



HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

STATEMENT OF RESPONSE TO PRE-APPLICATION CONSULTATION

Royal Oak SHD

Site at the former Royal Oak Public House,
Finglas Road & Old Finglas Road,
Glasnevin,
Dublin 11

APRIL 2022

SUBMITTED ON BEHALF OF:
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1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have prepared this Statement of Response to Pre-application Consultation Opinion on behalf of our client, Three Castle Investments Ltd., to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development at Site at the Former Royal Oak Public House, Finglas Road, Glasnevin, Dublin 11.

Following consultations with Dublin City Council, a request to enter pre-planning consultation with An Bord Pleanála was submitted, and a pre-planning consultation meeting was facilitated on 22nd November 2021. An Bord Pleanála subsequently issued a Notice of Pre-Application Consultation Opinion on 17th December 2021, which identified 1 no. item to be addressed, in order for the application to constitute the reasonable basis for a Strategic Housing Application. This item was as follows:

1. *Further consideration and/or justification of the documents as they relate to impact of the proposed development on the residential amenity of the existing neighbouring dwellings, having regard, inter alia, the location and height of the proposed development and the potential for a negative impact on the visual and residential amenity of existing occupants along Violet Hill. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential properties surrounding the site may further elaborate on the visual impact on these properties. This further consideration may require the submission of updated sunlight and daylight analysis detailing compliance with the requirements of BRE209/BS2011, as applicable and may require an amendment of the documents and/or design proposal submitted.*

The Board also requested, pursuant to article 285(5)(b) of the Planning and Development Act 2000 (As amended by the Planning and Development (Housing) and Residential Tenancies Act 2016), the provision of the following specific information:

1. *Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the site at key landmark views along the Finglas Road and surrounding areas.*
2. *Updated contextual elevations clearly illustrating the relationship between the ground floor and the Finglas Road.*
3. *An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.*
4. *A Social Audit necessary to comply with Section 16.10.4 of the Dublin City Development Plan 2016-2022 and indicating the range of existing facilities in the area.*
5. *A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, and boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).*
6. *A detailed site layout plan clearly illustrating the proposed development and the land use zoning for the site from the statutory development plan.*
7. *A Microclimate Study.*

8. *A quantitative and qualitative assessment which provides a breakdown of the public and communal open space areas. This assessment should include a detailed landscape plan including the provision of communal amenity spaces and play facilities in line with the Sustainable Urban Housing: Design Standards for New Apartments (2020). Further details relating to a specific tree survey, tree retention report and tree planting scheme should be included in the landscaping report.*
9. *Submission of a Car Parking Management Strategy will provide further justification in relation to car parking strategy, the designation of parking spaces for visitor and residents, car sharing spaces, 10% electric charging and provision of motorcycle spaces.*
10. *Submission of detailed information indicating compliance with Section 4.15 – 4.17 of the Apartment Guidelines (2020) for bicycle parking facilities.*
11. *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.*
12. *Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, 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, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.*

Sections 2.0 and 3.0, below and overleaf, provides a response to the above.

Further to the above, the Board's Notice of Pre-Application Consultation Opinion set out the statutory bodies to be notified of the making an application, pursuant to section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016. They are as follows:

1. *Irish Water*
2. *National Transport Authority*
3. *Transport Infrastructure Ireland*
4. *Irish Aviation Authority*
5. *Dublin Airport Authority*
6. *Dublin City Childcare Committee*

A copy of the current application has been sent to the prescribed bodies identified by the Board. Copies of the applicable cover letters are enclosed with this application.

2.0 Items Required to Constitute the Reasonable Basis for a Strategic Housing Application

The following sets out how the applicant and design team have addressed the 1 no. issues raised in the Board's Notice of Pre-Application Consultation Opinion to ensure the subject application constitutes a reasonable basis for an application for strategic housing development.

2.1 Item No. 1 – Design Strategy

The Board required the following in relation to the design of the scheme.

1. *Further consideration and/or justification of the documents as they relate to impact of the proposed development on the residential amenity of the existing neighbouring dwellings, having regard, inter alia, the location and height of the proposed development and the potential for a negative impact on the visual and residential amenity of existing occupants along Violet Hill. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential properties*

surrounding the site may further elaborate on the visual impact on these properties. This further consideration may require the submission of updated sunlight and daylight analysis detailing compliance with the requirements of BRE209/BS2011, as applicable and may require an amendment of the documents and/or design proposal submitted.

2.1.1 Applicants Response to Item No. 1

Following receipt of the Boards Notice of Pre- Application Consultation Opinion on 17th December 2021, the design team has re-examined the design, height and massing of the proposed development so as to ensure any potential negative impacts on adjoining sites and the immediate environs are mitigated appropriately.

In this respect, and to ensure no undue impact on the residential amenity enjoyed by the occupants of adjoining dwellings on Violet Hill, Tyler Owens Architects have revised the massing of the north-eastern corner of the building to allow for the provision of an increased separation distance between the proposed building and these properties. To this effect, a total of 7 no. apartments have been omitted from the north-eastern corner of the building across the sixth, seventh and eighth floor levels. The omission of these units, and the associated reduced visual impact is perhaps best understood upon comparison of the eastern elevation of the proposed building as presented at pre-planning stage and as currently proposed, see Figure 1.0 below.



Figure 1.0 Eastern elevation of proposed scheme as presented at pre-planning stage (top) and as revised for the purposes of the current application (bottom).

It is considered that the reduced massing of the final scheme, as clearly illustrated within the above comparison, provides for a more appropriate interface between existing built form on Violet Hill and the proposed building by allowing a stepping up of height across the site. Moreover, this reduction provides for a significant reduction in the quantum of residential units proposed on site with the omission of 7 no. units from the scheme proposed at pre-planning stage representing a loss of 6.4% of the initially proposed 110 no. units. It is considered that the delivery of 103 no. units upon the subject site achieves an appropriate balance between the need to protect existing residential amenities and the need to ensure the efficient development of well-served and accessible sites such as the subject site.

Further to the above, we would note that additional photomontage imagery has been commissioned by the applicant, as prepared by Archimedia, to provide the Board with additional viewpoints for which to consider the subject proposal.

As a final point, we note that the original sunlight and daylight analysis has been revised with the enclosed Daylight Analysis and Overshadowing Study, as prepared by H3D, presenting a new study based on the design revisions employed by the project architect. In this regard, we would note that the Daylight & Sunlight Report assumes that 100% of combined kitchen/living/dining spaces across the subject scheme meet and exceed the required 2.0% standard as relates to Average Daylight Factor (ADF).

3.0 Statement of Response to Specific Information Required

The following subsections set out how the applicant has addressed the Board's request for additional specific information in respect of the proposed development.

3.1 Additional Computer-Generated Images & Visualisation/Cross Section Drawings

Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the site at key landmark views along the Finglas Road and surrounding areas.

In response to the above request, the applicant has commissioned the preparation of additional CGIs, as prepared by Archimedia Studios. These images, in conjunction with the additional visualisation/cross sectional drawings prepared by Tyler Owens Architects, show the proposed development in the context of the site at key landmark views along the Finglas Road and surrounding areas.

3.2 Elevational Drawings

Updated contextual elevations clearly illustrating the relationship between the ground floor and the Finglas Road.

In response to the above request, we would ask the Board to please refer to the enclosed elevational drawings, Drawing Nos. 2017-115-P301 - 2017-115-P303, as prepared by Tyler Owens Architects.

3.3 Sunlight/Daylight/Overshadowing Analysis

An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.

In response to the above request, we would ask the Board to please refer to the enclosed Sunlight Report as prepared by H3D. This report assesses the proposed development both in terms of daylight/sunlight access for individual units, daylight/sunlight access for private and communal open space within the scheme and the potential impact on adjacent properties.

The report, which addresses the applicable extent of requirements of BRE209/BS2011, confirms that the development will provide a high standard of residential amenity for future residents of the scheme without having any undue impact on neighbouring properties.

3.4 Social Infrastructure

A Social Audit necessary to comply with Section 16.10.4 of the Dublin City Development Plan 2016-2022 and indicating the range of existing facilities in the area.

In response to the above request, we would ask the Board to please refer to the enclosed Social & Community Audit, as prepared by Hughes Planning & Development Consultants, which presents details in regards to the availability of educational, healthcare, recreational, religious, community and retail infrastructure within the immediate and wider radius of the subject site.

3.5 Material Finishes & Building Maintenance

A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, and boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).

In response to the above request, we would ask the Board to please refer to the Architectural Design Statement as prepared by Tyler Owens Architects. Section 12 'Detailed Design' of this report provides specific details in relation to the proposed materials/finishes of the scheme and how they have been arranged to create a distinctive character for the development.

Additional commentary in relation to material finishes can be found in Section 6.0 'Proposed Development' of the enclosed Statement of Consistency & Planning Report prepared by Hughes Planning & Development Consultants.

Moreover, and in relation to the long-term management and maintenance of the proposed development, we would invite the Board to have regard for the enclosed Building Lifecycle Report, as prepared by Carmody Engineering.

3.6 Land Use Zoning

A detailed site layout plan clearly illustrating the proposed development and the land use zoning for the site from the statutory development plan.

In response to the above request, we would ask the Board to please refer to Drawing No. 2017-115-P101A_REV F 'Proposed Site Plan Overlaid On Zoning Map' as prepared by Tyler Owens Architects. This drawing clearly illustrates the applicable land-use zoning objectives which govern the future development of the subject site relative to the layout of the proposed development.

3.7 Microclimate

A Microclimate Study.

In response to the above request, please see enclosed Microclimate Study as prepared by B-Fluid.

3.8 Public & Communal Open Space

A quantitative and qualitative assessment which provides a breakdown of the public and communal open space areas. This assessment should include a detailed landscape plan including the provision of communal amenity spaces and play facilities in line with the Sustainable Urban Housing: Design Standards for New Apartments (2020). Further details relating to a specific tree survey, tree retention report and tree planting scheme should be included in the landscaping report.

In response to the above request, we would ask the Board to please refer to the Landscape Development Report, as prepared by The Big Space. Sections 02.1-02.4 of this report clearly present the overall landscaping strategy for the scheme before clearly differentiating the public and communal open spaces. Section 02.5 of the aforementioned report identifies the variety of play equipment provided within the communal terrace at first floor level.

Moreover, and in relation to the long-term management and maintenance of the proposed development, we would invite the Board to have regard for the enclosed Building Lifecycle Report, as prepared by Carmody Engineering. Finally, and in relation to trees, we would ask the Board to have regard for the closed documentation prepared by Charles McCorkell Arboricultural Consultancy.

3.9 Car Parking Management

Submission of a Car Parking Management Strategy will provide further justification in relation to car parking strategy, the designation of parking spaces for visitor and residents, car sharing spaces, 10% electric charging and provision of motorcycle spaces.

In response to the above request, we note Appendix I of the enclosed Transportation Assessment Report prepared by NRB Consulting Engineers.

This appendix comprises a Parking Management/Strategy Report which, in turn, provides discussion in relation to car and bicycle parking standards, car-share parking spaces, electric car parking spaces, motorcycle parking spaces and the designation of spaces for visitors and residents.

3.10 Bicycle Parking

Submission of detailed information indicating compliance with Section 4.15 – 4.17 of the Apartment Guidelines (2020) for bicycle parking facilities.

In response to the above request, we would ask the Board to have regard for Section 6.1.7 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)' of the enclosed Statement of Consistency & Planning Report prepared by Hughes Planning & Development Consultants.

Commentary regarding the subject development's compliance with Sections 4.15-4.17 of the Apartment Guidelines (2020) is providing under the heading 'Bicycle Parking'.

3.11 Article 299B(1)(b)(ii)(II) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2018

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.

In response to the above item, please see enclosed EIA Screening Report, as prepared by AWN, which includes a statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001-2018.

3.12 Material Contravention Statement

Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, 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, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

In response to the above item, please see enclosed Material Contravention Statement, as prepared by Hughes Planning & Development Consultants, which details why planning permission should be granted for the subject proposal having regard to Section 9(6) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and Section 37(2)(b) of the Planning and Development Act 2000.

4.0 Conclusion

This report sets out how the various issues raised by An Bord Pleanála, in their Notice of Pre-Application Consultation Opinion, in relation to the proposed residential development at Site at the Former Royal Oak Public House, Finglas Road, Glasnevin, Dublin 11

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



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.