

RESPONSE TO AN BORD PLEANÁLA OPINION

Northwood Strategic Housing Development (SHD)

LANDS AT NORTHWOOD CRESCENT,
SANTRY DEMESNE, DUBLIN 9.



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1.0 INTRODUCTION

Tom Phillips + Associates, Town Planning Consultants have prepared this *Response to the Opinion of An Bord Pleanála* (issued October 2021) regarding the proposed strategic housing development of lands at Northwood Crescent, Santry Demesne, Dublin 9 (ABP Ref: ABP-311280-21). This *Response*, made on behalf of Kategale Limited, has been prepared under Article 285(5)(b) of the *Planning and Development (Strategic Housing Development) Regulations 2017* in association with the Applicant and Design Team and also provides the specific information as requested by the Board.

The Board's Opinion concludes that the proposal constitutes a reasonable basis for an application and requests 7 No. items that require the submission of specific information with the application. Our response to the individual issues raised is set out below and cross referenced to the relevant technical reports and other material, as required. All reports and assessments have been updated, as relevant, to reflect the matters raised in the *Opinion*. Please refer to the below referenced documentation for further, detailed information.

2.0 SPECIFIC INFORMATION REQUESTED

Pursuant to Article 285(5)(b) of the *Planning and Development (Strategic Housing Development) Regulations 2017*, in addition to the requirements as specified in Articles 297 and 298 of the *Planning and Development (Strategic Housing Development) Regulations 2017*, 7 No. specific information requests were noted by the Board. These are outlined in greater detail below.

2.1 Specific Information Requested No. 1

Item 1 of the *Specific Information Requested* requires:

“Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:

- (a) Provide further justification in relation to car parking strategy, the designation of car parking spaces for commercial and residential, number of spaces for the crèche drop-off and the quantum of car parking proposed.*
- (b) Provide further justification in relation to the removal of trees on site, having regard to any Tree Preservation Order which may be in place at the time of making the application”.*



According to the *Fingal County Development Plan 2017 – 2023* the car parking standards are split into Zone 1 which allows fewer car parking spaces and Zone 2 which allows a higher number of car parking spaces. Zone 1 applies to areas which are:

- Within 1600m of DART, Metro, Luas, or BRT, (existing or proposed);
- Within 800m of a Quality Bus Corridor;
- Zoned MC, Major Town Centre; or
- Subject to a Section 49 scheme.

The proposed development will be located within c. 650m of the proposed Northwood Metro Link station and within 280m of the Swords Quality Bus Corridor. It is therefore classed as Zone 1 which allows for a reduction in the car parking spaces provided such as that being proposed in this instance.

Based on the car parking standards outlined in Table 12.8 of the *Development Plan*, a total of 427 No. spaces are required to serve the proposed development (Refer to Section 12.1 to 12.4 of the enclosed *Traffic and Transport Assessment*, prepared by Waterman Moylan Consulting Engineers. It is proposed to provide 142 No. spaces on the within the ground floor undercroft car park. 90 spaces are allocated to the apartments and 52 No. spaces are allocated to the office (incl. 8 No. disabled and one 1 No. Car Club parking spaces). All spaces are provided with electric vehicle charging capability. A further 8 No. setdown car parking spaces are allocated to the creche on Northwood Crescent. Parking is provided for residential use at a rate of 0.33 spaces per unit.

According to *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)*, for 'Central and / or Accessible Urban Locations' Planning Authorities must consider a reduced overall car parking standard.

"In more central locations that are well served by public transport, the default policy is for car parking to be minimised, substantially reduced or wholly eliminated in certain circumstances."

Furthermore, Specific Planning Policy Requirement 8 in the *Apartment Guidelines* states the following in relation to BTR Schemes:

"There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures".

In light of the foregoing, it is considered that a reduction in car parking is justified in this instance and is in accordance with both the *Fingal County Development Plan 2017 – 2023* and the *Apartment Guidelines*. Furthermore, in order to ensure the car parking provision does not exceed demand, a Mobility Management Plan has been prepared to outline how a modal shift away from the private car and towards sustainable modes of transport will be implemented on-site and how the car parking on site will be managed. Please refer to the *Traffic and Transport Assessment* and the *Car Parking Rational and Mobility Plan* prepared by Waterman Moylan for further details.



In respect of Item 1(b) in relation to the retention of trees on site which have *Tree Preservation Orders* at the time of the application, we would like the Board to refer to the enclosed *Arboricultural Assessment & Impact Report* prepared by CMK Hort & Arb Ltd. As detailed in the report, a number of design revisions have been undertaken on the site which has reduced the impact on existing trees. This has allowed for the retention of all the mature oak and beech and the alder at the south-eastern edge of the site. The early-mature sycamore (Trees No. 721, 722, and 723) which are located within the central area of the site will be removed. It is considered that the retention of the more mature trees is a positive outcome of the redesign of the buildings and infrastructure as these trees, though presenting challenges in terms of their retention in the context of the development, represent the history of Santry Demesne. We further note the *Tree Protection Strategy & Method Statement* prepared by CMK Hort & Arb Ltd. which outlines specific measures for the protection of trees on site. Such measures include, but are not limited to;

- *Supervise the installation of tree protection fencing.*
- *Supervise all tree works and assess on-going tree protection.*
- *Liaise with the relevant authorities during the project.*
- *Constantly monitor the project with regard to tree health to ensure that no damage is caused to the subject trees during the operational works.*
- *Report any negligent damage to trees which will prejudice their health.*
- *Monitor, where necessary, all works carried out by the Arboricultural Contractor and Main Contractor within the 'Protected Tree Zone'.*

Please refer to the *Arboricultural Assessment & Impact Report* and the *Tree Protection Strategy & Method Statement* prepared by CMK Hort & Arb Ltd for further details.

2.2 Specific Information Requested No. 2

Item 2 of the *Specific Information Requested* requires the submission of “a detailed *Phasing Strategy*”. We would like the Board to note that the proposed development will be completed in one phase, comprising a preliminary 24-month construction period commencing in 2023 with completion in 2025. Please refer to the *Construction and Environmental Management Plan* prepared by Waterman Moylan Engineers and the *Construction and Demolition Waste Management Plan* prepared by RSK for further details in relation to the construction phase of development.

2.3 Specific Information Requested No. 3

Item 3 of the *Specific Information Requested* requires:

“A *Schools Capacity Assessment*”.

A *School Demand Assessment* has been prepared by Tom Phillips + Associates, in conjunction with MOLA Architecture, as requested.

We note that this *School Demand Assessment* concludes;

“There are 16 No. existing primary schools and 4 No. post-primary schools currently operating in the area, of which 12 No. demonstrated a decrease in enrolments in the recent 5-year period (2011/12 to 2021/21). These existing facilities cater to a population of student population of c. 3,717 No. primary school students and c. 2,334 No. post-primary students. With respect to future enrolments, we note that a c. 7.3% decrease in enrolments at the primary school level and a c. 8.4% increase in post-primary school enrolments is anticipated for the Dublin region from 2021/22 to 2026/27 with respect to the most recent regional population projections published by the Department of Education and Skills.¹

At a national level, 2 new schools were proposed to be delivered within the Swords School Planning Area (SPA) in the short term under the school building programme (i.e. 2019-2022) but are located further away to the north of the Dublin Airport. Both of these schools opened in 2019 and 2020. No new schools were proposed to be established within the immediate feeder SPAs. However, a number of schools in the vicinity of the subject site are undergoing major development works, namely Scoil Chiarain Special School, Scoil Chaitriona, Rosmini Community School, and Gaelscoil Ui Earcain.

It is considered that the future demand generated by the proposed development (i.e. 146 No. places - including 82 No. primary school children and 64 No. post-primary school children) is likely be absorbed by the existing schools network and other planned schools currently under development within the area”.

Please refer to the *School Demand Assessment* prepared by Tom Phillips + Associates for further information in relation to this point.

2.4 Specific Information Requested No. 4

Item 4 of the *Specific Information Requested* requires:

“An Acoustic Noise Assessment”.

We note that a *Noise Impact Assessment* has been prepared by RSK to accompany this application. We further note that this Assessment concludes;

“The site noise survey has been used to assess the sites noise risk categories, as per the ProPG “Stage 1” assessment. The ProPG noise risk categories for the facades most exposed to road and air traffic noise are as follows:

*Daytime: Medium
Night-time: Medium*

Recommendation to mitigate noise emissions, as specified in the “Stage 2” Acoustic Design Statement, include the following:

¹ Source: *Regional Projections of Full-Time Enrolment: Primary and Second Level, 2021-2036 (DoES, November 2021)*



- *Provision of glazing with minimum sound insulation properties as outlined in this document.*
- *Provision of acoustic attenuation to ventilation systems for dwellings exposed to the highest levels of traffic noise.*

In summary, it is considered that the site is suitable for residential development subject to the provision of the noise control recommendations as outlined in this report”.

Please refer to the *Noise Impact Assessment* prepared by RSK for further information in relation to this point.

2.5 Specific Information Requested No. 5

Item 5 of the *Specific Information Requested* requires:

“A Construction and Demolition Waste Management Plan (CDWMP)”.

We note that a *Construction and Demolition Waste Management Plan (CDWMP)* has been prepared by RSK to accompany this application. Please refer to this Plan for further information in relation to the proposed development.

2.6 Specific Information Requested No. 6

Item 6 of the *Specific Information Requested* requires:

“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”.

A comprehensive *Daylight and Sunlight Assessment Report* has been prepared by 3D Design Bureau, in respect of this request and accompanies this submission. As a result of this assessment, a minor redesign of the proposed development was undertaken to ensure *“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 redesign resulted in a reduction in the quantum of units i.e. a reduction of 16 No. units and the reduction of the office block from 4 to 3 storeys.

We note that this Report concludes;

“The proposed amenity areas for the development would all be compliant with the BRE Guidelines with regard to sunlight. This assessment studies 4 amenity spaces, as well as the play area for the creche. More than half the area of each proposed amenity space would be able to receive more than 2 hours of sunlight on March 21st.

All 688 No. habitable rooms across the development were assessed for daylight access. The ADF in all of the assessed spaces would reach the recommended minimum value as stated by the BRE Guidelines. The LKDs were assessed with a recommended minimum value of 2.0% and with a reduced target value of 1.5%. In both instances, the compliance rate of the scheme would be 100%.

Due to the location of the subject site, some adverse affects were incurred by the neighbouring properties. The proposed development is planned for a site in a sub-urban, brownfield location adjacent to significant office, retail and residential developments. It is zoned for further mixed-use development, and is intended to integrate with the urban centres of Swords and Ballymun to the east and west respectively. The subject site is intended for significant densification and integration with neighbouring urban centres.

The majority of the windows that were studied sustained an imperceptible level of effect. It should be noted that the balcony configuration of the neighbouring Lymewood Mews development creates an exaggerated effect to the windows, due to the additional obstructions resulting from the overhang and (where applicable) flank walls.

Approximately 91% and 95% of the windows would sustain an imperceptible level of effect to their annual and winter probable sunlight hours, respectively”.

As detailed in the report, a simulation was run to quantify any reduction in the vertical sky component (VSC) of the surrounding buildings resulting from the proposed development massing. While the VSC has been reduced in certain areas of the surrounding buildings according to the BRE Guidance Document, the majority of windows assessed meet the criteria outlined in the BRE Guidance Document for Vertical Sky Component. Consideration should be given to the fact that the comparison being made is between an existing, under-utilised site and the proposed development, which will inevitably have some form of an impact. Flexibility regarding BRE standards should be applied to balance the objective of achieving urban regeneration with any potential impacts.

Please refer to the *Daylight and Sunlight Assessment Report* prepared by 3D Design Bureau for more information in relation to this point.

2.7 Specific Information Requested No. 7

Item 7 of the *Specific Information Requested* requires:

“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 Boards request an *EIA Screening Statement* has been prepared by Tom Phillips + Associates and a *Statement In Accordance With Article 299b(1)(B)(li)(li)(C) Of The Planning And Development Regulations 2001-2021* has been prepared by RSK and are enclosed with the planning application. In summary, having regard to the relevant thresholds set out in Schedule 5 of the *Planning and Development Regulations 2001 (as amended)* regarding mandatory EIS (now EIAR) provision for this form of development, in our opinion, the subject proposal comprises a sub-threshold development.

Secondly, according to the *EIA Guidance for Consent Authorities regarding Sub-Threshold Development*, August 2003, a formal EIAR would not be required for this particular development. This is due, inter alia, to the development site area (c. 1.3 ha) and its locational characteristics, the proposed number of residential units (268 No.) and the fact that this proposal is unlikely to give rise to significant environmental effects.

Thirdly, while it is considered that a formal EIAR is not required in this instance, detailed and comprehensive assessments as required have been prepared and accompany the planning application, which assess and address all of the relevant potential planning and environmental issues pertaining to the subject development. These assessments inform development responses to the specific issues raised by development within the site. The assessments enclosed with the application also address the issues raised by this type of development and provide the requisite levels of environmental assessment to the appropriate standards.

4.0 CONCLUSION

We trust that the Board find this *Response* to its *Opinion* regarding the proposed development to be in order and that all issues raised are addressed in full and all information required is provided as requested.

Yours faithfully



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Tom Phillips + Associates