part of the floorspace of the bedroom, but should be counted separately.

The proposal provides for 38 dual aspect apartments (55% of the total) consisting of a mix of 'through' units and corner units. All such apartments which face predominantly northeast have corner livingrooms which also have windows and balconies facing southeast, and having views over the river Tolka and Fairview Park from their northeast facing windows. The remaining 30 single aspect units (45%) all face southwest. No more than six units are provided per core. All of the proposed apartments provide for private open space by way of balconies, with the proposed three-bedroomed duplex units having northwest facing rear terraces which extend to the boundary with the fire station site, with a depth of 5.75m.

Communal Open Space

The proposal provides for a 755m² area of communal open space in the rear courtyard, exclusive of the area containing car parking, fire tender turning, ESB substations and refuse store. This exceeds the minimum requirement for the proposed development which is 488m². The proposed courtyard is situated in the southeastern area of the site, allowing for a degree of separation between the main block and existing houses on Leinster Avenue, while also ensuring good provision of sunlight to the space. A landscaping plan has been submitted showing a mix of hard and soft landscaping in the space, including tree planting, general shrub and groundcover planting, a swale/wetland planting mix, gravel with bench seating, grassed areas and children's play equipment. The vehicular route leading to the car parking area would separate the communal open space into two areas, with a second refuse store and 18 visitor cycle parking spaces being located in the western area. It is unclear whether these form part of the 755m² of communal open space. The main bicycle parking area is located in the area between the main block and the three-storey block, adjacent to the northwestern boundary of the site. Access to the 'through' hallways on both sides of the main block and individual access to the units in the three-storey block is also provided around the edge of the courtyard. While the proposed provision of communal open space exceeds the minimum requirement, it also provides public access through the space to the residential units.

Overall it is considered that the proposed apartments all provide for an acceptable standard of residential amenity, meeting minimum requirements in relation to floor area and private and communal open space, while the design maximises access to sunlight by ensuring that all predominantly north facing apartments also benefit from a corner livingroom in addition to having views over the river Tolka and Fairview Park. The proposed unit mix is also acceptable in providing for a high proportion of two and three-bedroomed apartments, capable of accommodating a mix of household sizes and types.

Public Open Space

Section 16.10.3 of the development plan states that 10% of the site area should be reserved for public open space (i.e. amenity space which is publicly accessible and contributes to the city's network of public spaces). While this should normally be located on site, it is noted that in some instances it may be more appropriate to seek a financial contribution towards its provision elsewhere in the vicinity; this would include cases where it is not feasible, due to site constraints, to provide the space on the site, or where the needs of the population would be better served by the provision of a new park elsewhere in the vicinity. In such cases, financial contributions may be proposed towards the provision and enhancement of open space and landscape in the locality, as set out in the Dublin City Council Parks Programme.

While the area to the rear of the site is referred to variously as a communal open space and public open space, in practice it is unlikely to function as public open space for the wider area due to its position behind the main block, with access via an archway. The proposed development is intended as social housing; however, it is unclear how it would be managed and or whether the space would be taken in charge by Dublin City Council. A paved area, which appears to be a footpath, with tree planting is shown along the frontage of the building, would result in an improved area of public realm in front of the site; however, it is unclear whether this is intended to meet the 10% public open space requirement for the proposed development. The proximity to Fairview Park is also noted.

Building Height

The planning authority's height policy is set out in Section 16.10 of the development plan. This allows a height of up to 24m for residential and 28m for commercial developments in inner city locations. It is stated that planning applications will be assessed against the building heights and development plan principles established in the relevant LAP/SDZ/SDRA. The site is in an inner city location as defined in the development plan.

In December 2018 the Department of Housing, Planning and Local Government issued statutory guidelines for planning authorities on Urban Development and Building Heights. The Guidelines favour a performance driven approach in relation to determining building heights, with no maximum height standard. It is noted that the guidelines should be considered in conjunction with other policy guidelines, including Sustainable Urban Housing: Design Standards for New Apartments (2018), Quality Housing for Sustainable Communities (2007), Sustainable Residential Development in Urban Areas (2009), the Design Manual for Urban Roads and Streets (DMURS) (2013), the Retail Design Manual (2012) and the Urban Design Manual (2009). The guidelines set out specific planning policy requirements (SPPRs) in relation to building height, together with assessment criteria for buildings taller than the prevailing height in an area.

It is noted that it is an objective of the National Planning Framework, which is part of Project Ireland 2040, that at least half of the future growth of the main cities will be delivered within their existing built-up areas through infill and brownfield development. This development should take place in well serviced urban locations, particularly those served by good public transport and supporting services, including employment opportunities. The guidelines also note the objectives of the National Planning Framework in relation to growth in cities (NPO

2(a)), brownfield redevelopment targets (NPO 3(a), (b) and (c)), attractive, well-designed liveable neighbourhoods (NPO 4), scale and quality of urban development (NPO 5) and increasing residential population and employment in urban areas (NPO 6). Building height is also seen as an important measure for urban areas to deliver and achieve compact growth as required. NPO 13 is that:

In urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

In order to meet the objectives of the National Planning Framework, significant increases in building heights and overall building densities need to be not only facilitated but actively sought out and brought forward by the planning process, particularly at local authority and An Bord Pleanála level, with increasing building heights having a critical role to play in delivering more compact growth in urban areas.

Section 2.8 of the guidelines notes that historic environments can be sensitive to large scale and tall buildings; in that context, planning authorities must determine whether buildings of increased height are an appropriate typology in particular settings.

Assessment criteria for buildings taller than the prevailing height in an area are set out in Section 3 of the guidelines. Broad principles to be followed include whether the proposal positively assists in securing National Planning Framework objectives in relation to focussing development in key urban centres, whether the proposal is in line with the policies of the relevant development plan, where this has taken clear account of the requirements set out in Section 2 and, where a development plan predates the guidelines, where it can be demonstrated that the implementation of the pre-existing policies and objectives of the relevant plan or planning scheme do not align with or support the objectives and policies of the NPF.

SPPR3 of the guidelines states that, where an application for permission sets out how a development proposal complies with the above criteria and the assessment of the planning authority concurs with the findings, taking into account the wider strategic and national policy parameters, the planning authority may approve such development even where specific objectives of the development plan or a local area plan indicate otherwise.

The six-storey element of the proposed new building would have a parapet height of 20.96m, set a further c.1m above street level and with an additional setback element. The total parapet height is 23m above street level or 26.25m AOD. The proposed 23m height above street level is within the 24m maximum permissible height in this area. Notwithstanding this, the applicant's planning report/covering submission refers to the statutory guidelines for planning authorities on Urban Development and Building Heights which permit additional height above the development plan requirement, and provides an assessment of how the proposed development would comply with the criteria set out in the Guidelines, as follows:

At the scale of the relevant city or town

- Site to be well serviced by public transport with high capacity, frequent service and good links between modes.
- Proposed development should integrate into and enhance the character and public realm of the area, including areas which are architecturally sensitive, having regard to topography, cultural context, setting of key landmarks, protection of key views etc, to include a landscape and visual assessment.

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

The site is within the area defined as inner city in the development plan, and is c.1.76km from O'Connell Street, c.1.km from the entrance to Connolly Station and c.800m from Clontarf DART station. The covering submission refers to the proximity to a range of bus routes including BusConnects routes H2, H2 and H9 and other routes along North Strand Road which is a Quality Bus Corridor.

It is also noted that the proposal provides for a stepping up of height from four storeys adjacent to Hope Avenue up to six storeys adjacent to the corner and the fire station site. It is contended that the proposal is of a modest scale, is well within the permissible heights within the development plan and therefore would not warrant a landscape and visual impact assessment. It is contended that the need for placemaking would not apply as the site is a relatively small (0.55ha) infill site. In this regard, the provision of an appropriate frontage to the public realm at East Wall Road can be considered to contribute to placemaking.

While a landscape and visual impact assessment has not been submitted, it is noted that developments of up to six storeys in height have been permitted on sites on the western side of the junction with North Strand Road and Poplar Row and are currently under construction. The proposed development, which would face the river Tolka and Fairview Park, would provide for an equivalent scale on the east side of the junction, while stepping down to four storeys in the vicinity of Hope Avenue. The proposed development would therefore appear to integrate into the surrounding environment in an acceptable way, while providing an appropriate transition in scale on its eastern side.

At the scale of the district/neighbourhood and street

- Proposal should respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.
- Proposal should not be monolithic, should avoid long uninterrupted walls of building and should have materials and building fabric which are well considered.
- Proposal should enhance the urban design context for public spaces and key thoroughfares and inland waterway/marine frontages, thus enabling additional height to be favourably considered in terms of enhancing a sense of scale and enclosure, while being in line with requirements in relation to flood risk management.
- Proposal to make a positive contribution in the form of legibility through the site or wider urban area, and integrate in a cohesive manner.
- Proposal to contribute to mix of uses and/or building and dwelling typologies in the area.

The covering submission notes that the proposed development aims to improve the interface with the river Tolka, which is currently in poor condition with overgrown vegetation and a damaged footpath. The proposal introduces 68 new dwelling units onto a vacant site and provides a new area of public realm at the frontage to the Tolka, which includes tree planting in addition to new urban edge. The proposed development is not considered monolithic as it includes a number of elements along its frontage, with a stepping up in height from four to six storeys.

A design statement has been submitted which sets out details of the proposed materials in addition to the design rationale. The materials used in surrounding developments, including the residential conservation area to the south of the site and the Herbert Simms-designed

blocks along Poplar Row are noted for reference. It is stated that three types of brick are proposed – a red buff coloured clay brick, with off-white mortar, to the projecting bays at the East Wall frontage, a dark brown multi-clay brick with off-white mortar to the East Wall façade and details on the remaining facades, and a white coloured clay brick with grey mortar to the ground floor elevations on East Wall Road. While the proposed use of brick is welcome due to its durability and ease of maintenance, there is concern that the main elevation to East Wall Road could appear unduly dark and overbearing. In this regard final details in relation to the colour of the brick would need to be agreed prior to commencement. In the areas to the rear of the building the finish would comprise mainly render with select brick finishes.

The proposed new development will overlook the street, comprising an improved public realm, in addition to the river Tolka and Fairview Park. The finished floor levels on the site have been set higher as a flood mitigation measure.

Although the proposed development does not provide a mix of uses, it will make a positive contribution to the housing stock in the area and will contain a mix of unit sizes, with more than two thirds of units having two bedrooms and more than a third having three bedrooms.

At the scale of the site and building

- Form, massing and height to be carefully modulated to maximise access to natural light and ventilation and minimise overshadowing and loss of light
- Appropriate and reasonable regard to daylight standards such as the BRE 2008 standards
- Where a proposal does not fully meet all of the daylight provisions compensatory design solutions should be set out, having regard to local factors and site constraints.

A design rationale has been included which states that the apartments have been designed to include modest plan depths and generous window sizes, while the majority are dual aspect. This will allow for good access to daylight and reduce the need for artificial lighting. A daylight assessment has been carried out for all of the proposed apartments, while daylight and sunlight to open spaces has also been considered. It is also stated that care has been taken in the design to minimise overshadowing of adjoining dwellings and rear garden.

A sunlight and daylight analysis has been submitted. It is stated that the report has regard to the provision of British Standard: Lighting for Buildings – Part 2: Code of Practice for Daylighting (BRE 209) and 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2011).

The average daylight factor (ADF) for the proposed residential units is assessed and the assessment shows that all units at ground, first and second floor levels comply with the standard in respect of the ADF, while upper floor units are assumed to achieve an equivalent or greater ADF. It is concluded that the proposed apartments will provide for a good standard of daylight. It is stated that, as the proposed development meets all daylight requirements, no compensatory measures are required.

The provision of sunlight to the communal amenity space is also assessed order to determine whether the space receives two hours of sunlight at the time of the spring equinox (March 21st). This space is situated in the southeastern area of the site and it is demonstrated that 100% of its area would receive two hours of sunlight on March 21st.

The vertical sky component (VSC) for windows adjacent residential units to the east of the site at Hope Avenue is also assessed. This shows that compliance with the standard is achieved in the case of all windows. The location of the proposed new development to the northwest of existing houses on Hope Avenue and northeast of Leinster Avenue, facing the public road at

East Wall Road and the river Tolka to the northeast and the fire station site to the northwest, together with the layout in which the shared open space area is situated in the southeastern area of the site, would ensure that the impact on adjoining residents to the southeast and southwest of the site in respect of loss of sunlight and daylight would be minimised.

Specific Assessment

- Specific impact assessment of micro-climatic effects such as down-draft, to include cumulative effects where appropriate and mitigation measures.
- In areas close to sensitive bird or bat areas, potential interaction of building location, building materials and artificial lighting to impact on flight lines and/or collision.
- Proposal to allow for retention of important telecommunications channels, such as microwave links. Proposal should be assessed to ensure that it maintains safe air navigation
- Urban design statement, including impact on the historic built environment where appropriate
- Relevant environmental assessment.

Having regard to the three-to six-storey height of the proposed development, it is not considered that a microclimatic assessment would be required. Equally, the proposed development is not of such a scale as to require assessment of telecommunications infrastructure or air navigation. It is also stated that the proposal would have no impact on the historic built environment.

It is also noted that there are no protected structures on the site and it is not in an ACA or a Z2-zoned residential conservation area. The site faces the river Tolka which is a red hatched conservation area, and backs onto a Z2-zoned terrace of houses on Leinster Avenue. In this regard the covering submission notes that Policy CHC4 of the development plan, as set out above, seeks to replace any existing building, feature or element which detracts from the character of the area or its setting, improve open spaces and the wider public realm and provide contemporary architecture of an exceptional design quality, which is in harmony with the conservation area. The proposal would replace a vacant site, which detracts from the streetscape and public realm, with a contemporary building which includes an area of improved public realm, with tree planting, at its frontage facing the Tolka. Having regard to this, it is accepted that the proposal would have a positive impact on the riverbank which is a conservation area.

An Ecological Impact Assessment has been carried out, with the objective of identifying and evaluating the impacts of the proposed development (comprising demolition of an administrative building, clearance of the remainder of the site and construction of up to 68 new residential units) on ecosystems and their components, including designated sites, habitats, flora and fauna. As noted in the screening for appropriate assessment, the site is not within or adjacent to any designated sites, while potential impacts on designated sites within a 5km radius were considered but no potential pathways for indirect impacts were identified. The main habitat within the site is buildings and artificial surfaces, with some scrub and treelines around the edges. It is stated that all habitats are of negligible ecological importance and no protected plants or invasive species were noted. The site is therefore not considered to be ecologically sensitive.

It is stated that the site may be used by common bird species, but is unlikely to be used by any rare species. To avoid any impacts on nesting birds, site clearance and demolition works will be scheduled for the non-breeding season or a pre-construction survey will be carried out for the site by a suitably qualified ecologist. A Biodiversity Management Plan has also been submitted which identifies measures to be taken during the construction phase (protection of birds and small mammals during construction works) and operational phase (planting of native

trees and shrubs, installation of nesting boxes and provision of bat-sensitive lighting). It is concluded that these measures will avoid impacts on nesting birds and mammals during construction works, while at operational stage the ecological enhancements proposed will increase the diversity of plant species suitable for birds and pollinators, provide nesting boxes and reduce the impact of lighting on bats, which are considered to be appropriate and proportionate for an urban housing development of this type. It is concluded that the proposals will have a positive impact on biodiversity within the site.

Screening for appropriate assessment and EIAR have been carried out as detailed above, with regard being had in the screening to other assessments carried out including the ecological assessment, contaminated land assessment and OCDWMP and the mitigation measures outlined. It is concluded that a Stage 2 Natura Impact Assessment and a full EIAR are not required.

In screening for EIAR, the cumulative impacts of the proposal when combined with other developments permitted in the vicinity of the site were assessed. In relation to the adjoining fire station site on North Strand Road, it is noted that this site, which is in the same ownership as the subject site, has an area of 0.3 hectares which. When combined with the 0.55 hectares on the subject site, this would still result in an area which is still significantly below the 2ha threshold for urban development projects. At present there are no concrete proposals for development on the fire station site on North Strand Road and the likely future quantum of development on the site is unknown. In the event of approval being granted for the current proposal on the subject site, any future development proposals on the adjoining site would need to have regard to this development in assessing cumulative impacts.

Impact on Adjoining Residents

The impact of the proposal in respect of sunlight and daylight has been assessed. The proposed design, in which the residential blocks are situated at the site frontage and the communal open space area in the southeastern area, closer to the boundary with existing houses on East Wall Road, Hope Avenue and Leinster Avenue, together with the stepping down of height in the eastern area of the site, would help to minimise the impact of the proposed development on the rear of the adjoining houses in respect of both overlooking and loss of sunlight/daylight.

The submitted design statement notes that existing levels on the site are c.2.5m higher than levels on Leinster Avenue, while the location of the site in a flood zone requires a further increase in site levels of c.0.65m (from 3.5m to 4.15m). This has been taken into account in the design of the proposed development and layout of the blocks and open space with a view to minimising overlooking.

Construction/Demolition Works

The planning authority's Transportation Planning Division have recommended the submission of construction and demolition management plans, addressing issues including traffic management, hours of work, noise and dust management measures, site access arrangements and off-site disposal of demolition waste and for labour, plant and materials. These can be requested from the applicant.

An outline construction and demolition waste management plan (OCDWMP) has been submitted, together with a contaminated land assessment. This recommends further measures to be undertaken, including a site walkover by a suitably qualified person to assess the existing condition of the site and any further sources of potential contamination, further soil investigation in the area directly below the oil tank following removal of the tank, removal or remediation of soil which is potentially hazardous to human health if left *in situ*, disposal of soil to a suitable waste facility and further investigation of groundwater in the event of remediation on site.

Asbestos was also detected in two soil samples in the former of fibres or clumps. A separate report has been submitted detailing the methodology for removal of asbestos from the site. The OCDWMP also refers to the disposal of asbestos on the site. In addition to being found in soil samples, asbestos was also detected on the site in the form of cement slate debris, a bitumen sink pad, asbestos rope, asbestos paper gasket and asbestos putty/mastic. The OCDWMP notes that materials containing asbestos were widely used in the construction industry up to 1999. Where asbestos is encountered, suitable mitigation measures must be taken in accordance with the relevant health and safety regulations and guidelines, which are set out in the OCDWMP.

Conclusion

The proposal provides for a development of between three and six storeys in height, with a density of 135 dwellings per hectare which is not considered excessive on this c.0.55ha site located on the edge of the inner city. In the event of a lower density being proposed, this could raise questions in relation to the sustainability of the proposed development in the light of national policy in relation to the use of brownfield sites in urban areas for infill development, as set out in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES).

The proposal provides for a development of 68 residential units comprising a mix of unit sizes. While the site is part of an area with zoning objective Z4, which provides for mixed use, the site has been vacant since 2006 and the proposed residential units will meet a need for housing as part of the national Social Housing Public Private Partnership (PPP) Programme, while there is currently sufficient capacity within the remaining Z4-zoned area to accommodate commercial uses. The proposal does not provide 5% of space for social, cultural, creative or artistic purposes as required in SDRA6 in the current development plan. In this regard the use of one of the ground floor residential units on the site for such purposes can be investigated. Overall the proposed development provides for an acceptable mix of residential units and standard of residential amenity, with a high quality communal landscaped space in the southeastern area of the site.

The proposal has been assessed under the Department of Housing, Planning and Local Government building height guidelines, and it is considered that the proposed height is appropriate for this location, and that the proposed development would integrate satisfactorily into the surrounding townscape, having regard to the emerging height context in the vicinity of the junction with North Strand Road and East Wall Road and the need to optimise the use of infill brownfield sites in accordance with national policy. The design and orientation of the blocks within the site, with the communal open space situated in the southeastern area of the site and with the height of the blocks stepping down to four storeys adjacent to the existing two-storey houses on East Wall Road, would minimise any impact on adjoining residents to the east and south of the site in respect of loss of sunlight, daylight or privacy. While the proposed construction and demolition process will have impacts on the local area, these can be managed in accordance with the details and mitigation measures submitted and the construction and demolition management plans required by the Transportation Planning Division.

Having regard to the above and to the details submitted with the application, there is no objection to the proposed development.

Recommendation

There is no objection to the proposal, subject to the following:

1. Having regard to the location in SDRA6 in the current Dublin City Development Plan (2016-22), the applicant shall investigate the use of one of the ground floor units for

social, cultural, creative or artistic purposes as required in SDRA6 in the current Dublin City Development Plan, unless it can be demonstrated that this use will be accommodated elsewhere on the applicant's landholding in the vicinity of the site.
REASON: in the interests of community gain and the regeneration of the area.

2. Prior to commencement of development full details of the materials to be used in the proposed new blocks and in the hard landscaped areas shall be agreed with the planning authority. In this regard a lighter brick shall be considered for the main elevation to East Wall Road to avoid an overbearing impact.
REASON: In the interests of visual amenity.
3. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Environment and Transport Department and the Noise & Air Pollution Section.
REASON To ensure a satisfactory standard of development.
4. The mitigation measures set out in the Ecological Impact Assessment shall be implemented.
REASON: To facilitate biodiversity on the site.
5. All mitigation measures set out in the Outline Construction and Demolition Waste Management Plan and Contaminated Land Assessment shall be implemented.
6. The following requirements of the Transportation Planning Division shall be complied with:
 - a) Prior to commencement of development, and on appointment of a demolition contractor and, a **Demolition Management Plan** shall be submitted to the planning authority for written agreement. This plan shall provide details of intended demolition practice for the development, including detailed traffic management, hours of working, noise and dust management measures and off-site disposal of demolition waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The Demolition Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport. The appointed contractor shall liaise with DCC Road Works Control Division during the demolition period.
 - b) Prior to commencement of development, and on appointment of a main contractor, a **Construction Management Plan** shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management and construction mobility management plan, hours of working, noise and dust management measures and off-site disposal of construction waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The Construction Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport. The appointed contractor shall liaise with DCC Road Works Control Division during construction period. The developer shall be obliged to comply with the requirements set out in the Code of Practice.
 - c) Prior to commencement of development, the developer shall agree in writing with the Planning Authority's Environment & Transportation Department the proposed footpaths, hard landscaping areas and on-street car parking, including proposed car share spaces to be taken in charge. Details of all materials proposed in public areas shall be in

accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division. Any proposed works to the public road shall be carried out by Dublin City Council and at the expense of the applicant/developer.

- d) The applicant/developer shall undertake to implement the measures outlined in the Mobility Management Plan, and Car Parking Management Strategies to ensure that future occupants of the proposed development comply with these strategies. A Mobility Manager shall be appointed to oversee and co-ordinate the plan.
- e) The car parking spaces shall not be sold, rented or otherwise sub-let or leased to any parties. The car parking spaces shall be retained by and managed by the Operator for the development in accordance with the details outlined the submitted Mobility Management Plan and Car Parking Strategy.
- f) Prior to occupation, each car parking space shall have ducting infrastructure (consisting of conduits for electric cables) installed to enable the subsequent installation of recharging points for electric vehicles.
- g) Cycle parking shall be secure, conveniently located, sheltered well lit and functional in line with manufacture specifications. Key/fob access shall be required to the resident bicycle parking stores. Cycle parking shall be in situ prior to the occupation of the proposed development.
- h) The applicant shall liaise with the Roads Maintenance Division prior to completion in relation to the works within the public road in front of the application site.
- i) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

REASON: In the interests of orderly development and sustainable transportation.

7. The following requirements of the Engineering Department (Drainage Division) shall be complied with:

- a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).
- b) Records of public surface water sewers are indicative and must be verified on site.
- c) The development is to be drained on a completely separate foul and surface water system. Full details of the surface water outfall arrangements, including discharge location, shall be agreed in writing with Drainage Division prior to the commencement of construction.
- d) The development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.
- e) All surface water discharge from this development must be attenuated to two litres per second.
- f) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- g) All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve

REASON: In the interests of orderly development.

8. (a) The site and building works required to implement the development shall only be carried out between the hours of:
Mondays to Fridays - 7am to 6pm
Saturdays – 8am to 2pm
Sundays and public holidays - No activity on site.
- (b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.
- REASON: In order to safeguard the amenities of adjoining residential occupiers.

The Area Committee as appropriate were informed of the initiation of the Part 8 planning process for the proposed development and the recommendation of the Planning Department at its meetings on the 8th March and the 14th June respectively.

At the Area Committee meeting on the 14th June 2022, the members raised a number of matters in relation to this application, associated planning conditions, housing tenure type and impacts on the surrounding communities that they requested more details in advance of the July City Council meeting. The PPP Project Manager can confirm the following will be included as part of the overall site development following consideration of the observations during the public consultation and matters raised by the Central Area Committee members.

1. The inclusion of a community building will be incorporated into the development. The community building will be built to uniform industry standards. This will result in the loss of one unit. The Housing Department will engage with the Area Office on the licence and future use of the community facility.
2. Property Condition surveys will be included into the PPP contract. This will stipulate that pre construction and post construction internal & external surveys of the homes on Hope Avenue & Leinster Avenue who adjoin onto the site will be undertaken.
3. The planting of trees around the boundary wall will be included in the contract for enhancing the privacy into the gardens of residents on Hope Avenue & Leinster Avenue. The PPP contractor will engage with DCC Parks Department to identify suitable mature planting & landscaping.
4. The development will be managed by an Approved Housing Body. The City Council will retain ownership of the homes and full nomination rights, in accordance with the Scheme of Letting Priorities. The Housing Department will ensure early engagement with the Allocations Officer to identify suitable individuals and families including those who are willing to downsize from their council home in the locality.
5. An outline construction and demolition waste management plan (OCDWMP) has been submitted, together with a contaminated land assessment. This recommends further measures to be undertaken, including a site walkover by a suitably qualified person to assess the existing condition of the site and any further sources of potential contamination, further soil investigation in the area directly below the oil tank following removal of the tank, removal or remediation of soil which is potentially hazardous to human health if left *in situ*, disposal of soil to a suitable waste facility and further investigation of groundwater in the event of remediation on site.

Asbestos was also detected in two soil samples in the former of fibres or clumps. A separate report has been submitted detailing the methodology for removal of asbestos

from the site. The OCDWMP also refers to the disposal of asbestos on the site. In addition to being found in soil samples, asbestos was also detected on the site in the form of cement slate debris, a bitumen sink pad, asbestos rope, asbestos paper gasket and asbestos putty/mastic. The OCDWMP notes that materials containing asbestos were widely used in the construction industry up to 1999. Where asbestos is encountered, suitable mitigation measures must be taken in accordance with the relevant health and safety regulations and guidelines, which are set out in the OCDWMP.

6. At the public information session held on 14th April 2022, the Project Design Team Architect provided details on the types of brick work and finishes that would be used on this development to achieve high quality architectural finish.
7. The working operations of the site subject to planning consent will be in accordance with the planning conditions. The PPP Project Manager will engage with the Area Office to ensure that there is a point of contact for the local community throughout construction phase.

This project is being funded through a Public Private Partnership model. The site is one of six in PPP Bundle 3 with the Department of Housing, Local Government & Heritage, as the approving authority, Dublin City Council as sponsoring agency and lead authority, and the National Development Finance Agency (NDFA) acting as financial advisor, procuring authority and project manager.

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development.

This report is submitted to the City Council pursuant to Section 179 of the Planning and Development Act, 2000 (as amended).

Resolution:

That Dublin City Council notes the contents of Report No. 186/2022 and hereby approves the contents therein.

Owen P. Keegan
Chief Executive

15th June 2022

Appendix A Consultees and Third Party Submissions/Observations

Consultees

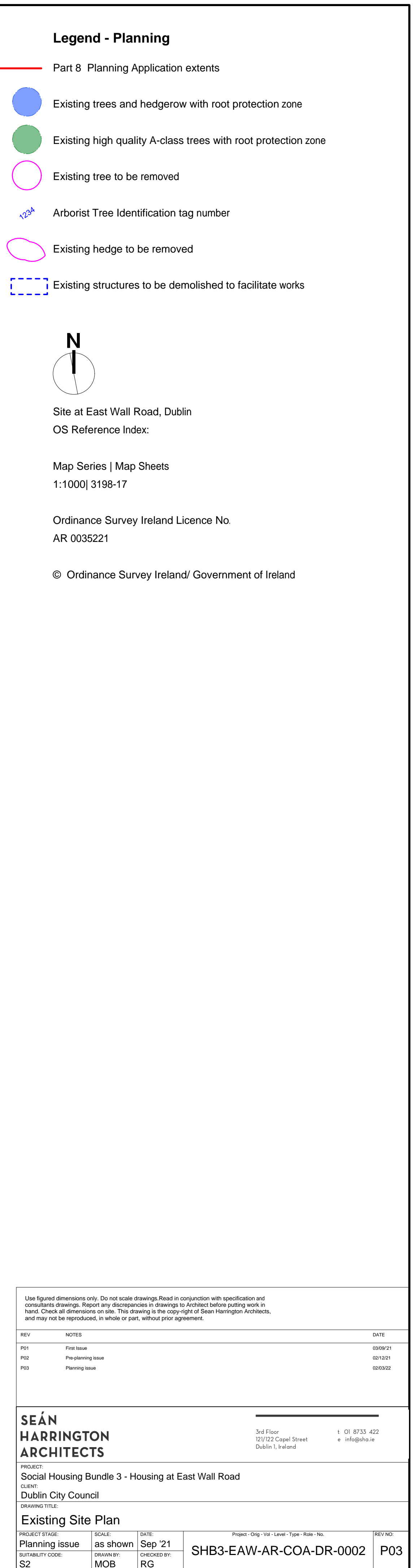
Irish Water, Colvill House, 24 - 26, Talbot Street, Dublin 1

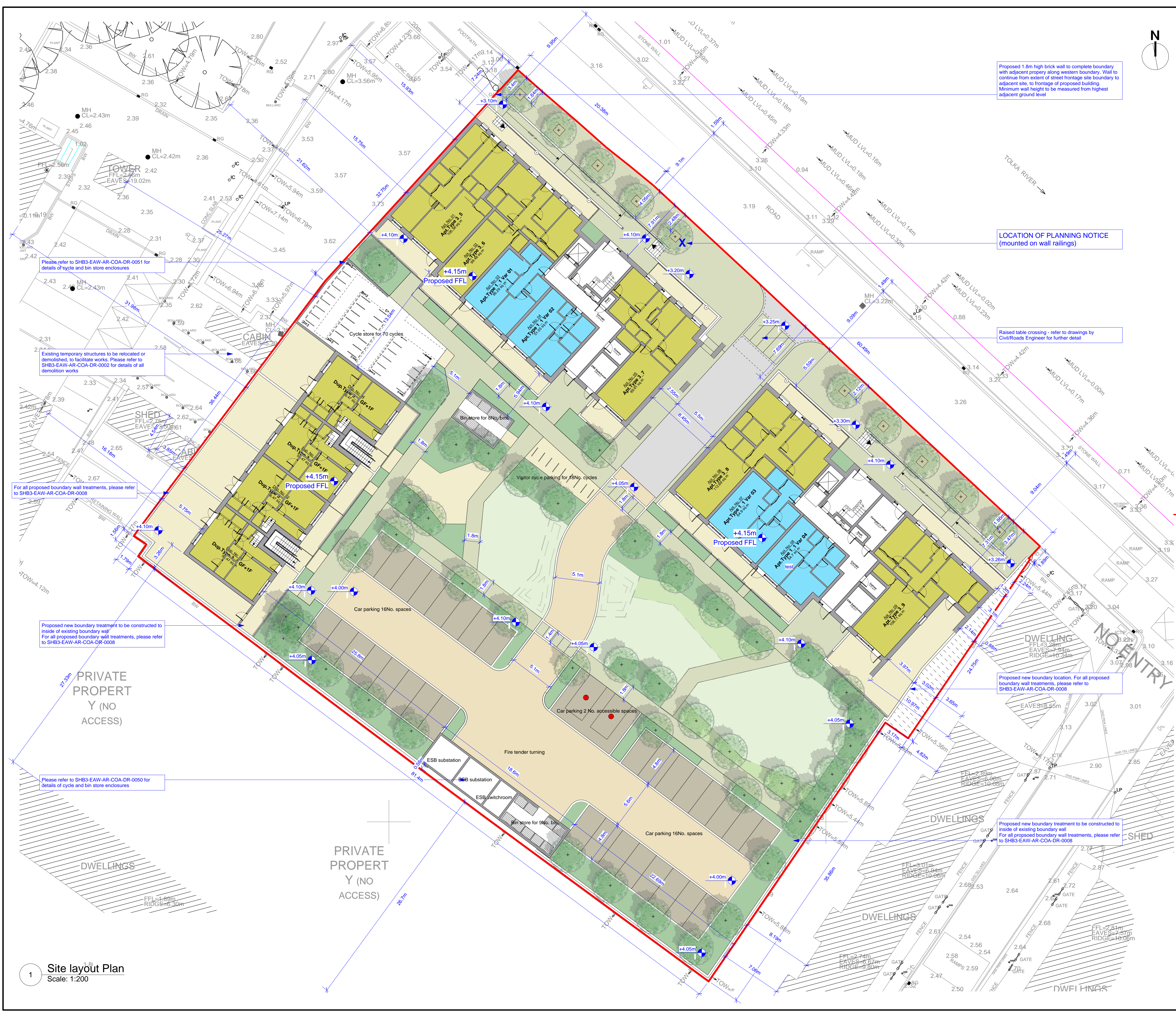
Third Party Submissions/Observations

No.	Name
1	Aida Bangoura
2	Alan Healy
3	Ania Sherlock
4	Ann Hayes
5	Anne Donnelly
6	Anne Donnelly on behalf of Parkside North Strand Residents Group
7	Anne McLaughlin
8	Anne Thompson
9	Aoife Gleeson
10	Audrey Cullen
11	Barbara O'Brien
12	Bernie Kaye
13	Breda Trimble
14	Breffini O'Dwyer
15	Brian Foley
16	Caoimhe Gleeson
17	Carmel Donohoe
18	Carmel Nugent
19	Carmel O'Brien
20	Catherine O'Flaherty
21	Cliona Groves
22	Collette Kearns
23	Cormac O'Halloran
24	Cornel Giurgiuman
25	Damian Quinn
26	Daniel Shanley
27	Danielle Healy
28	Danny Rafferty
29	David Byrne
30	David Smith
31	Deirdre McDonnell

32	Deirdre McDonnell
33	Dolores Steele
34	Donna Fitzpatrick
35	Edmund Rock
36	Eimear Kiernan
37	Elizabeth Kehoe
38	Emma Grouse
39	Fergus Duffy
40	Fergus Gleeson
41	G Kelyher
42	Gayle Maher
43	Gertrude Byrne
44	Grainne Loscher
45	Helen O'Flaherty
46	Imelda Grouse
47	J Connaughton
48	James Ryan
49	Jaime Bevin
50	Jane Daly
51	Cllr Janice Boylan
52	Joe & Margaret Ralph
53	John Bowden
54	John Curry
55	John Grouse
56	John O'Flaherty
57	John Oh
58	Joseph Thompson
59	Justin Gleeson
60	Kamil Kupczakiewicz
61	Kathleen Gormley
62	Kathleen Grant
63	Katrina Gaskin
64	Kevin Daly
65	Kevin Donnelly
66	Larissa O'Grady
67	Laura Bella
68	Lee Grant
69	Leonard Kelly
70	Liam O'Hara
71	Lorcan Maher
72	Lorraine Collier
73	Lorraine Daly
74	Luke Gleeson-Miller
75	Madeline Bowden
76	Marie Gaynor
77	Mark Lacey-Avila Readymix

78	Martin Halpin
79	Martin O'Grady
80	Mary Healy
81	Matthew Dee
82	Moirá Carey
83	Maurice Roche
84	Michael Mrotzek
85	Neasa Hourigan TD
86	Cllr Nial Ring
87	Niall Byrne
88	Niall Feiritear & Weronika Kaminska
89	Niall McKernan
90	Nicolas Donnelly
91	Nicole Rafferty
92	Nikki Malone
93	Noel Higgins
94	Noel Ryan
95	Oisin Corcoran
96	Orla Dukes & James Hanley
97	Mr & Mrs P Martin
98	Paul Biggs-Maher
100	Mrs Paula Gleeson
101	Peggie Moore
102	Peggy Atkinson
103	PJ Nugent
104	Rebecca Kehoe & Brian Tyrrell
105	Riain Daly Dee
106	Roger O'Neill
107	Rory Maher
108	Ross MacNally
109	Samantha Skelly
110	Sandra Finlay
111	Sandy Coleman
112	Sean Donnelly
113	Sean O'Sullivan
114	Sheena Devaney
115	Siofra Millem
116	Stephen Donohoe
117	Teresa Connaughton
118	Tony Neary
119	Vilma Touriene
120	Vincent Malcolmson





- Legend - Apartment/Duplex typologies**

 - 1B2P (1 bed, 2 person) apartment
 - 2B4P (2 bed, 4 person) apartment
 - 3B5P (3 bed, 5 person) apartment

Refer to SHB3-EAW-AR-COA-DR-0020 for Proposed Level +0 Plan with details of apartment layouts and private open space
- Legend - Site Layout**

 - Asphalt to carriageways generally
 - Concrete flag paving to street edge (outside boundary), in-situ concrete footpath with brushed finish otherwise
 - Brick paving to private curtilages
 - Buff coloured asphalt
 - Soft landscaping (Refer to Landscape Architects drawing for details)
 - Carparking spaces, asphalt finish
 - Disabled Carparking Spaces, asphalt finish
 - EV Charging point
 - Public lighting pole
- Legend - Planning**

 - Part 8 Planning Application extents

Use figured dimensions only. Do not scale drawings. Read in conjunction with specification and consultants drawings. Report any discrepancies in drawings to Architect before putting work in hand. Check all dimensions on site. This drawing is the copyright of Sean Harrington Architects, and may not be reproduced, in whole or part, without prior agreement.			
REV	NOTES	DATE	
P02	Amended tree layout and switchroom inclusion	17/09/21	
P03	Pre-planning issue	02/10/21	
P04	Planning issue	02/03/22	

SEÁN HARRINGTON ARCHITECTS		3rd Floor 12/122 Capel Street Dublin 1, Ireland	t: 01 8733 422 e: info@sha.ie
PROJECT: Social Housing Bundle 3 - Housing at East Wall Road			
CLIENT: Dublin City Council			
DRAWING TITLE: Proposed Site Plan			
PROJECT STAGE: Planning issue	SCALE: as shown	DATE: Sep '21	Project - Orig - Var - Level - Type - Rev - No.
SATISFACTORY CODE: S2	DRAWN BY: MOB	CHECKED BY: RG	SHB3-EAW-AR-COA-DR-0005
			REV NO: P04