

# Statement of Response to An Bord Pleanála Opinion

*In respect of*

## A Proposed Strategic Housing Development

*at*

**Belgard Square East, Belgard Road and Blessington Road,  
Tallaght, Dublin 24.**

*Prepared for*

**Ravensbrook Ltd.**

*Prepared by*

**John Spain Associates**

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## **1.0 INTRODUCTION**

- 1.1. On behalf of the applicant, Ravensbrook Ltd, we hereby submit this Statement of Response report which seeks to address the issues raised within the Opinion of An Bord Pleanála issued on 28<sup>th</sup> February 2022 following pre-application consultation in respect of the proposed development.
- 1.2. This Statement will refer to other documentation which forms part of the final planning application pack, where more detailed and specific responses are provided to the issues dealt within this Statement by the relevant experts / design team members and consultants.
- 1.3. This Statement demonstrates that the issues raised in the Board's Opinion have been fully and satisfactorily responded to in the Strategic Housing Development planning application.

## **2.0 RESPONSE TO AN BORD PLEANÁLA OPINION**

- 2.1. The Opinion of An Bord Pleanála on the pre-application stage for the proposed development noted that *"is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development."*
- 2.2. The Opinion set out 3 no. main items that needed to be addressed that could result in the proposed development constituting a reasonable basis for an application for strategic housing development and 18 no. items of specific information that should be submitted with any SHD planning application.
- 2.3. The following sections of this report set out these specific items and summarises how these items have been addressed in the final application.

**ITEM 1**

- 2.4. The first item to be addressed relates to compliance of the proposed development with the South Dublin CDP and Tallaght LAP.

*1. A detailed statement of consistency and planning rationale, outlining how in the prospective applicant's opinion, this primarily residential development is in compliance with the policies of the County Development Plan for this area. Such statement should have regard in particular to the "Town Centre" land use zoning objective and the identification of this as a Retail Opportunity Site, as well as the provisions of section 2.4.2 of the LAP relating to Mixed Use Frontage in such locations.*

**Response to Item 1**

- *Please refer to Planning Report & Statement of Consistency prepared by John Spain Associates (JSA)*
  - *Please refer to Henry J Lyons Design Response Document*
- 2.5. In response to the above item the applicant has prepared a detailed Statement of Consistency setting out how the proposed development is in compliance with the policies of the County Development Plan for the area. This report has regard to the 'Town Centre' land use zoning objective and the identification of this as a Retail Opportunity Site, as well as the provisions of section 2.4.2 of the LAP relating to Mixed Use Frontage in such locations.
- 2.6. It is noted that the JSA Statement of Consistency has assessed the proposals against the provisions of the existing South Dublin County Development Plan 2016-2022 which was in place at the time of submission, as well as against the provisions of the Draft South Dublin County Development Plan 2022-2028 which is anticipated to be in effect at the time of the Board's decision on the application. We understand that the Plan in place at the time of the Board's decision will form the basis for assessment. In this regard, we would set out compliance with the content of the Draft Plan below in respect of the identification of the site as a 'Retail Opportunity Site' as well as under the provisions of the LAP relating to land use zoning objective and Mixed-Use Frontages in this location.
- 2.7. It is important to note the extent of amendments which have arising from the pre-application consultation stage with An Bord Pleanála and South Dublin County Council. These are set out in Section 1 of the JSA Statement of Consistency and at Section 2.1 of the HJL Design Response document, summarised below:
- Increased quantum of retail / commercial space by c. 34% to that proposed at pre-application stage located at ground floor level to provide active frontage, and provide future retail opportunity;
  - Reduced unit numbers from 326 to 310 and the introduction of 3-bed apartments;
  - Ground floor apartments omitted to provide a greater quantum of commercial area, with a total of c. 2,289 sqm now provided;
  - Residents' internal amenity areas at ground floor level reconfigure and repositioned to face onto the public courtyard;
  - Additional residents' internal amenity is repositioned to the first-floor level, to allow for additional retail / commercial area at ground floor level;
  - Increased and enhanced public realm and active frontage, which includes landscaping to the edge of the site.
  - Main residential entrances were relocated in the design process, to allow easy and safe access for residents and restricting vehicular access through the site.

- 2.8. The subject site is identified as a 'Retail Opportunity Site' within the Core Retail Area of Tallaght, shown below in extract of Figure 9.1 of the draft South Dublin CDP 2022-2028 (indicative site location shown in green).

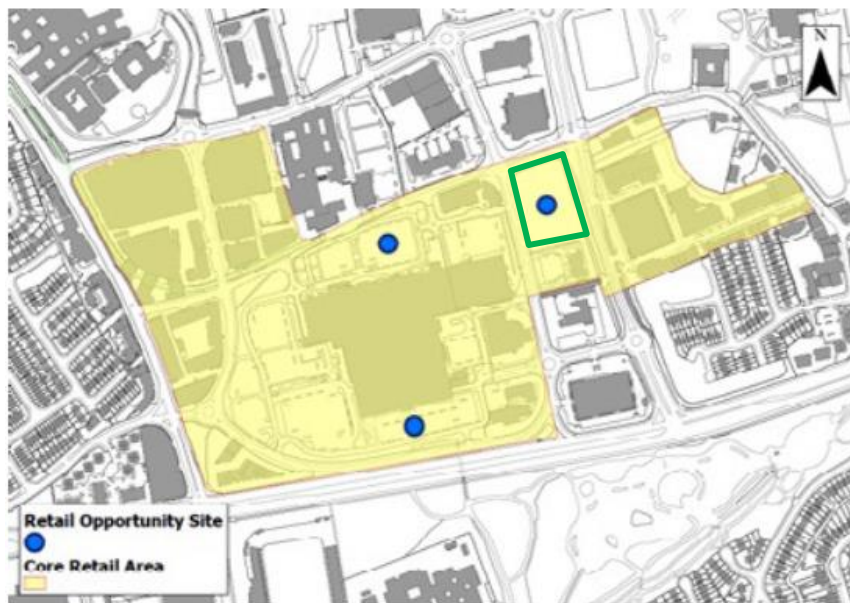


Figure 9.1: Tallaght Core Retail Area and Opportunity Sites.

- 2.9. The proposed development provides new retail and retail-related services in a sustainable manner, in keeping with guidelines, zoning and the site's location within the Tallaght Town Centre Area. Policy EDE9 Objective 5 seeks the 'redevelopment of Retail Opportunity Sites at... [the] mixed use/retail opportunity at the former Woodies on the Belgard Road'. The proposed development will support and assist the regeneration of the Tallaght LAP lands in a sustainable manner and direct retail to a town centre and core retail area location.
- 2.10. The subject site is identified as an 'Retail Opportunity Site' located within the Core Retail Area of Tallaght town centre and the proposed development will directly facilitate the redevelopment of the site for a mixed-use scheme including retail. The proposal includes c. 2,289 sqm of commercial use, including c. 1,913 sqm of retail and retail-related services within a mixed-use development that comprises 310 BTR apartments. This is comprised of the following:

Retail/Commercial: 2,289 sqm

- Retail/Restaurant (609 sqm)
- Retail/Class 2 / Professional Services/Office (586 sqm)
- Retail (467 sqm)
- Retail/Café (252 sqm)
- Creche (257 sqm)
- Ancillary Space (119 sqm)

- 2.11. It is noted that the subject site is currently vacant and provides no retail space. The proposed development includes a mix of retail, café/restaurant, office/professional services and creche use at ground floor level, consistent with the mixed-use frontages required by the LAP along Belgard Square East, Blessington Road and Belgard Road, contributing positively to an active façade and animated streetscape. The commercial provision has been increased by c. 34% to that proposed at pre-application stage in direct response to the ABP and SDCC opinions. The proposals direct a significant quantum of retail floorspace within a mixed-use development at an identified retail opportunity site.

- 2.12. Tallaght Town Centre is a Level 2 Major Town Centre within the Retail Hierarchy of the GDA and the County. The Town Centre has well established and significant retail

provision of over 72,000 sqm, focused on the Square Shopping Centre as the retail core. Further significant areas of additional retail have been developed over the last 20 years in the Town Centre, including at Tallaght Cross and Tallaght Central, to the northwest of The Square. As is noted in the report by Bannon Property Consultants, a number of the units in this area have remained vacant since they were developed over 12 years ago. While a Marks and Spencer store did open in part of Tallaght Cross, unfortunately it closed after a few years trading and this large unit has remained vacant for a number of years.

- 2.13. Furthermore, again as noted in the planning report, there is a planning permission for a significant extension to the Square Shopping Centre which would provide an additional c.18,000 sqm of retail space. Therefore, there is more than adequate existing and permitted retail floor space available to accommodate likely future retail demand in Tallaght Town Centre. Notwithstanding this, significant further additional retail is provided in the proposed scheme in a range of retail units and retail related services, which will complement the core retail area focused on the Square to the west of the subject site and also help form a retail link to the existing retail units to the east at Tallaght Village, and which will therefore enhance and strengthen the overall retail provision of Tallaght Town Centre, in accordance with the policies and objectives of the draft Development Plan. This retail provision in the proposed scheme will deliver on the retail opportunities this site presents in the context of the retail structure of the town centre.
- 2.14. The provision of retail and commercial uses at the proposed development has been informed by market research undertaken by Bannon Property Consultants which accompanies this submission. This includes an assessment of the current retail provisions in Tallaght. The report estimates current vacancy of in excess of 17,000 sqm, a rate of 24% of the total stock and notes that *'based on the current vacancy and approved retail space within The Square there is a more than adequate supply currently in place to satisfy this demand'* arising from the development of various Town Centre sites for residential use.
- 2.15. The report recognises the low vacancy in The Square and *'the agglomeration of retail uses within the core can provide a successful and comprehensive range of services and facilities to the wider town centre users'* with the town centre lacking *'residents not more retail'*. Retail is considered to only be viable *'when supported by identifiable retail spend'* which is demonstrated to be lacking through a shortfall in residential uses in the Town Centre. The proposed retail uses are included in accordance with Retail Policy 2 Sequential Approach to *'guide retail development where practical and viable'* to existing town centres to ensure these are *'sustained and strengthened'* and are considered viable in this context and in this location.
- 2.16. The report considers the proposed scale and nature of the commercial uses provided within the scheme, such as financial and professional services *'may work within the subject development'* as they are *'businesses which do not fit naturally in the retail core at The Square'*, being more suited to High Street locations. There may also be scope for medical services at the location. These uses, alongside *'local coffee shops and small-scale food operators... may suit the retail offer'* with viability increased *'given the lower costs associated with service charge and rents'*. The proposed retail and associated uses are complementary to that existing in the town centre area and complementary in this regard, effectively forming a secondary high street provision which assists in linking the old and new Tallaght town centres and respond positively to the existing mix of uses whilst making provision for a mix of uses at the site. This will improve and enhance the variety of services within Tallaght, increasing the intensification of retail and assisting in achieving EDE 9 Objective 5 by the redevelopment of the former Woodies site.

- 2.17. Please refer to Section 6 the accompanying JSA Planning Report & Statement of Consistency and Bannon Property Consultants Report for further details.

## ITEM 2

- 2.18. The second item to be addressed relates to the height, scale and density of development proposed:

*“2. Further consideration / justification of the documents as they relate to the height, scale and density of development proposed. In this regard the application should be accompanied by a detailed Rationale / Justification for the proposed density and building heights, having particular regard to section 2.6 of the Tallaght Town Centre LAP 2020 in respect of Intensity of Development and section 3.2 in relation to The Centre, and the provisions of the County Development Plan in this regard, as well as the criteria set out in Section 3.2 of the Urban Development and Building Height, Guidelines for Planning Authorities’ 2018.”*

### Response to Item 2

- *Please refer to the Statement of Consistency prepared by JSA*
  - *Please refer to the Statement of Material Contraventions prepared by JSA*
  - *Please refer to the Design & Townscape Visual Assessment (DTVA) prepared by City Designer*
  - *Please refer to the Design Statement prepared by Henry J Lyons Architects*
  - *Please refer to Parkhood Design & Access Statement & Landscape Masterplan*
- 2.19. The proposed development has been subject to amendment in response to the ABP and South Dublin County Council Opinions received following pre-application consultation. The proposed development has been reduced from 326 units at pre-application stage to 310 units now submitted, resulting in a reduction in density from 362 units per hectare to 342 units per hectare.
- 2.20. The proposed building heights have been retained, with a detailed rationale and justification for heights and densities set out in the accompanying JSA Statement of Consistency (Section 5 & 6) and Statement of Material Contravention (Section 3), as well as the City Designer (DTVA) and the HJL Design Statement.
- 2.21. Section 2.6 of the Tallaght LAP: Intensity of Development notes that *‘higher and medium intensity areas should be located primarily around the existing retail and administration centre, that is, The Centre and the Luas Stations on the Cookstown and Belgard Roads’* noting that *‘higher density of the residential development in the form of mixed-use developments are desirable in these locations for reasons of their centrality, location proximate to transport nodes and/or the range of facilities currently available’*. The subject site is located within ‘The Centre’ and has the potential to implement a higher density mixed-use development in accordance with Section 2.6 of the LAP.
- 2.22. Table 2.0 of the LAP sets out a Plot Ratio of 1.5 - 2.0 for The Centre lands, with building heights of up to 6–7 storeys residential, +1 recessed and up to 5–6 storeys non-residential, +1 recessed specified under Section 2.6.2. The proposed development comprises a plot ratio of 1.6 and is therefore in accordance with the provisions of the LAP in this respect. The proposal consists of 3 blocks ranging in height from 6 to 12 storeys which exceeds the height restrictions set out within the LAP for the subject site.
- 2.23. The proposal includes a density of 342 units per hectare which is considered appropriate having regard to the site’s central / accessible location in the context of the Apartment Guidelines 2020, which are recognised as suitable for higher density development that may be wholly comprised of apartments.

- 2.24. Section 2.6 makes provision for *'flexibility in relation to the plot ratio range and the potential for higher buildings (2-4 storey increase on typical levels set in the LAP) may be considered at certain locations which are considered to be key or landmark sites, subject to exceptional design which creates a feature of architectural interest, a significant contribution to the public realm at these locations and mixed uses at ground floor level'*.
- 2.25. Section 2.6.1 (page 26) also provides for flexibility on maximum heights and plot ratios *'where there is a compelling case of significant public or economic benefit'*.
- 2.26. The subject site is located at the junction of Blessington Road and Belgard Road at a key location at the eastern edge of Tallaght town centre which marks an entrance to the urban area. City Designer consider that *'the proposed development meets this expectation of exceptional design quality and offers significant public realm improvements and a vibrant ground floor experience with multiple uses'* and *'there is much about the site location and context which lends itself to an urban marker of the scale proposed; it is situated at a key road junction where Belgard Road meets Blessington Road, at a location that marks the eastern gateway to Tallaght's new town centre'*.
- 2.27. The proposal includes a significant contribution to the public realm through the replacement of an existing boundary wall with a soft landscaped edge which incorporates a mix of hard and soft features, integrating with existing planting and green features. The development includes a tertiary route through the southern part of the site linking Belgard Square East to Belgard Road that prioritises pedestrian and cycle movement. A new area of public open space (c. 11% of the site area) is provided at the centre of the site and will invite public use from the surrounding area whilst promoting permeability through the site. An extract of the Parkhood Landscape Masterplan is shown below in Figure 1.



**Figure 1: Parkhood Landscape Masterplan**

- 2.28. The proposal also includes the provision of a creche at ground floor level of Block C and a significant area of public open space in the centre of the site which will become a valuable asset for the wider community, in combination with café/restaurant uses and retail/commercial uses at the site at ground floor level which will contribute an

economic benefit to the area in accordance with the site's land use zoning. The proposed retail provision has been informed by market analysis undertaken by Bannon Property Consultants with uses considered to be viable and appropriate to the subject location complementary to the wider Tallaght town centre existing retail offering. The proposal will provide a high-quality mixed-use scheme with a range of residential amenities and facilities including coworking spaces which are considered compatible with the mix of retail and commercial uses included.

- 2.29. The proposed development will regenerate an area of vacant brownfield land and vastly improve the visual appearance of the site as well as providing valuable public assets in the form of enhanced pedestrian and cycle network, landscaped open space and community infrastructure. The proposal will vastly enhance the site's public realm interface and can be considered to provide a 'significant public gain' to the area. On this basis, flexibility on plot ratio is considered applicable at the subject site.
- 2.30. The provisions at Section 2.6 (page 25) may apply to *'the extent of a site which is within 100m walking distance'* of the following:
- ***High capacity public transport stops (i.e. a Luas stop or high frequency bus stop (i.e. 10-minute peak hour frequency) on a dedicated bus lane);***
  - *The proposed 'New Urban Square' north of Belgard Square North in the Centre neighbourhood;*
  - *The proposed 'New Urban Square' within the Cookstown neighbourhood; and*
  - *The proposed Transport Interchange and adjacent proposed 'Urban Space' in the Centre neighbourhood.*
- 2.31. The subject site is located within 100 metres of a high-frequency bus stop on Blessington Road to the northeast, in accordance with the emphasised text in the bullet point above. The bus stop is served by route no. 27 which has a 10-minute peak hour frequency service. In this respect, the subject site is considered suitable for increased building heights and will punctuate an urban area in accordance with the LAP.
- 2.32. Page 29 of the LAP sets out criteria for taller buildings:
- *Surrounding, established scale and height.*
  - *Impact on daylight and sunlight of the development, surrounding development and private, semi-private and public open spaces.*
  - *Impact on skyline, urban silhouette or streetscape (including overbearing).*
  - *Other social or physical infrastructural benefits from the development, such as public realm contribution.*
  - *Proximity to high quality public transport.*
- 2.33. These criteria have been assessed at Section 6 of the JSA Statement of Consistency, Section 3 of the accompanying JSA Statement of Material Contravention and the City Designer DTVA.
- 2.34. The proposed development responds directly to the existing 7 storey buildings located to the west and east of the subject site and benefits from good proximity to high quality public transport. The development contributes positively to physical infrastructure in the form of improved public realm and a new tertiary route in the southern part of the site. The scheme has been designed to mitigate impact on daylight and sunlight on surrounding development and open spaces. Please refer to the accompanying City Designer DTVA, Henry J Lyons Design Statement and BPG3 reports for further details on the above.
- 2.35. The LAP further states that:



*'Where justified by a Design Statement, building elements higher than 8 storeys must be designed as corner features or similar limited elements of urban blocks to define streetscape, respond to public spaces or close urban vistas. Where taller landmark buildings are proposed they should achieve the highest standards of design including high quality and robust materials, should contribute to an emerging skyline for Tallaght and should be slender buildings that successfully manage their environmental impacts on surrounding lands.'*

- 2.36. All elements of the buildings above 8 no. storeys are located on corners of blocks, consistent with the requirements of the LAP, with materials and finishes carefully considered to achieve the highest standards of design, as noted in the accompanying Henry J Lyons Design Statement.
- 2.37. On the basis of the LAP provisions discussed above, flexibility is considered to exist for increased building height at the subject site.
- 2.38. In addition, the proposal helps to achieve a number of objectives in respect of density and landmark buildings set out in the draft South Dublin CDP area as noted below:

*"CS6 Objective 4: To promote higher densities (50+ units per hectare) subject to meeting qualitative standards at appropriate locations, in urban built-up areas, especially near urban centres and/or high-capacity public transport nodes in line with prevailing Section 28 Ministerial Guidelines and where it can be demonstrated that the necessary infrastructure is in place or can be provided to facilitate the development."*

*"QDP9 Objective 1: To require that designers and applicants demonstrate to the satisfaction of the Planning Authority that applications for landmark type buildings or for amplified heights akin to a landmark, are contextually appropriate and that the proportionate function of the landmark justifies it, having regard to the primary, secondary and local landmark classifications."*

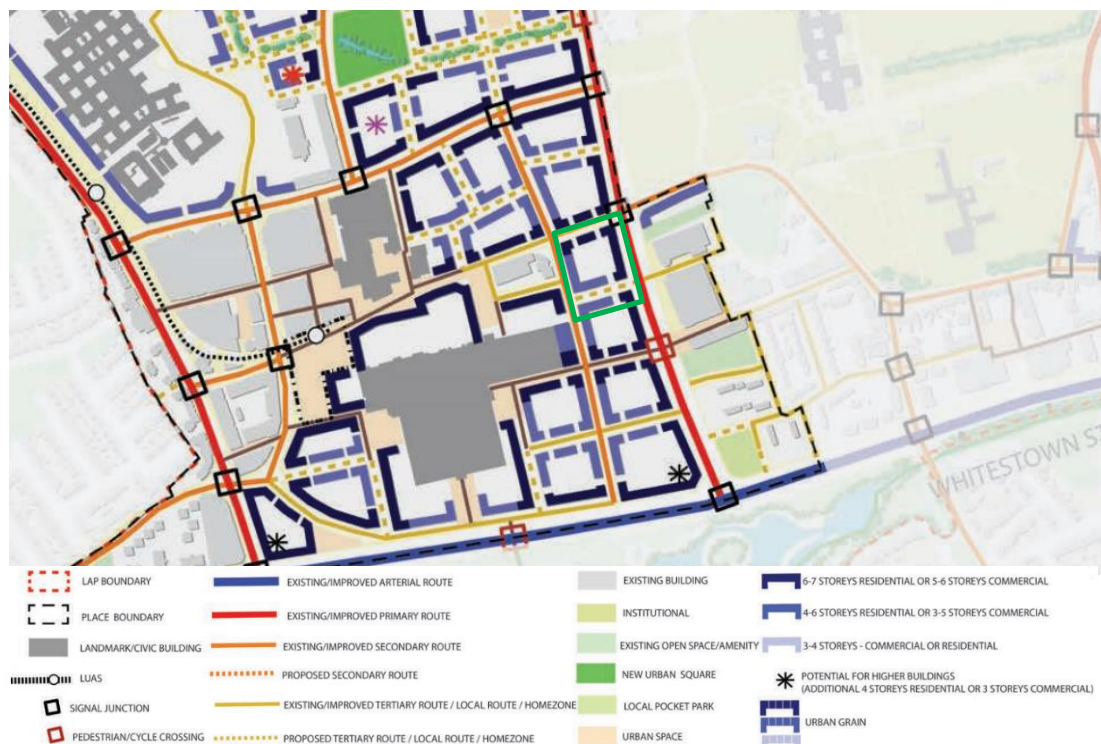
- 2.39. A full assessment of the proposed development height against the Development Management criteria at Section 3.2 of the Urban Development & Building Height Guidelines 2018 is set out in the JSA Statement of Material Contravention and the City Designer DTVA. Please refer to these documents for further details.

### **ITEM 3**

- 2.40. The third item to be addressed relates to traffic and transport:
3. *Further clarification and elaboration for the documents as they relate to the design and function of the proposed Tertiary Road linking Belgard Road with Belgard Square East. The intent with regard to the taking-in-charge of this road should be clearly stated.*

### **Response to Item 3**

- *Please refer to CS Consulting Traffic & Transport Assessment & Drawings*
  - *Please refer to Parkhood Design & Access Statement and Landscape Masterplan*
- 2.41. A tertiary route is proposed through the southern part of the subject site providing a pedestrian and cyclist priority route connecting Belgard Square East and Belgard Road. The tertiary route is provided in accordance with Figure 3.3 of the Tallaght LAP shown below, with the approximate location of the subject site outlined in green.



**Figure 2: The Centre Urban Structure Extract Figure 3.3 of Tallaght LAP**

2.42. The design and function of the tertiary route has been subject to discussions with the South Dublin Roads Department in preparation for this submission following the Opinion of the Planning Authority and the Board. The design of the tertiary route has been refined to that proposed at pre-application stage, with vehicular access restricted to the western point of entry at Belgard Square East to access the drop off / set down parking area at the western perimeter of Block C. The remainder of the route will be for walking and cycling, with emergency and service vehicular access permissible and a single disabled access parking space located to the south of the route and a set down / layby to the north to facilitate refuse collection.

2.43. The proposed use and function of the tertiary route and design amendments is set out in the CS Consulting TTA and summarised below:

*'It is proposed that access from the proposed tertiary route to Belgard Road shall be restricted to pedestrians, cyclists, and emergency vehicles. No through access shall be facilitated for general vehicular traffic. As such, it is not considered that moving the car parking area to the tertiary road would result in a more efficient layout. To facilitate more efficient turning movements, the following design changes have been undertaken:*

- *1no. parking space has been removed from the creche parking area to provide more space for parking manoeuvres.*
- *Spaces have been arranged along the western edge to allow for easier parking manoeuvres.*
- *Dedicated pedestrian zones have been implemented to ensure pedestrian safety.*
- *Footpath is continued across the junction of the car park area to reinforce priority for pedestrians at this location.'*

2.44. The proposed function of the tertiary route will ensure a safe and effective route which will respond appropriately to the requirements of the LAP and limit movement through the site to cyclists and pedestrians only. Alterations to the design of the shared street arrangement, cycle access junction at Belgard Road and the design and location of visitor and long-stay cycle parking arrangements have also been undertaken following discussions with the Planning Authority in March 2022.

- 2.45. In response to Item 3 of the ABP Opinion, Section 8.1 of the CS Consulting Traffic & Transport Assessment states:

*'It is not anticipated that the tertiary road shall be taken in charge by the Local Authority. The proposed tertiary road shall provide a pedestrian/cyclist link between Belgard Road and Belgard Square East but restrict access for general vehicular traffic... The proposed tertiary road is shown to be a tertiary route/local route/homezone within Figure 2.1 of the Local Area Plan and as such is a suitable location for the consideration of filtered permeability...'*

*Following discussions with representatives of South Dublin County Council's Roads Department it was stated that the Roads Department had no objection to the provision of filtered permeability for pedestrians and cyclists to Belgard Road and safety benefits were discussed.'*

- 2.47 The proposed tertiary route has been subject to design improvements to ensure a high-quality and distinct environment for users. CS Consulting note:

*'The proposed tertiary road has been designed as a shared surface carriageway, flanked on either side by footpaths with a minimum width of 2.0m. Flush kerbs, paving materials and tactile strips shall be utilised to promote pedestrian priority and permeability throughout the subject development. It is proposed to provide a loading bay/set down area along the tertiary road to facilitate refuse collection, deliveries and servicing, and taxi set-down within the site. Access to the creche set down area is proposed via the tertiary road. Additionally, a disabled accessible car parking space is proposed along the tertiary road which shall be available for use by development occupants and visitors.'*

- 2.48 As set out in the CS Consulting TTA, the public realm at the subject site has been designed in compliance with the principles set out in the SDCC Taking in Charge document. It is not anticipated that the tertiary road shall be taken in charge by the Local Authority. The TTA notes:

*'Taking in Charge Standards were discussed with representatives of South Dublin County Council's Roads Department in meetings following receipt of the pre-planning opinion. Areas for taking in charge shall be designed in accordance with Appendix 6 of the Taking in Charge Standards.'*

- 2.49 Please refer to CS Consulting drawings nos. Q003-CSC-ZZ-XX-DR-C-0006, Q003-CSC-ZZ-XX-DR-C-0007 and Q003-CSC-ZZ-XX-DR-C-0008 for further details of access to the proposed development and the Parkhood Landscape Masterplan for details on the shared tertiary route.

- 2.50 On the basis of the above, the 3 Items raised by the ABP Opinion have been fully addressed.

### **3.0 SPECIFIC INFORMATION REQUESTED BY ABP**

- 3.1. In addition to the above issues, as provided under article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, ABP requested the following requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017.

#### **ITEM 1**

- 3.2. The first item of specific further information relates to light assessment. This item of the Board's Opinion is as follows:

*1. The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.*

### **Response to Item 1**

- *Please refer to BPG3 Daylight & Sunlight Reports*
- *Please refer to JSA Statement of Consistency & Statement of Material Contraventions*

3.3. A comprehensive daylight and sunlight assessment has been undertaken by BPG3 and accompanies this application. The assessment has been undertaken having regard to the provisions of Section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting. The proposed development has also been assessed pursuant to daylight standard EN17037 for completeness, even though there is no express requirement to do so in the Apartment Guidelines, Building Height Guidelines or any other planning guidelines.

3.4. The proposed development performs well in terms of daylight, with proposed apartments achieving 90% compliance with targeted values for Average Daylight Factor, with 95% of neighbouring properties assessed achieving recommended targets for Vertical Sky Component.

3.5. An assessment of sunlight to amenity spaces has been undertaken, with 83% of all external amenity spaces achieving at least 2 hours of sunlight on 21<sup>st</sup> March in accordance with BRE Guideline recommendations, with neighbouring amenity space, with neighbouring amenity space achieving 85%.

3.6. Please refer to the BPG3 reports for further details.

### **ITEM 2**

3.7. The second item of specific further information relates to daylight. This item of the Board's Opinion is as follows:

*2. The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and / or quantified.*

### **Response to Item 2**

- *Please refer to BPG3 Daylight & Sunlight Reports*

3.8. The proposed development achieves a high level of compliance (89%) with the targeted values for ADF within the scheme with assessment undertaken in respect of the 2% target for open plan living/kitchen/dining spaces, as well as in respect of the 1.5% target for living rooms and 1% for bedrooms in accordance with BS 8206-2.

- 3.9. The proposed development, in compensation for units which do not achieve the target values ADF targets, provides for an over provision (when compared to the minimum standards) of communal open space. A significant provision of tenant amenities and services are also provided. Please refer to pages 12, 60 and 65 of the BPG3 Daylight Adequacy Report (2/3) for further details on compensatory measures in terms of daylight.
- 3.10. In terms of neighbouring VSC, the BPG3 report (1 of 3) found that 99 of 104 windows tested were found to retain skylight access levels. Where adjacent properties fall short of recommended targets, compensatory measures are provided at page 21 of the report:
- *A residential offer which will help to address housing shortages in the immediate neighbourhood.*
  - *The provision of additional public amenity space in the immediate neighbourhood.*
  - *Improved street frontage and concomitant passive supervision along public roads and footpaths.*
- 3.11. Please refer to page 21 of the BPG3 Daylight Adequacy Report (1/3) for further details.

### **ITEM 3**

- 3.12. The third item of specific further information relates to wind analysis. This item of the Board's Opinion is as follows:

*3. An analysis of wind microclimate and pedestrian comfort, with reference to pedestrian occupation and usability of new public spaces and the safety and comfort of residential amenity spaces, including communal spaces, roof terraces and private upper floor balconies. The achievement of appropriate acceptance criteria for upper floor balconies should be clearly demonstrated.*

### **Response to Item 3**

- *Please refer to Wind Modelling Assessment Report prepared by B-Fluid*

- 3.13. A wind modelling report has been prepared in response to the above item, having regard to wind microclimate and pedestrian comfort at public spaces, residential amenity spaces, roof terraces and balconies. The report concludes:

- *'The development is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrian).*
- *The development does not introduce any critical impact on the surrounding buildings, or nearby adjacent roads.'*

- 3.14. Please refer to Section 7 of the B-Fluid report for further details.

### **ITEM 4**

- 3.15. The fourth item of specific further information relates to wind analysis. This item of the Board's Opinion is as follows:

*4. Any required mitigation or other design measures arising from such assessment should be clearly identified and described in the study.*

### **Response to Item 4**

- *Please refer to Wind Modelling Assessment Report prepared by B-Fluid*

3.16. The B-Fluid report refers to mitigation measures which have been implemented within the scheme design through collaboration with the project architect Henry J Lyons and Landscape Architect Parkhood to ensure a high-quality environment is provided at the development. This is summarised in the below extracts from the Executive Summary of the report:

- *The proposed Belgard Road Residential Development has been designed in order to produce a high-quality environment that is attractive and comfortable for pedestrians of all categories. To achieve this objective, throughout the design process, the impact of wind has been considered and analysed, in the areas where critical patterns were found, the appropriate mitigation measures were introduced.*
- *As a result of the final proposed and mitigated design, wind flow speeds at ground floor are shown to be within tenable conditions. Some higher velocity indicating minor funnelling effects are found near the West side of the development and the South-West, North-West and North-East corners of the development. However, these areas were mitigated with landscaping and the flow velocities shown in the Lawson map indicate that the areas can be utilised for the intended use such as short-term sitting, walking and strolling.*
- *Tree planting all around the development has been utilised, with particular attention to the corners of the Blocks has positively mitigated any critical wind effects.*

3.17. Please refer to the B-Fluid report for further details.

#### **ITEM 5**

3.18. The fifth item of specific further information relates to management. This item of the Board's Opinion is as follows:

*5. A management plan which addresses the varied requirements of the proposed Built-to-Rent residential units and associated amenities and facilities, as well as proposed commercial uses within the development.*

#### **Response to Item 5**

- *Please refer to Operational Management Plan prepared by Hooke & MacDonald*

3.19. A comprehensive operational management plan has been prepared by property consultants Hooke & MacDonald to address Item 5. This addresses the varied requirements of the proposed Built-to-Rent residential units and associated amenities and facilities, as well as proposed commercial uses within the development. Please refer to this report for further details.

#### **ITEM 6**

3.20. The sixth item of specific further information relates to taking in charge. This item of the Board's Opinion is as follows:

*6. A site layout plan, which clearly indicates areas intended to be taken in charge.*

#### **Response to Item 6**

3.15 Please refer to Henry J Lyons drawing BR-HJL-00-DR-A-006\_Taken in Charge Plan for details on areas intended to be taken in charge by South Dublin County Council. This has been subject to discussion with the Planning Authority in preparation for this submission.

**ITEM 7**

- 3.16 The seventh item of specific further information relates to public open space. This item of the Board's Opinion is as follows:

*7. Details clearly distinguishing between areas proposed as public open space and those specified as communal open space and identifying which areas it is proposed that the council would take in charge. Where it is not proposed that open space would be taken in charge, details should be submitted as to how such space would be managed including the management of access and use of the space, and who would take responsibility over the long-term for the costs arising from maintenance and the liability for accidents.*

**Response to Item 7**

- Please refer to Henry J Lyons Drawing no. BR-HJL-00-DR-A-003
- Please refer to Parkhood Design & Access Statement
- Please refer to Operational Management Plan prepared by Hooke & MacDonald

- 3.17 Section 10 of the accompanying Parkhood Design & Access Statement includes a plan which clearly distinguishes public / communal amenity space and those areas to be taken in charge.

- 3.18 The accompanying Hooke & MacDonald Operational Management Plan sets out details on how space not intended to be taken in charge will be managed, including the management of access and use of the space, and who would take responsibility over the long-term for the costs arising from maintenance and the liability for accidents. The responsibility will be assumed by a Property Manager to be appointed by the developer.

**ITEM 8**

- 3.19 The eighth item of specific further information relates to utilities. This item of the Board's Opinion is as follows:

*8. Details of the treatment of existing gas infrastructure on the eastern / Belgard Road frontage of the site. Any wayleaves associated with such gas infrastructure affecting the application site should be clearly identified.*

**Response to Item 8**

- 3.20 Please refer to CS Consulting Drawing Q003-CSC-ZZ-XX-DR-C-0020 for all the works proposed in the public realm including the modifications to the adjoining road and footpath networks. The applicant is not aware of any wayleave associated with the gas infrastructure network relating to the site as the infrastructure is located outside the site boundary.

**ITEM 9**

- 3.21 The ninth item of specific further information relates to public realm works. This item of the Board's Opinion is as follows:

*9. Drawings clearly identifying all works proposed in the public realm including any modifications to the adjoining road and public footpath networks. The relationship with future works and improvements as part of BusConnects, including modifications and upgrades to junctions, bus stops and footpaths should be clearly described.*

**Response to Item 9**

- Please refer to CS Consulting Traffic & Transport Assessment
- Please refer to CS Consulting Drawing Q003-CSC-ZZ-XX-DR-C-0020

3.22 The above CS Consulting drawing details all the works proposed in the public realm including the modifications to the adjoining road and footpath networks. As detailed within the CS Consulting TTA, *'the development's public realm design shall tie in seamlessly with the existing footpath infrastructure'*. A letter of consent has been issued by South Dublin County Council for the purposes of this application in respect of works within the public realm.

**ITEM 10**

3.23 The tenth item of the Board's Opinion states:

*10. The application should be accompanied by the following:*

**Response to Item 10**

3.24 Please see below which provides responses to each of the items listed 11-18.

**ITEM 11**

3.25 The eleventh item of specific further information relates to roads and transport issues. This item of the Board's Opinion is as follows:

*11. A statement addressing the matters raised in the report of the South Dublin County Council Roads Department, dated 26/11/2021.*

**Response to Item 11**

- Please refer to CS Consulting Traffic & Transport Assessment

3.26 Please refer to sub-section 8.2 of the TTA for the responses to matters raised within the South Dublin County Council Roads Department Opinion.

**ITEM 12**

3.27 The twelfth item of specific further information relates to parking management. This item of the Board's Opinion is as follows:

*12. A Parking Management Strategy, including detail on the breakdown of parking provision by type and land use*

**Response to Item 12**

- Please refer to Car Parking Management Strategy prepared by CS Consulting
- Please refer to Traffic & Transport Assessment prepared by CS Consulting

3.28 Please refer to Car Parking Management Strategy prepared by CS Consulting submitted with this application for details on the breakdown of parking provision by type and land use. The proposed car parking provision has been subject to discussion with South Dublin County Council Roads Department with agreement reached in principle on the quantum provided. The level of car parking included is consistent with the sustainable development of the site and its proximity to a range of high-quality and high-frequency public transport, as well as existing services and facilities and



employment areas within Tallaght. Please refer to CS Consulting documents for further justification in this respect.

### **ITEM 13**

- 3.29 The thirteenth item of specific further information relates to quality and road safety audit. This item of the Board's Opinion is as follows:

*13. A Quality Audit demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual. This should include a Road Safety Audit which considers inter alia the design and layout of the proposed car park and the tertiary access route running between Belgard Square East and Belgard Road.*

### **Response to Item 13**

- *Please refer to CS Consulting DMURS Compliance Statement*
- *Please refer to CS Consulting Quality Audit Response Document*

- 3.30 Please refer to Quality Audit Response Document under separate cover submitted with this application demonstration compliance with the principles and specifications set out in DMURS and the National Cycle Manual. The document also includes Road Safety Audit which considers inter alia the design and layout of the proposed car park and the tertiary access route.

### **ITEM 14**

- 3.31 The fourteenth item of specific further information relates to operational management. This item of the Board's Opinion is as follows:

*14. A Servicing and Operations Management Plan for the proposed commercial and residential uses.*

### **Response to Item 14**

- 3.32 Please refer to Operational Management Plan prepared by Hooke & MacDonald and Operational Waste Management Plan prepared by AWN Consulting.

### **ITEM 15**

- 3.33 The fifteenth item of specific further information relates to bicycle parking. This item of the Board's Opinion was as follows:

*15. Details of the quantum and design of bicycle parking / storage, having regard to the provisions of the guidelines on Sustainable Urban Housing: Design Standards for New Apartments. The allocation of spaces between residential and commercial uses on the site should be clearly described. The design of such parking / storage should consider relevant access and operational requirements.*

### **Response to Item 15**

- *Please refer to CS Consulting Traffic & Transport Assessment*

- 3.34 Cycle parking provision has been increased significantly to that proposed at pre-application stage to exceed requirements of the draft South Dublin CDP 2022-2028 and the Apartment Guidelines 2020. A total of 763 no. cycle parking spaces are provided, with 529 long-stay secure residential parking spaces and 20 staff parking spaces located at basement level. In addition, 159 no. visitors parking spaces serving residential use and 55 no. for retail/commercial visitors are provided at ground level

across the site, with 50% of this short stay provision covered. A total of 8 no. secure cargo bike parking spaces are included, with 6 no. motorcycle spaces.

#### **ITEM 16**

- 3.35 The sixteenth item of specific further information relates to material contravention. This item of the Board's Opinion was as follows:

*16. Where the applicant considers that the proposed strategic housing development would materially contravene the South Dublin County Development Plan or the Tallaght Town Centre LAP 2020, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development.*

#### **Response to Item 16**

- 3.36 Please refer to accompanying Statement of Material Contravention of the South Dublin CDP 2016-2022 and Tallaght LAP 2020 as well as Material Contravention of the Draft South Dublin CDP 2022-2028 and Tallaght LAP 2020 prepared by John Spain Associates. Two separate statements are submitted having regard to the current CDP in place at the date of submission and the draft CDP which is expected to be in effect at the time of the Board's decision on the application.

#### **ITEM 17**

- 3.37 The seventeenth item of specific further information relates to. This item of the Board's Opinion was as follows:

*17. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.*

#### **Response to Item 17**

- 3.38 Please refer to accompanying Statement of Material Contravention of the South Dublin CDP 2016-2022 and Tallaght LAP 2020 as well as Material Contravention of the Draft South Dublin CDP 2022-2028 and Tallaght LAP 2020 prepared by John Spain Associates. Two separate statements are submitted having regard to the current CDP in place at the date of submission and the draft CDP which is expected to be in effect at the time of the Board's decision on the application.

#### **ITEM 18**

- 3.39 The eighteenth item of specific further information relates to article 299B. This item of the Board's Opinion was as follows:

*18. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.*

#### **Response to Item 18**

- 3.40 Please refer to Article 299B Statement prepared by AWN Consulting.

#### **4 CONCLUSION**

- 4.1 In conclusion, all the issues raised by An Bord Pleanála in its opinion dated 28<sup>th</sup> February 2022 have been comprehensively addressed in the planning application submitted to the Board as set out within this statement of response and the accompanying documentation.
- 4.2 The proposed development provides for a significant number of high-quality residential units across a range of sizes and tenures and retail/commercial use which will activate the ground floor and enhance the streetscape in response to local planning policy and objectives.
- 4.3 The proposed development has been amended and refined following the opinions issued by ABP and South Dublin County Council, with a reduced number of units proposed, including the introduction of 3-bedroom apartments. The proposal also includes a childcare facility and open space, as well as implementing a tertiary route through the southern part of the site which improves pedestrian and cycle permeability through the site.
- 4.4 The proposed development will effectively regenerate a vacant, brownfield site with a high-quality architectural proposal which will add positively to the urban grain and pattern of development incorporating land use consistent with the site's zoning which will contribute to the sustainable development of the area.