

Section 3:

Planning Policy Context

3.1 INTRODUCTION

This chapter of the EIS was compiled by **John Spain Associates, Planning and Development Consultants**, and outlines the planning and development context for the proposed development with reference to the following planning policy documents

- National Development Plan 2007-2013;
- National Spatial Strategy 2002;
- Transport 21;
- The National Sustainable Development Strategy (1997);
- Sustainable Urban Housing: Design Standards for New Apartments (2007);
- Sustainable Residential Development in Urban Areas (Draft, 2008)
- Delivering Homes, Sustaining Communities – Statement on Housing Policy (2005);
- Quality Housing in Sustainable Communities – Best Practice Guidelines for Delivering Homes, Sustaining Communities (2007);
- Childcare Facilities: Guidelines for Planning Authorities (2001);
- Retail Planning Guidelines for Planning Authorities (2000);
- Regional Planning Guidelines for the Greater Dublin Area 2004 – 2016;
- Retail Planning Strategy for the Greater Dublin Area 2001 - 2011
- Draft Retail Strategy for the Greater Dublin Area 2008 - 2016
- Dublin City Development Plan 2005 – 2011;
- Draft Dublin City Development Plan 2011 – 2017;

This Chapter also provides an account of the relevant planning history of the subject site and its surroundings.

A detailed description of the site context and surroundings is provided at Chapter 2 of this EIS.

3.2 PLANNING HISTORY

There are a number of applications lodged under Part 8 of the Planning and Development Act 2000 which are of relevance. These are outlined below:

3.2.1 O' Devaney Gardens - Subject Site

Register Reference: 3544/08

O' Devaney Gardens complex was constructed in the 1950's and originally comprised of 278 flats over 13 four storey blocks. Under Register Reference 3544/08 permission was granted by Dublin City Council for the demolition of 4 residential blocks, a community centre and 4 no. commercial in order to facilitate the redevelopment of O' Devaney Gardens. The site of the demolished buildings to the north west of the site has been landscaped with grass and is fenced with an approximate 3.6 m high fence pending redevelopment.

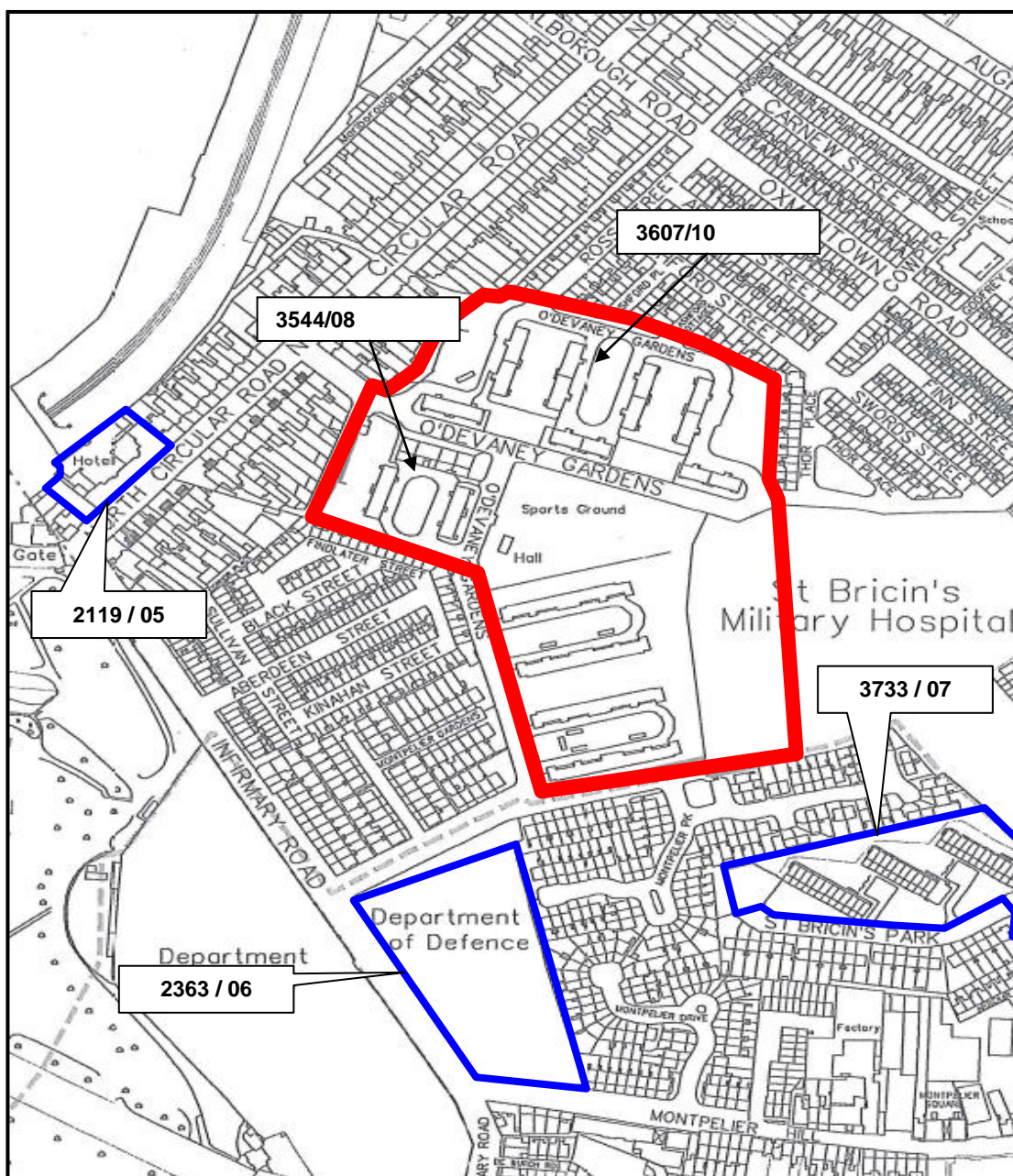
Register Reference: 3607/10

A Part 8 application was lodged with the City Council on the 17th of September 2010 (Planning Register Reference 3607/10) for the demolition of the existing 5 no. blocks to the north of the site to facilitate the implementation of the proposed development. Under this application it is proposed that one demolition site will be created to demolish the first two blocks and that this site be grassed and fenced up pending availability of the other 3 blocks. Following demolition, the footprint of the demolished buildings and their car parking areas will be top soiled and grassed pending redevelopment.

3.2.2 Adjoining Sites

There have been a number of applications within the vicinity of the subject site. The following sets out details of applications of relevance. The locations of these sites are identified in Figure 3.1 below.

Figure 3.1: Planning History Map



St. Bricin's Park:

- (Dublin City Council Register Reference 3733/07, An Bord Pleanala Register Reference PL26N.227168)

Under Planning Register Reference 3733/07 Dublin City Council issued a decision to grant permission for development at St Bricin's Park for development comprising of the demolition of 68 no. bed sit units and the construction of 90 no. sheltered housing units, day care centre, 12 bedroom Alzheimer Unit. The decision of the Council to grant permission for the development was subject to two third party appeals to An Bord Pleanala (ABP Reference PL 26N.227168).

An Bord Pleanala issued a decision to grant permission for the development on the 26th of May 2008, subject to 19 no. conditions, in accordance with the following reasons and considerations:

"Having regard to the provisions of the Dublin City Development plan 2005 – 2011, in which the site lies within an area with the zoning objective Z1 – "To protect, provide and improve residential amenities", it is considered that the proposed residential development, day care centre and Alzheimer unit would accord with the policy objective in the development Plan and the proper planning and sustainable development of the area. It is also considered that the alterations proposed in the revised plans submitted in October 2007, would not seriously injure the residential amenities of nearby properties in Montpelier Park and would, subject to the conditions below, provide an acceptable standard of car parking provision and open space in accordance with the proper planning and sustainable development of the area".

Department of Defence, Infirmary Road, Montpelier Hill and Gardens:

- Dublin City Council Planning Register Reference 2363/06, An Bord Pleanala Reference PL29N.219897

Under Planning Reg. Ref. 2363/06 an application was submitted to Dublin City Council for development comprising of the provision of 227 no. residential units in four blocks and the refurbishment and extension of the former Isolation Hospital, and Married Quarters building (Protected Structure) on a site measuring 1.18 hectares at the former Department of Defence premises Infirmary Road. The development comprised of demolition of 6 no. buildings on the site; removal of associated out buildings and lean to structures, construction of 4 no. blocks ranging in height from 4 to 7 storey's and refurbishment of the former Isolation Hospital building and its conversion to provide local community uses (crèche, offices, meeting rooms, doctor/community nurse). The Isolation Hospital, Married Quarters Building, and stone perimeter wall are listed in the development plan's Record of Protected Structures (Ref.4061). Dublin City Council issued a decision to grant permission for the development on the 6th of September 2006. The decision of the Council was subject to 28 no. conditions.

Condition 3 of the permission aimed to reduce the overall height and density of the proposed development in requesting the following amendments to the scheme *"In order to safeguard the visual and residential amenities of the*

locality and in the interests of conservation and the amenities of future occupiers of the residential units”.

- (a) The removal of the third floor to block A;
- (b) The removal of the fifth floor to block;
- (c) The removal of apartment no. 325 and the associated top flight of stairs in block D and the recessing of the upper floors to duplexes nos. 226, 227 & 228 in this block so that their eastern upper floor elevations would be on the same plane as their eastern lower floor elevations;
- (d) The removal of the top storey to the proposed office extension to the former married quarters building and the reduction in width of this extension to coincide with the width of this building, i.e. the northern side elevations shall align with one another. The portion of site thus released shall be laid out as part of the open space within the centre of the application site.

The decision of the Council was subject to a first appeal to An Bord Pleanala (PL29N.219897) in respect of Condition no.3 above. The decision of the Council was also subject to a third party appeal by Mary Ellis on grounds of impact on existing protected structures on site, traffic impact and height of the proposed development.

By order dated the 20th of April 2007 An Bord Pleanala issued a decision to grant permission for the proposed having regard to the following reasons and considerations:

“Having regard to the residential zoning of the site and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not materially or adversely affect protected structures or the setting of protected structures. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered, in relation to the Inspector's recommended reason number 1 for refusal, that the proposed development, subject to the conditions attached which reduce the scale, bulk and height of the development, would not materially or adversely affect the character and setting of protected structures or seriously injure the visual amenities of the area. In relation to the proposed openings to the perimeter wall, the Board considered such interventions acceptable having regard to the residential zoning of the site. In relation to the Inspector's recommended reason for refusal number 2, the Board considered that, subject to the considerations attached reducing the height and bulk, in particular of Block A, the proposal would result in an acceptable form of development of this residentially zoned site and would not seriously injure the residential amenity of adjoining properties”.

The decision of the Board was subject to 25 no. conditions. Condition no. 3 of the permission requested the following amendments to the scheme in order to reduce the overall scale of the development:

- Omission of the third floor in Blocks A and B and omission of all single bedrooms on the top floor in Block A.
- Entire omission of Block C, to facilitate a future development in this area which reflects its important position at the main pedestrian entrance to the development, which would be subject to a future planning application.
- Permission not granted for the extension of the existing married quarters. The area of the proposed extension is to provide for children's play area to serve the future occupants of the development.
- Omission of units from Block D
- Reduction in basement area car parking (to 162 no. spaces) to provide one designated car parking space for each apartment.

Condition 3 of the development was recommended: *"In the interest of residential amenity of adjoining property, in the interest of protecting the character and setting of protected structures, in the interest of residential amenity of future occupants and in the interest of visual amenity and to increase the quality and quantity of public open space".*

Park Lodge Hotel, North Circular Road:

- Dublin City Council Reg. Ref. 2119/05, An Bord Pleanála Reference PL29N.213985.

Permission granted by Dublin City Council on the 9th of August 2005 for development comprising of the demolition of existing hotel and construction of 5-storey block with 8-storey feature to include 61 apartments and basement parking for 60 cars. (Number of units revised to 58 units and 8-storey element reduced to 5 storey's by way of AI.). The decision of the Council was subject to appeal to An Bord Pleanála (PL29N.213985).

The Board issued a decision to grant permission for the development on the 3rd of February 2006, subject to 12 no. conditions, in accordance with the following reasons and considerations:

"Having regard to the provisions of the current development plan for the area and to the nature, form, scale and design of the proposed development it is considered that subject to compliance with the conditions set out below the proposed development would not seriously injure the amenities of the area or of property in the vicinity, and would not be out of character in this designated Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board generally concurred with the decision of the planning authority and did not consider that the proposed development would be visually obtrusive or dominant, the Board considered that the revised scheme granted by the planning authority would not be out of character in this

designated Conservation Area. The Board also considered that the proposed development contained an adequate number of dual aspect apartments and that the revised scheme would not unduly overlook or overshadow property in the vicinity”.

3.3 NATIONAL AND REGIONAL PLANNING POLICY CONTEXT

3.3.1 NATIONAL SPATIAL STRATEGY 2002

The National Spatial Strategy (NSS) for Ireland is a twenty-year planning framework designed to achieve a better balance of social, economic, physical development and population growth between regions.

A core objective of the NSS is the consolidation of development in urban areas in a manner which protects local character and amenity through the achievement of higher development densities at sustainable locations proximate to public transport and services. Urban consolidation is considered a key requirement to ensure future sustainable development, economic competitiveness and the efficient utilisation of increased investment in transport infrastructure.

The NSS sets out a number of criteria relating to development of housing in urban areas; these criteria are set out in Box 5.2 of the NSS and are detailed below:

Box 5.2	
Housing Location in Urban Areas	Evaluation Considerations
The Asset Test	Are there existing community resources, such as schools etc, with spare capacity?
The Carrying Capacity Test	Is the environmental setting capable of absorbing development in terms of drainage etc?
The Transport Test	Is there potential for reinforcing usage of public transport, walking and cycling?
The Economic Development Test	Is there potential to ensure integration between the location of housing and employment?
The Character Test	Will the proposal reinforce a sense of place and character?
The Community Test	Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?
The Integration Test	Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

It is considered that the subject development performs well under the above criteria, the site is a brownfield site, is in close proximity to both current and planned strategic infrastructure, equipped with a range of services including schools, open space and community facilities. A brief assessment of the site is carried out under the above criteria below:

The Asset Test

The subject site is centrally positioned within the wider city centre context and benefits from accessibility to a wide range of services and facilities, including schools, sports, leisure and recreation facilities, shops and restaurants. To the south west, significant new mixed use development is under development including the site of Clancy Barracks and the new Heuston South Quarter.

A community audit of the area surrounding O' Devaney Gardens has been undertaken by the City Council and is enclosed within the Masterplan which accompanies this application. This community audit identifies a list of approximately 90 facilities inclusive of schools, childcare locations, health facilities, sports facilities, shopping areas etc which act as important facilities and locations for local residents. The audit identifies that the majority of these facilities are located within a kilometre from the subject site.

There is a distinct clustering of services and facilities in Stoneybatter and the important route along Manor Street and Prussia Street gives access to a wide range of services. The village centre benefits from having retail services, community services, primary and secondary schools (Stanhope Street Convent and St. Joseph's) within its centre to fulfil its function as the main service centre for the adjoining residential area.

In addition to the above, the proposed development will add to and complement these existing facilities through the provision of further valuable community and retail facilities envisaged for Phase 1B of the site.

The Carrying Capacity Test

The wider neighbourhood surrounding O'Devaney Gardens is a well established urban location, and contains a mix of established residential communities and other land-uses such as retail, leisure and educational which is complements by Dublin City centre and its associated services and facilities to the south and east. The surrounding area therefore displays a wide diversity of uses and building typologies. While the urban location and brownfield nature of the site ensures that existing infrastructural facilities such as drainage and sewerage infrastructure is already in place.

This EIS demonstrates that, subject to the implementation of the suggested mitigation measures, the proposed development will not have any significant impacts on the environment. It is therefore considered that the area has the necessary infrastructure to accommodate the proposed development. It is notable that the proposed development is effectively a replacement and upgrading of the residential development on the site and as such, much of the infrastructural services required are already present on the site.

The Transport Test

The subject site is located within the inner city and as such sustainable means of transport such as walking and cycling can be used in order to gain access to any required services.

The subject development is within walking distance of the Luas Red Line and Heuston Station enabling residents to utilise both the national and commuter

rail networks along with the Dublin Bus services which run along infirmary road and the North Circular Road. The site is also within a short distance from the Luas line BXD stop at Broadstone. The Luas Line BXD in conjunction with the Luas Red line will provide future residents with the opportunity of direct interchange with other existing and proposed high-quality public transport services.

The Economic Development Test

The site's location ensures access to employment opportunities within both the city centre and the greater Dublin area. Additionally, employment opportunities will be created on site both during the construction phase and operational phase of the proposed development where uses such as retail and the community facilities will provide employment opportunities.

The project is one of a number of important public and private investments in this part of the city including Grangegorman, and the new Courts Service at Infrimary Road. Collectively these investments will contribute to improving the economic character of the north city centre.

The development of the Grangegorman Campus is particularly note worthy as it will provide one of the most significant economic opportunities that will arise in the North West Inner City. The potential benefits to the local area in economic terms, especially in the possibilities to address social and economic disadvantage in the area are significant.

In addition, it is envisaged that the development proposals will create a positive catalyst for regeneration in the north inner city centre and has the potential to increase the attractiveness of neighbouring sites for development.

The Character Test

The proposed development will significantly increase the attractiveness of the residential area of O'Devaney gardens through the demolition of the existing 1960's style social housing flats and replacement with modern, purpose built homes, provided in accordance with current standards relating to floorspace, open space, etc.

Despite the central location of the site, the existing complex is isolated from neighbouring areas and is characterised by back to back defensive boundaries with adjoining housing areas. The proposed development seeks to integrate O'Devaney gardens into the existing residential neighbourhoods surrounding the site by creating a community hub for the area and by introducing linkages with the existing street pattern therefore strengthening the character of the O'Devaney Gardens area.

The Community Test

Careful consideration has been given to ensuring that the correct mix and range of uses is provided on the application site, whilst ensuring the provision of sufficient homes for the community. The O' Devaney Gardens community has actively engaged in the formulation of the development proposals through a range of community based activities and initiatives co-ordinated by Dublin City Council. Further information on the public and community consultation process undertaken can be found in Chapter 2 of this EIS.

The Integration Test

The proposed development seeks to integrate the regeneration of a brownfield site in this case the social housing at O'Devaney Gardens with the long established residential communities of Montpellier Gardens by breaking down the barriers that currently exist between it and the communities. This consists the creation of new streets, open space, etc. to open linkages between the subject site and the surrounding residential areas.

In addition, the proposed development is in accordance with the criteria set out in the apartment guidelines of the Draft Dublin City Development Plan 2011 – 2017 ensuring that the accommodation is delivered to modern standards.

The NSS also indicates that sustainable provision of housing in urban areas involves the following (as relevant):

- Concentration of development in locations where it is possible to integrate employment, community services, retailing and public transport;
- Mixed-use and well designed higher density development, particularly near town centre and public transport nodes like railway stations;
- The efficient use of land by consolidating existing settlements, focusing in particular on development capacity within central urban areas through re-use of under-utilised land and buildings as a priority, rather than extending greenfield development;
- Placing a high degree of emphasis on creating living environments of the highest quality through attention to detail in urban design, integration of amenities, facilities for children, old persons and sections of the community with special needs.

The proposed development is considered to be in accordance with the aims and objectives of the National Spatial Strategy, particularly with regard to the consolidation of the urban area and the creating of an enhanced living environment.

Implementing the National Spatial Strategy: 2010 Update and Outlook

The NSS Update and Outlook report was published in October 2010 and aims to both reaffirm the Government's commitment to implementing long term planning frameworks such as the National Spatial Strategy and set out a statement of new priorities and objectives, taking into account of experience since 2002 and the new environmental, budgetary and economic challenges.

In terms of progress of the NSS to date the Update and Outlook document outlines that the objectives of the NSS have been successful in facilitating significant investment in public infrastructure such as transport, housing, better water services and waste infrastructure. However, in terms of implementation challenges' remaining the document identifies the continued need to: *"maximise usage of existing infrastructure and to revitalise under developed urban areas in need of regeneration"*.

Section 2.7 of the document further identifies a number of “Pointers for Future Action” to be implemented by the NSS and under this heading refers to the importance of implementing the Government’s national housing policy as set out within the “Delivering Homes Sustaining Communities”.

“The Government’s national housing policy, Delivering Homes Sustaining Communities, with its objectives for the creation of compact, walkable neighbourhoods complete with a wide range of facilities and amenities through both green field and especially brown field urban development, requires broader acceptance and implementation at local authority level, particularly the efficient use of well serviced and strategic lands to appropriate densities”.

Appendix 1 of the Update and Review document outlines a number of priorities to support the renewed implementation of the NSS. The need to “priorities housing regeneration projects in key gateway locations” is identified as an action under the prioritising investment heading.

The proposed development which aims to provide for consolidated urban development a brownfield site identified for regeneration is considered to be in accordance with the policies and objectives set out within the Update and Outlook document of the National Spatial Strategy.

3.3.2 NATIONAL DEVELOPMENT PLAN 2007-2013

The National Development Plan (NDP) has four basic strategic objectives:

- To continue sustainable national economic and employment growth;
- To strengthen and improve Ireland’s international competitiveness;
- To foster balanced regional development; and
- To promote social inclusion.

The NDP refers to balanced regional development, which it says “*means supporting the economic and social development of all regions in their effort to achieve their full potential*”. The NDP indicates that balanced regional development will be achieved in a number of ways, one of them being “*an integrated spatial planning framework at gateway / regional authority level which will address appropriate land use at regional level and facilitate and compliment the investment in infrastructure*”.

With regard to the Dublin Gateway, the NDP recognises that a key requirement is for an appropriate range and quantity of housing options to be provided and transport and social infrastructure put in place such that the population increase, and the consequent increase in housing demand, is accommodated within the region and its key development centres served by high capacity public transport.

It is considered that the subject site represents an important opportunity for redevelopment at increased densities and providing a suitable range of services and facilities. The proposed development will therefore make a contribution to balanced regional development through the provision of enhanced residential and ancillary facilities in this location.

The NDP places the onus on the regional and local planning policy documents, and particularly the National Spatial Strategy, to influence the sustainable spatial development of their administrative areas.

3.3.3 TRANSPORT 21

On the 1st November 2005, the government launched the Transport 21 strategy with the objective to provide a *“21st century transport plan for 21st century Ireland which would support economic activity across the nation”* and which enhances the quality of life of every citizen.

With regard to the application site, it benefits from strategic public transport access as there is a major transport node in the form of Heuston station a short walking distance from the site. There are also two major infrastructure projects in close proximity to the site, DART underground and Luas line BXD, each of these projects will be discussed below.

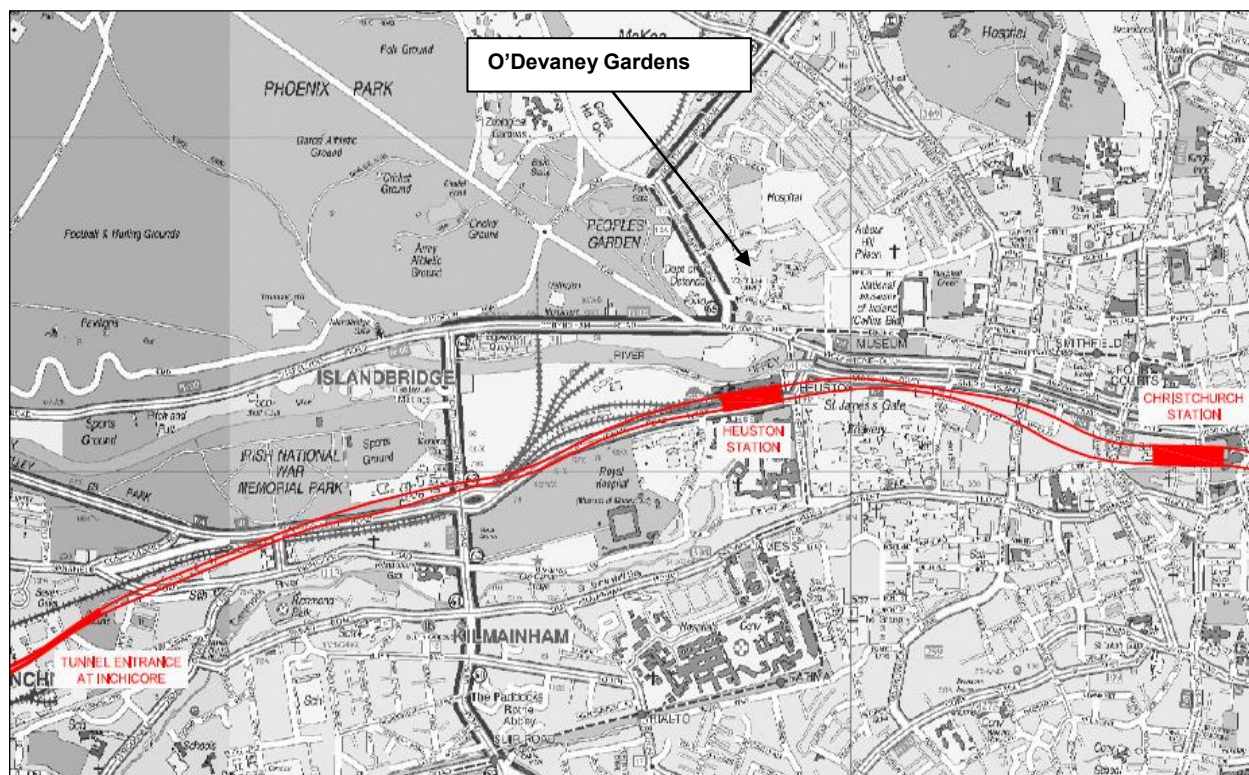
DART Underground

DART underground will form the central spine of the commuter rail network for Dublin and the surrounding Greater Dublin Area, linking all existing and currently proposed rail modes together into a single integrated and cohesive network.

The route runs west to east from Inchicore railway works to the north wall yard in east wall where the line will join up with existing northern railway lines. Underground stations will be located at Heuston, Christchurch, St. Stephens Green, Pearse Street and Docklands. A railway order was lodged to An Bord Pleanála in relation to this project in July of this year, construction is expected to commence in 2012 and be complete in December of 2018.

The subject site is ideally located to avail of these new transport modes due to its close proximity to Heuston station where interchange is possible between all the public transport nodes, Bus, Commuter Rail, Light Rail and Intercity Rail. The route of the DART underground in relation to the subject site can be seen in Figure 3.2 below:

Figure 3.2: Proposed Route of Dart Underground



Luas Line BXD

The project is divided into two phases. Phase 1 will provide a link (Line BX) between the two existing Luas lines and provide access to the heart of the city centre for Luas Green line users. The RPA estimate that the first phase will add significantly to Luas patronage, with in excess of 5.5 million new Luas trips a year.

Phase 2 of this project (Line D) will extend the line to Broombridge (adjacent to Liffey Junction) via Broadstone where it will serve Grangegorman. Line D will join with Line BX on Parnell Street and the preferred route will be via Dominick Street Lower to Broadstone and on to Broombridge (using the old Broadstone railway alignment) where passengers can interchange with the Iarnród Éireann Maynooth / Navan rail service.

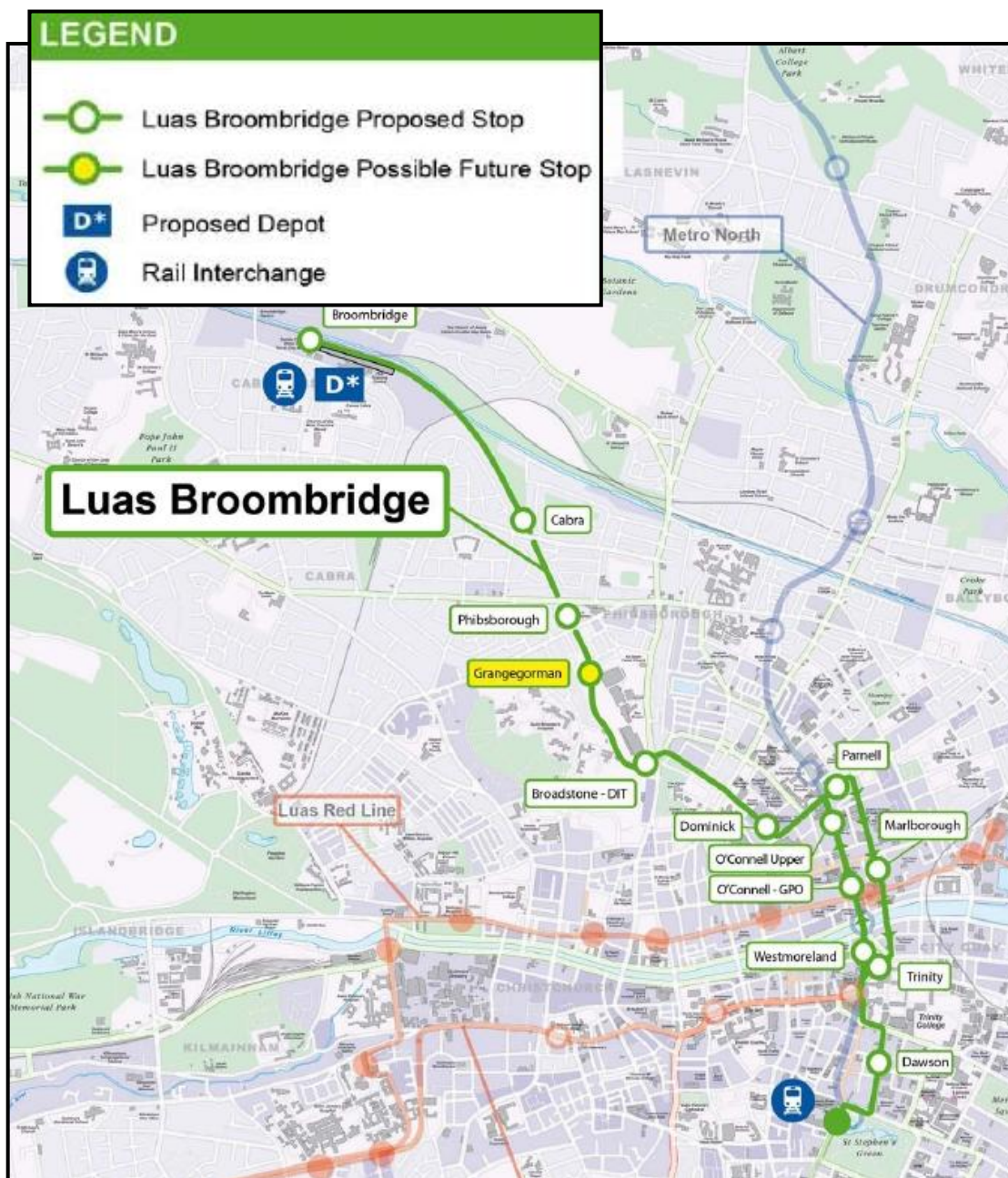
Proposed stops will be located at Dominick Street Lower, Broadstone and Grangegorman (both serving the planned DIT campus at Grangegorman), Phibsborough, Cabra and Broombridge. A new Luas depot will be sited in the vicinity of Broombridge.

The RPA is now progressing with detailed planning to implement the proposals. The RPA lodged a Railway Order relating to both Luas Line BX and Line D in June of 2010.

The subject site will benefit from the construction of the Line BXD due to its proximity to both the Luas Red Line at Heuston Station and to the stops at DIT Grangegorman and Broadstone Bus Depot.

Heuston Station is located a short distance to the south of the site and as such it benefits through easy access to both national and region rail connections. There is also opportunity to avail of both Bus and Luas service at Heuston which in the future will provide connections to the various strategic infrastructure planned for the city including, Metro North, LUAS line BXD and the DART underground.

Figure 3.3: Proximity of Subject Site to Luas BXD



3.3.4 THE NATIONAL SUSTAINABLE DEVELOPMENT STRATEGY (1997)

The government published 'Sustainability – A Strategy for Ireland' in 1997. This sets out an approach to sustainable development. The aim outlined in the sustainable development strategy was:

“to ensure that economy and society in Ireland can develop to their full potential within a well protected environment, without compromising the quality of that environment and with responsibility towards present and future generations and the wider international community”.

The principal goals and policies defined in the Strategy continue to inform the development and delivery of policies and programmes in the area of environmental protection, planning and sustainable development. The integration of environmental considerations into other policy areas is a key means of securing balanced development. In particular, land-use and transportation are key policy areas, in securing balanced and sustainable development.

One of the core objectives of the strategy is the minimisation of potential growth in transport demand and this should be incorporated as a leading consideration in land use planning.

It is considered that the subject site, which is currently served by a range of bus services and is within a comfortable walking distance of both a high capacity light rail line and a national rail station, represents an excellent opportunity for development to take place in a sustainable manner.

In addition, the development will utilise existing brownfield land in a sustainable inner suburban location, and will make a contribution to providing the critical mass of accommodation and range and mix of services and facilities necessary to drive forward real and dynamic change in conjunction with the Heuston Framework plan for the O' Devaney Gardens area.

3.3.5 SUSTAINABLE URBAN HOUSING: DESIGN STANDARDS FOR NEW APARTMENTS

This document, published by the Department of the Environment, Heritage and Local Government in September 2007, has the primary aim of promoting:

“...sustainable urban housing, by ensuring that the design and layout of new apartments will provide satisfactory accommodation for a variety of household types and sizes – including families with children - over the medium to long term”.

The document provides recommended minimum standards for the following:

- (i) floor areas for different types of apartments;
- (ii) storage spaces;
- (iii) sizes for apartment balconies / patios;
- (iv) room dimensions for certain rooms.

'Sustainable Urban Housing' sets out the minimum overall apartment floor areas as shown in Table 3.1:

No. of Bedrooms	Minimum Size
One Bedroom	45 sq.m
Two Bedrooms	73 sq.m
Three Bedrooms	90 sq.m

Table 3.1: Minimum Floor Areas as set out in DoE Publication 'Sustainable Urban Housing'

The document also provides minimum floor areas for living / dining kitchen rooms, minimum widths for main living rooms and minimum bedroom floor areas.

The minimum sizes for balconies and storage areas as set out in the document are as below:

No. of Bedrooms	Minimum Size
One Bedroom	3 sq.m
Two Bedrooms	6 sq.m
Three Bedrooms +	9 sq.m

Table 3.2: Minimum Storage Space requirements as set out in DoE Publication 'Sustainable Urban Housing'

No. of Bedrooms	Minimum Size
One Bedroom	5 sq.m
Two Bedrooms	7 sq.m
Three Bedrooms +	9 sq.m

Table 3.3: Minimum main Balcony requirements as set out in DoE Publication 'Sustainable Urban Housing'

The proposed apartments will meet the criteria set out in these guidelines, and also the more stringent criteria set out in the Dublin City Development Plan 2005 - 2011. A Housing Quality Assessment has been prepared by the applicant's, Dublin City Council, and is submitted with the application under separate cover. The Housing Quality Assessment demonstrates that the proposed Phase 1 development meets all relevant criteria.

3.3.6 SUSTAINABLE RESIDENTIAL DEVELOPMENT IN URBAN AREAS: GUIDELINES FOR PLANNING AUTHORITIES (MAY 2009)

The Department of the Environment, Heritage and Local Government adopted this document, which updates the former Residential Density Guidelines for Planning Authorities, in May 2009. The document states that a review of the Residential Density Guidelines is considered necessary *"in light of the demographic and economic changes experienced in recent years"*.

This document emphasises that *"an ever-expanding footprint of our urban areas is not sustainable into the future"* and that, in accordance with the National Spatial Strategy and the Regional Planning Guidelines, new growth must be consolidated by providing high-density residential development in the right locations.

The primary aims of the document are as follows:

- Deliver a quality of life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;
- Provide a good range of community support facilities, where and when they are needed;
- Present an attractive, well maintained appearance, with a distinct sense of place;
- Are easy to access and to find one's way around;
- Facilitate walking, cycling and public transport, and minimise the need to use cars;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Promote social integration and provide accommodation for a diverse range of household types and age groups; and
- Enhance and protect the built and natural heritage.

With reference to larger cities and towns, the document confirms that the guidance set out in the Residential Density Guidelines will be carried forward. It states that in general, increased densities should be promoted on residentially zoned lands, particularly in the following locations:

- (i) city and town centres.
- (ii) brownfield sites;
- (iii) public transport corridors;
- (iv) inner suburban / infill;
- (v) institutional lands..
- (vi) outer suburban / Greenfield sites.

It is emphasised in the guidelines that urban land is a scarce resource and should be used as efficiently as possible. It is submitted that the subject site, being located in close proximity to a range of services and facilities, including public transport services, city centre retail and leisure, tourism and cultural uses has potential to be redeveloped with increased densities. In addition, the proposed development seeks to make more efficient use of existing brownfield site.

3.3.7 DELIVERING HOMES SUSTAINING COMMUNITIES – STATEMENT ON HOUSING POLICY

In December 2005, the Government published the *Housing Policy Framework - Building Sustainable Communities* to provide a 21st Century vision for housing aimed at building sustainable communities.

“Sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well-planned, built and run, offer equality of opportunity and good services for all.”

The primary aim of the document is to respond to existing and forecasted housing demand by delivering more and better quality homes and by doing it in a more strategic way focused on the building of sustainable communities. This aim is grounded in an expansive view of housing and its positive potential in contributing to overall social and economic well-being. A number

of policies and aims are also set out in the document which detail ways in which the delivery of sustainable homes and communities can be achieved.

The document states that one must ensure that housing developments improve not just the quality of the units, but also to ensure that housing developments add to the character of areas and reinforce the vitality of the local community. Housing must be well integrated with the provision of supporting services such as schools, community facilities and amenities.

The proposed development will conform to the above criteria and also those as set out in the Housing Policy of the Dublin City Council Development Plan 2005 – 2011. This will ensure that development will be delivered to the highest possible standards in terms of layout, energy efficiency, size, etc.

The document acknowledges that planning, urban design, infrastructural investment, land management and public service delivery are the main vehicles to ensure the delivery of quality neighbourhoods and homes moving into the future. The proposed development comprises Phase 1A of a wider mixed use redevelopment of O'Devaney Gardens incorporating residential development, commercial / retail floorspace and community facilities. The first phase of the re-development (Phase 1A) comprises of 110 no. residential units and 4,680 sq.m. neighbourhood park. The mix of the unit type and size ensures access for all members of the community, including single persons and families. The provision of public and private open space, retail and community facilities and a high quality, accessible and attractive public realm will ensure a welcoming and inviting environment for future occupiers.

In relation to regeneration projects the document states that the first clear step is analysing the causes of decline in the popularity or functioning of an estate. It further states that in areas experiencing multiple deprivation, caused by a range of social and economic factors, and not merely the standard or design of housing alone, more concerted action is required. The document emphasises the need to integrate regeneration projects with surrounding re development projects wherever possible.

The document states that all regeneration projects will require a Master Plan, developed in consultation with all key agencies through the County/City Development Board. This will be a strategic plan to support regeneration investment, recognising all of the necessary inputs. Proposals should be evaluated to see the impact of alternative approaches on the wider development of the site. They should consider the value of defining boundaries for regeneration in ways which create greater synergies with other urban renewal initiatives.

This particular part of the document has formed the basis for the design of the new proposal in particular, the causes of decline in the O' Devaney Gardens area have been defined as primarily relating to the quality and typology of the built development. An approach involving the demolition of the existing dated residential blocks and the construction of a high-quality mixed use development, providing a wide range of services and facilities in conjunction with residential uses has been identified as the preferred regeneration approach.

It is considered that the proposed development endeavours to conform with aims and policies as set out in this document through its redevelopment of an

inner suburban brownfield site, in close proximity current and future public transport, with a mix of housing typologies and the stitching together of the site into the surrounding neighbourhood in order to integrate with all in the community.

3.3.8 QUALITY HOUSING FOR SUSTAINABLE COMMUNITIES – BEST PRACTICE GUIDELINES FOR DELIVERING HOMES SUSTAINING COMMUNITIES

These guidelines were published in February of 2007, and are intended as a set of design guidelines in order to complement the housing policy contained in 'Delivering Homes, Sustaining Communities'.

The guidelines state that the successful design of a good quality sustainable housing project depends on the balance struck between a range of factors. Issues such as accessibility, security, safety, privacy, community interaction, availability of appropriate services and the provision of adequate space, should be given due weight. The aims of the guidelines is to identify principles and criteria that are important in the design of housing and to highlight specific design features, requirements and standards that have been found, from experience, to be particularly relevant.

The mission statement for the guidelines with regard to housing development is as follows:

- Promoting high standards in the design and construction and in the provision of residential amenity and services in new housing schemes;
- Encouraging best use of building land and optimal utilisation of services and infrastructure in the provision of new housing;
- Pointing the way to cost effective options for housing design that go beyond minimum codes and standards;
- Promoting higher standards of environmental performance and durability in housing construction;
- Seeking to ensure that residents of new housing schemes enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and
- Providing homes and communities that may be easily managed and maintained.

The guidelines go on to further state the criteria which quality housing must fall under, these are set out below:

- Socially and economically appropriate;
- Architecturally appropriate;
- Accessible and adaptable;
- Safe, secure and healthy;
- Affordable;
- Durable;
- Resource efficient.

Site Selection

Selection of the site is, arguably, the single most important consideration in the process of providing housing. Factors such as the location, size and accessibility of a site and its proximity to amenities and services are important

to the future development of a self-sustaining community. New housing can act as a catalyst for the renewal of a rundown or under-utilised area by:

- strengthening the fabric of urban centres;
- regenerating rundown areas;
- bringing back a mixture of uses to urban centres;
- locating people where services are available; and
- developing new areas of mixed use carefully integrated into existing patterns.

The proposed development at O' Devaney Gardens will clearly demonstrate how the redevelopment of an area through the construction of new housing along with the reinforcing and creation of linkages to the surrounding community can effectively renew an area. The existing character of the O' Devaney Gardens complex is characterised by a sense of isolation from its neighbouring areas. The proposed development aims to reintegrate O' Devaney Gardens the character of the surrounding area through breaking down the physical and social barriers that exist in terms of interaction with the site and enhancing connectivity with the surrounding areas.

Urban Design in the provision of Housing

It is detailed in the document that a key aim is to deliver sustainable communities through the creation of a high quality built environment, by reducing, as far as possible, the necessity to travel, particularly by private car, for the purposes of employment, education and recreation and to avail of services and amenities necessary for living.

It is stated that the primary method of achieving this objective will be the concept of a compact walkable neighbourhood. The objective is to create high quality places in which people can live happy and productive lives.

It is further detailed in the guidelines that the urban framework and the appropriate mix of buildings, green spaces and streetscape is important to the quality of residential developments. The following elements form part of this framework and should be considered at concept development stage:

- Movement framework: the structural aspects of movement, focusing on street and footpath networks that facilitate proposed densities, etc;
- Diversity and mixing of uses: the full range of local services and facilities, including commercial, educational, health, religious and civic uses;
- Hierarchy of spatial development: landmarks, gateways, links, nodes and edges should be provided;
- Density;
- Public open space and landscape design: a variety of types of open spaced should be considered.

The design of the proposed development at O'Devaney Gardens has taken consideration of the recommendations as set out in these guidelines. The proposed development aims to create a high quality urban environment that connects with the adjoining neighbourhood and has the character of natural integration with the adjoining urban form.

Other relevant issues, such as the movement strategy, have been considered in detail in the Masterplan which accompanied this application. The proposed development will provide improved pedestrian permeability through the site, and linkages with key surrounding areas.

It is also noted that the guidelines have specific guidelines in relation to apartment developments:

- Disposition of apartment buildings on site and the relationship between heights of buildings and distances between them so as to provide; maximum opportunity for dual aspect, adequate public and private open space and suitable views from apartments while maintaining privacy of dwellings
- Provision of convenient and secure car-parking space.
- Provision for communal storage/refuse collection points, including separate storage for recyclable materials as required by the local authority for the area.

All of the above considerations have been taken into account and will be complied with. This is further addressed in the Housing Quality Assessment undertaken and submitted under separate cover by the applicants.

Design for Safety and Security

The guidelines state that a satisfactory level of safety and security is a key element of housing schemes to foster a sense of community and discourage anti-social behaviour. Attention should be given to the following issues:

- Ensuring informal surveillance by putting eyes on the street i.e. making buildings face the public realm and minimising exposed blank facades, avoiding blank walls and facades and maximising front door entrances;
- Ensuring that play areas are located in areas to which there is safe and easy access for children and which are overlooked from adjoining dwellings;
- Locating car parking on street in front of buildings or in secure private courtyards. If underground car parking is provided it should be well lit and access points should be located where they are overlooked from adjoining dwellings;
- Taking care with the choice of type and location of planting, so as to avoid blind corners and minimise the risk of planting being used as cover;
- The layout of road should aim to ensure that traffic volumes and speeds are appropriate and that through traffic is discouraged.

Due regard has been had to safety and security issues in the evolution of the proposed development. The scheme has been designed in a manner which will integrate residential, retail and commercial usage thus naturally creating passive surveillance and security within the proposed development. All open spaces and internal streets will be overlooked by residential properties ensuring passive surveillance.

Community Facilities and the Public Realm

In the context of housing scheme design it is stated that the following should be considered:

- Provision of spaces which offer scope for compatible social leisure activities adjacent to living areas;
- Establishment of routes that can enable people to pass through spaces to other areas within the development;
- The retention of existing historic elements, features or landmarks or the provision of local community driven arts projects;
- Careful choice of planting and street furniture and the use of public art which can help foster a sense of community.

Guidance is also provided regarding the design of public open spaces in terms of their location, orientation, aspect, function and character. The proposed development will contain high quality hard and soft landscaping and will offer a range of open spaces. This is further described in the Landscape and Visual Impact Chapter of this EIS (Chapter 9).

Dwelling Design

It is detailed in the guidelines that the primary design aim should be to create visually attractive dwellings that will provide appropriate accommodation and good quality living environments for prospective occupants. Key issues to be addressed include:

- Ease of access to, circulation within and use of the dwelling;
- An adequate level of amenities such as kitchen facilities etc;
- Accommodating the range of diverse activities likely to be met in normal day to day living;
- Economic, social and environmental sustainability;
- The safety and security of the occupants;
- Compliance with the requirements of the Building Regulations;
- Good value for money.

The proposed development has had due regard to the Guidelines. It is considered that the subject site is ideally located to provide an appropriate focal point for the community. The development has been designed to ensure connections with the surrounding community, providing linkages between new and existing services and facilities. The proposed development includes high-quality materials, finishes and landscaping and passive surveillance and will contribute in a significant way to the healthy regeneration and revitalisation of the area.

The apartment units themselves have been designed in accordance with the Apartment Guidelines set out in the Dublin City Development Plan 2005 – 2011. These Guidelines ensure that the units are designed to the highest standard in terms sustainability, floor area, accessibility, etc.

3.3.9 CHILDCARE FACILITIES: GUIDELINES FOR PLANNING AUTHORITIES

These guidelines were published by the Department of the Environment, Heritage and Local Government in June of 2001. They set out that the policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community.

According to the guidelines access to quality childcare services contributes to the social, emotional and educational development of children. There are clear economic benefits from the provision of childcare. It is acknowledged that a lack of accessible, affordable and appropriate childcare facilities makes it difficult for many parents/guardians to access employment and employment related opportunities. Childcare is also a potential area of employment in its own right and needs to be recognised and supported to ensure that it can achieve its potential in this regard.

The guidelines indicate a number of locations which are deemed appropriate for childcare facilities, these include new housing developments. It is recommended that for new housing developments childcare facilities should be provided for each 75 dwelling units, with a minimum capacity of 20 places. The guidelines also advise that consideration of childcare facilities provision should be raised as early as possible in preplanning discussions for larger housing developments.

The appropriate locations as indicated by the guidelines are listed below:

- New communities/Larger new housing developments;
- The vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working;
- In the vicinity of schools;
- Neighbourhood, District and Town Centres;
- Adjacent to public transport corridors, park-and-ride facilities, pedestrian routes and dedicated cycle ways.

The DoEHLG "***Childcare Facilities: Guidelines for Planning Authorities 2001***" state that new communities or larger new housing developments are appropriate locations for Childcare facilities. For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate. The threshold provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas.

Of particular importance for this regeneration project, the guidelines highlight the role of childcare provision in addressing disadvantage /social exclusion and promoting equality and also the role childcare can play in fostering economic development, particularly at the local level.

Having regard to the guidelines and importance of social and economic regeneration on site, the design team consulted with the Community Department of Dublin City Council and the Dublin City Childcare Committee on the issue of childcare services.

Advice received from this consultation included the following:

- Ensure that a proposal is informed by existing local supply and demand for childcare services.
- A commercially viable childcare facility requires capacity above 20 places (approximately 35 place facility is considered viable)
- The facility should be sited at a location that is accessible to the widest possible catchment. Ideally, a location shared with other local services such as retail and community facilities would increase its viability.
- If the location is part of a mixed use centre, ensure that the design is flexible to allow a unit extend if successful or, if interest by operators is not sufficient initially, allow for other uses to occupy the space to keep a centre active. Flexibility is very important for the design brief.
- The most likely demand will be for floor space that can accommodate the Government's Free Pre School Place scheme '*Early Childhood Care and Education Scheme*' (ECCE). There may also be demand for After School care facilities.
- Possible options for providing space for a facility is a build and lease arrangement with the developer of the Phase 1B site leasing floor space to either community or commercial based services. DCC intend to develop the site of Phase 1B with a building agreement which will seek a certain type of mixed use centre which can allow for this arrangement.

In further consultations with the Dublin City Childcare Committee (DCCC), an audit was conducted to assess the level of supply and demand for childcare services in the local area. This survey work completed by the DCCC concluded that there is no current demand in the local area (using a catchment of 1km from the site) for either full time or part time services. There is no immediate interest amongst commercial crèches to extend or avail of a new floor space opportunity as part of the regeneration scheme. However, as a mixed use neighbourhood centre is proposed with Phase 1B of the masterplan, it is advisable that floor space which could accommodate uses from the social economy, such as the ECCE scheme, playgroups and sessional services is included in the brief for this centre. The space will be available should demand from operators, either commercial or community based, arise. The DCCC recommend that adherence to the design guidelines "***We Like This Place: Guidelines for Best Practice in the Design of Childcare Facilities***" ***Department of Health and Children 2005***" are followed for the design and fit out of a facility as part of Phase 1B where demand arises.

The survey of facilities conducted by the DCCC is included in Table 3.4 below.

Table 3.4: Private Childcare Places

Name of Service	Capacity	Full Time	Part Time	Sessional	Drop In
Jonix Pre School-North Frederick St					
Mother Hubbards- 19 Nephin Road.	32	22	10		
Bo Peeps-2A Quarry Rd, Cabra.	23	23			
Silverspoon Nursery, Charleville Rd, NCR.	20			12	
Blackhorse Creche Childcare Ltd					
Jumbles, Glenbieigh Park, Cabra.	10	8			
St Peter's Montessori, 18 St Peter's Road, Phibsboro.	40			40	
Andy Pandies, Ratoath Road, Cabra.	20	20			
Total Private Childcare Places:	145	73	10	52	
Community Childcare Places					
Tiny Toes, 42 Manor St, Stoneybatter.	30		30		
Naíonra Bharra, Faussagh Avenue, Cabra.	40			40	
Tir Na Nog, Manor St, Stoneybatter.	16			16	
Cabra Community Creche, Coaliste Eanna, Kilkieran Road, Cabra West.	36	20	16		
Little Stars, 16 North King Street, Dublin 17.	30			30	
Seven Dwarfs Playschool, 13 Prussia St, Dublin 7.	10			10	
Step One Community Playgroup, 28 Stoneybatter, D7.	40			40	
Tweenies , O Devaney Gardens (closed).	-				
Total Community Childcare Places	262	20	66	176	
Total Community & Private	407				

On the basis of research and consultations, the best location for a child care facility on this is considered to be the site of Phase 1B as part of a mixed use neighbourhood centre. At this location, a facility would be accessible to both the residential units of the scheme and also the adjoining neighbourhood. The location would interact with other neighbourhood services such as retail and community uses. The location is also adjacent to the proposed park which would provide a space for recreation and amenity adjacent to a childcare facility.

The ground floor of Phase 1B contains options for a crèche or childcare service. The brief for this site will include flexible commercial units at ground level which may be extended to suit the requirements of the operator and create a commercially viable crèche in terms of size and capacity (for

example a 35 space crèche) . The first floor level of the neighbourhood centre will have a number of community meeting rooms and offices. Floor space at this level can easily be adapted for the operation of a childcare service.

A good example of a community facility that incorporates a childcare facility is the Ballybough Community, Youth and Sports Centre, Ballybough Road, Dublin 3. A full time childcare centre for pre-school is included in the range of community, sports and educational services provided at the centre.

3.3.10 RETAIL PLANNING GUIDELINES 2005

The Retail Planning Guidelines, published in December 2000 and amended in 2005, provide a comprehensive framework to guide both local authorities in preparing development plans and assessing applications for planning permission and retailers/developers in formulating development proposals.

It is proposed to provide for neighbourhood shopping facilities with community facilities integrated in an accessible location in Phase 1B of the proposed regeneration. Phase 1B will be the subject of a separate planning process. However, the Masterplan provides effective guidance to integrate the neighbourhood services of Phase 1B successfully with the housing of Phase 1A, the park, future Phase 2 and established housing area. This location was considered optimal by the community for integration and to create a focal point for the scheme and local area (See Section 2.5 Alternatives Examined).

Phase 1B will be a site sold by Dublin City Council for private development with building agreements to deliver the key objectives for this phase as outlined in the Masterplan. It is a target to develop it in tandem with Phase 1A so that it is available as a facility at the earliest opportunity for residents. The indicative scale of the centre is compatible with a neighbourhood centre. Commercial floor space will be a maximum of 1,800 sq.m gross comprising of neighbourhood scale retail, smaller shops, offices and services. Community uses additionally could be accommodated at first floor level and communal parking at basement level. Refer to Section 2.0.

A Retail Impact Assessment is provided in Appendix 3.1 of the EIS. For the purposes of robust assessment, a maximum gross retail area of 1,800 sq.m is assumed. It is noted that details for Phase 1B are at the level appropriate for general guidance only for future phases and to facilitate informed cumulative impact assessment of future phases.

The Guidelines emphasise that *“retail development is most accessible to customers where it is well located within its catchment area and is accessed both by public transport and the private car.”* The third objective of the Retail Planning Guidelines is to promote development which is easily accessible in a location which encourages multi-purpose shopping, business and leisure trips on the same trip.

Paragraph 27 of the guidelines state that Town centres, together with district centres and major village centres serving rural areas, provide a broad range of facilities and services and act as a focus for the local community. In this guidance the term "town centre" is used to refer to district centres as well as centres of smaller settlements.

The Guidelines define Local Centre or neighbourhood centre as:

“small group of shops, typically comprising of a newsagent, small supermarket/general grocery store, sub – post office and other small shops of a local nature serving a small, localised catchment area”.

Paragraph 95 of the Retail Planning Guidelines outline that *“local shops located in local centres or neighbourhood centres perform an important function in urban areas. They can provide a valued service, catering particularly for the daily or casual needs of nearby residents or of those passing by”.*

The Guidelines note that local shops encompassing both foodstore and important non-food outlets such as pharmacies have significant social and economic functions and offer an important service for those who are less mobile, especially elderly and disabled people, families with small children and those without access to a car.

It is proposed to provide for neighbourhood shopping facilities within O' Devaney Gardens in Phase 1B of the proposed development to accommodate in the range of 2,500 sq.m. gross retail floorspace which is aimed at providing for the local community and its immediate area. The proposals for neighbourhood shopping facilities within the site is addressed in further detail in Appendix 3.1 of the EIS.

The provision of neighbourhood retail facilities on the site aims to address Specific Objective 2 of the Draft City Development Plan which aims to provide for a range and mix of uses within O' Devaney Gardens:

The development of a high quality mixed use quarter comprising of quality new homes supported by a complimentary range of mixed commercial, community and recreational facilities will be promoted for this site.

The existing O' Devaney Gardens complex is served by a local shop operated from a temporary structure and provides an important service for the local community. There is very little retail provision the west and south of the site and as such it is considered that this provision of mixed retail space will enhance the vibrancy and vitality of the area, and sustain the local community. It will serve to reduce the distance in which the residents of the O'Devaney Gardens area must travel in order to purchase their goods.

3.3.11 REGIONAL PLANNING GUIDELINES FOR THE GREATER DUBLIN AREA 2010-2022

The Regional Planning Guidelines (RPG's) for the Greater Dublin Area 2010-2022 were published by the Dublin and Mid East Regional Authorities on the 15th of June 2010. These Regional Planning Guidelines review and update the 2004-2016 Guidelines and look forward to 2022.

The RPG's seek to define and inform the planning policy to be pursued by each separate planning authority in the region during the plan period. Section 2.2 of the Guidelines sets out the following Vision Statement for the Greater Dublin Area:

“The GDA by 2022 is an economically vibrant, active and sustainable international Gateway Region, with strong connectivity across the GDA Region, nationally and worldwide; a region which fosters communities living in

attractive, accessible places well supported and promotes and protects across the GDA green corridors, active agricultural lands and protected natural areas”.

The Guidelines note the following policy emphasis for the Metropolitan area of the GDA:

“The policy emphasis for the Metropolitan area is to gain maximum benefit from existing assets – public transport, social, infrastructural- through the continuation of consolidation and increasing densities within the exiting built footprint of the City, suburbs and Consolidation & Large Growth towns....During the life of these RPGs the expansion of the built up area shall only take place to support the delivery of Transport 21 public transport service investments”.

Section 1.6 of the Guidelines identify Key Planning and Development objectives for the GDA and notes the importance of integration between land use and transportation. In this regard the Guidelines note that:

“There is a need to encourage land use policies in this RPG that support the investments currently being made in public transport under Transport 21 to ensure that the maximum benefit is gained both economically, socially and environmentally. Landuse and transport are critical interlinked policy tools that need to work together to better realise economic success, environmental protection and quality of life”.

This objective is reflected in Strategic Policy SP1 of the Guidelines which note that:

“The delivery of new housing in the GDA shall support the NSS, Smarter Travel and the DoEHLG Guidelines on Sustainable Residential Development. The RPG Settlement Strategy encourages the focusing of new housing development on (i) consolidation within existing built footprint with particular focus on the metropolitan area; (ii) supporting the achievement of sustainable towns; (iii) supporting national investment in public transport services by focusing new development areas to key locations to achieve the integration of land use and high quality public transport provision, and (iv) build up economics of scale for services in identified growth towns”.

It is considered that the proposed development consisting an appropriate development when considered in the light of the policies and objectives of the Regional Planning Guidelines. The subject development comprises the redevelopment of a brownfield site within an inner suburban location in close proximity to key transport nodes, delivers increased density and promotes the consolidation of the metropolitan area in accordance with the Regional Planning Guidelines.

3.3.12 RETAIL PLANNING STRATEGY FOR THE GREATER DUBLIN AREA 2008 - 2016

The Retail Strategy for the Greater Dublin Area 2008 – 2016 was adopted on the 17th July 2008. The Strategy indicates that, since the adoption of the previous Retail Planning Guidelines (RPG's) for the Greater Dublin Area (GDA) in November 2001, the GDA has seen significant economic and population growth. One of the primary purposes of the Strategy is to provide

“indicative advice on the scope and need for new retail floorspace and how, in accordance with sustainable planning, it should be allocated”.

It is stated that the central key objective arising from the Strategy is to promote the vitality and viability of town centres by:

- planning for the growth and development of existing centres;
- promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in good environments which are accessible to all;
- integrating the provision of high quality retail with mixed use in towns and centres to create attractive, active places;
- Supporting the role of town centres as places to visit that have strong community and civic functions and roles to the surrounding population.

The Strategy sets out an extensive range of factors and criteria that require to be addressed in respect of retail developments. Amongst these factors and criteria are the following:

- Impact and cumulative impact of proposed developments within Council's administrative areas and on adjoining areas and the GDA as a whole;
- Additional benefits in respect of regeneration and employment do not constitute indicators for need for additional floorspace. However, they may be a material consideration in the site selection process. The weight to be given to such factors will depend on local circumstances.

The retail development associated with the proposed development is intended to be convenience floorspace aimed at meeting the needs and requirements of the local community. It is not envisaged that there will be any effect upon the city centre or existing centres in proximity to the site, with the retail floorspace aimed at meeting the needs of the local community only. It is envisaged that the retail floorspace will assist in the development of a sustainable mixed use community. This is addressed in further detail in the Retail Impact Assessment which is attached as Appendix 3.1 of the EIS.

3.4 LOCAL PLANNING POLICY

3.4.1 Dublin City Development Plan 2005-2011

Introduction

The 2005 Dublin City Development Plan is the statutory Development Plan for the area. This section of the report examines the key elements of the Dublin City Development Plan 2005 – 2011, as they are relevant to the proposed development. This is presented under a number of headings, as follows:

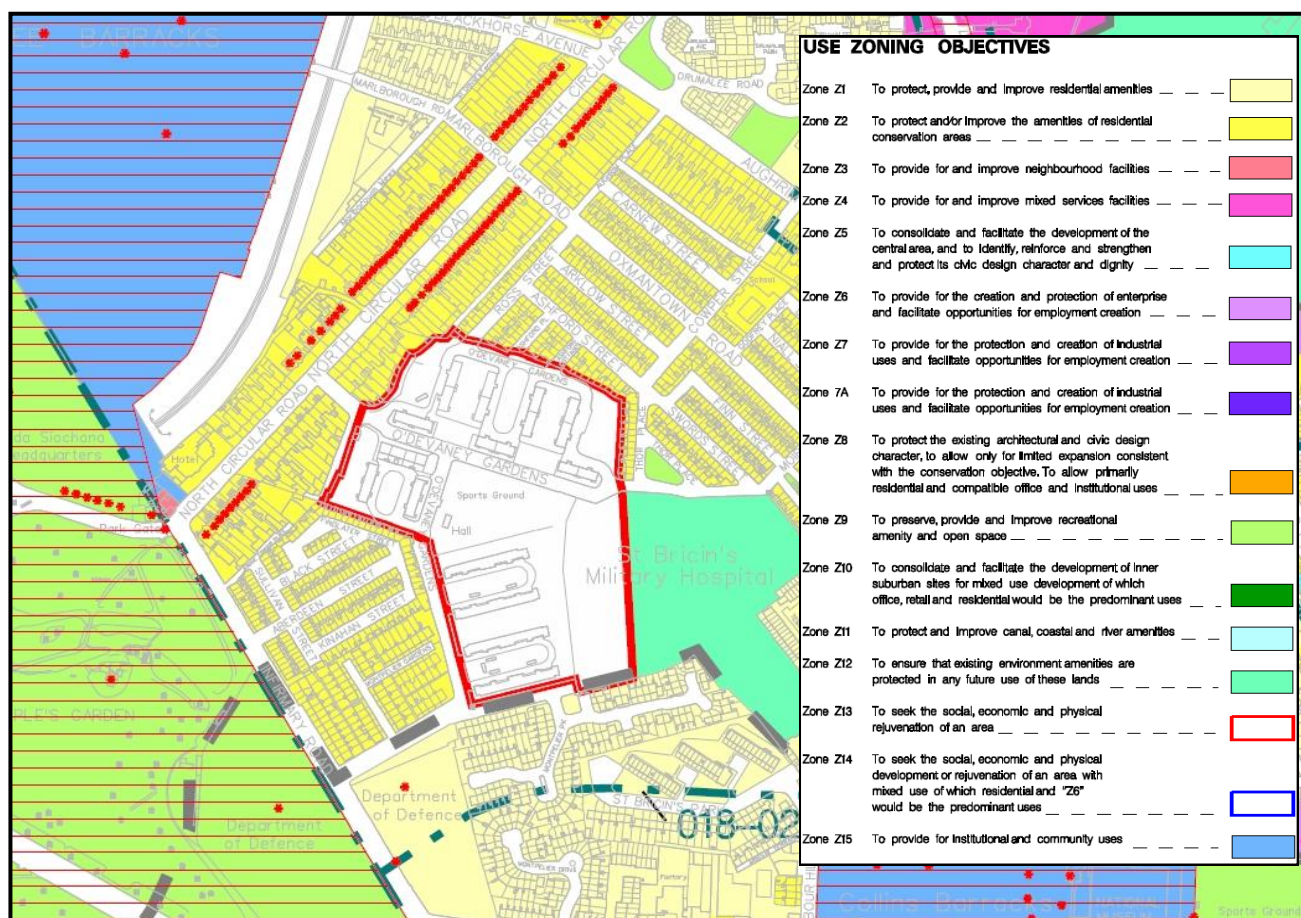
- Zoning;
- Residential Development;
- Retail;
- Achieving Sustainable Liveable New Apartment Homes;
- Development Standards.

Zoning

The site at O'Devaney Gardens is zoned Z13 under the Dublin City Development Plan 2005 – 2011 with the objective: *'to seek the social, economic and physical rejuvenation of an area'*

With regard to this zoning objective the plan states that *"these are the large scale public housing areas for which it is envisaged that significant improvement and rejuvenation works (both social, economic and physical) shall be undertaken over the lifetime of the Plan"*.

Figure 3.4: Zoning Map Extract from the 2005-2011 City Development Plan outlining location of the subject site



The range of uses which are permissible and open for consideration on lands zoned Objective Z13 is listed below:

Permissible Uses:

ATM, Bed and breakfast, Betting office, Buildings for the health, safety and welfare of the public, Childcare facility, Cultural/recreational buildings and uses, Education (excluding a night time use), Education, Enterprise centre, Guest house, Hostel, Hotel, Industry (light), Media recording and general media associated uses, Medical and related consultants, Office, Open space, Residential, Shop (neighbourhood).

Open for Consideration Uses:

Advertisement and advertising structures, Car trading, Civic and amenity/recycling centre, Funeral home, Nightclub.

Residential Development

According to the Dublin City Development Plan 2005 - 2011 it is forecast that there is a need for 36, 000 additional residential units with in the city. The plan states:

"The vision for residential development in the city is one where a wide range of accommodation is available and set within sustainable communities where residents are within easy reach of services and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport, and where adequate public transport provides good access to employment, the city centre and the prime urban centres."

Residential policy RES 3 states that *"It is the policy of Dublin City Council to promote the development of underutilised infill sites and to favourably consider higher densities on such sites while having regard to the existing character and design of the surrounding development."*

It is considered that the proposals for a higher density development on the subject site are appropriate in light of the above policy.

Retail

Policy S18 states:

"It is the policy of Dublin City Council that proposed commercial development, where appropriate would incorporate retail, residential, employment and entertainment/cultural uses within the design. The mix of day time and night time uses adds vitality, and is line with the concept of sustainability."

Appendix 7 of the Dublin City Development Plan sets out the Retail Hierarchy for the City. The strategy indicates that within the city area there are five levels within the retail hierarchy. These are defined as:

- Level 1: Metropolitan Centre
- Level 2: Major Town Centre
- Level 3: Town/District Centre
- Level 4: Neighbourhood Centres
- Level 5: Corner Shops

Achieving Sustainable Livable Apartment Homes

It was agreed at a meeting of Dublin City Council on December 3rd 2007, to vary the Dublin City Development Plan 2005-2011, adding a new section Achieving Liveable Sustainable New Apartment Homes, which inserted policies regarding housing policy and design standards for apartments.

The guidelines contain a number of aims in order to achieve sustainable livable apartment homes while also making apartment living attractive for families, these are set out below:

- Provide excellent quality of housing;
- Provide for the needs of children, in a family home;
- Optimise the supply of housing;
- Provide good open spaces/parks and other community/public gain;
- Provide a good mix of uses;
- Contribute positive regeneration effects;
- Be energy efficient;
- Display a high quality of contemporary architecture, etc.

The proposed development has been designed having regard to the above criteria. The scheme will provide accommodation suitable for a variety of household types and will provide an opportunity for people to trade up or down within the development as their housing needs change over time, thus encouraging a stable community in the development. The mixed use nature of the proposed development, incorporating retail, commercial and community uses in addition to the residential use, adds to the sustainable nature of the proposed development.

Development Standards

The Dublin City Development Plan sets out a list of standards to which new development must comply with, there are sections which pertain specifically to new residential development and these standards are outlined below.

Plot Ratio

The Development site is an inner suburban brownfield site located in an established residential area and as such it can be expected that a higher plot ratio than suburban development can be achieved. The Dublin City Development Plan 2005 – 2011 indicates that the indicative plot ratio for a site zoned Z4 is 2.0.

It should be noted though that the standards indicate it is possible to accommodate a higher plot ratio than those listed in the plan under the following circumstances:

- Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed
- To facilitate comprehensive redevelopment in areas in need of urban renewal
- To maintain existing streetscape profiles
- Where a site already has the benefit of a higher plot ratio

Site Coverage

Site coverage is the percentage of the covered by building structures, excluding the public roads and footpaths. The Plan provides some indicative guidance on the percentage it may deem appropriate. In the case of Zone 4 it details site coverage of 80% to be appropriate.

Building Heights

According to the Plan *'different character areas will require different approaches to the issue of building heights. There is a recognised need to protect conservation areas and the architectural character of existing buildings, streets and spaces of artistic, civic or historic importance.'*

The building heights of the proposed development range from 2 – 4 stories in height. It is considered appropriate in light of the redevelopment of a brownfield site and also respects the residential areas surround the site.

Open Space

The development plan also provides guidance on public and private open space standards; the proposed development intends to meet these standards through the provision of private balconies and public open space.

The plan recommends that for new residential developments at least 10% of the land coverage should be given over to public open space. It be noted that the plan states that public open space should be *'of a high quality of design and layout, be located in such a manner as to ensure informal supervision by residents and be visually and functionally accessible to the maximum number of dwellings.'* In the context of the proposed development it is considered that the development conforms to these standards as set out in the plan through the provision of a neighbourhood park to which the development is focused around.

3.4.2 Draft Dublin City Development Plan 2011-2017

The Dublin City Development Plan 2011-2017 is currently being prepared by Dublin City Council. The proposed amendments to the Draft Plan were published by the Council in August 2010 and the plan is due for adoption before the 21st of December 2010.

The Draft Dublin City Development Plan 2011 – 2017 is discussed below under a number of headings:

Key Themes

In the Draft Dublin City Development Plan 2011 – 2017, the City Council identifies six broad themes which are integral to the future growth and development of the City. The six themes are economic, social, cultural, urban form and spatial, movement and environmental and are described as follows:

- Economic: Developing Dublin City as the heart of the Dublin region and the engine of the Irish economy with a network of thriving spatial and sectoral clusters, a focus for creative talent and creative assets
- Social: Developing Dublin City as a compact city with a network of sustainable neighbourhoods which have a range of facilities and a choice of tenure and house types, promoting social inclusion and integration of all ethnic communities

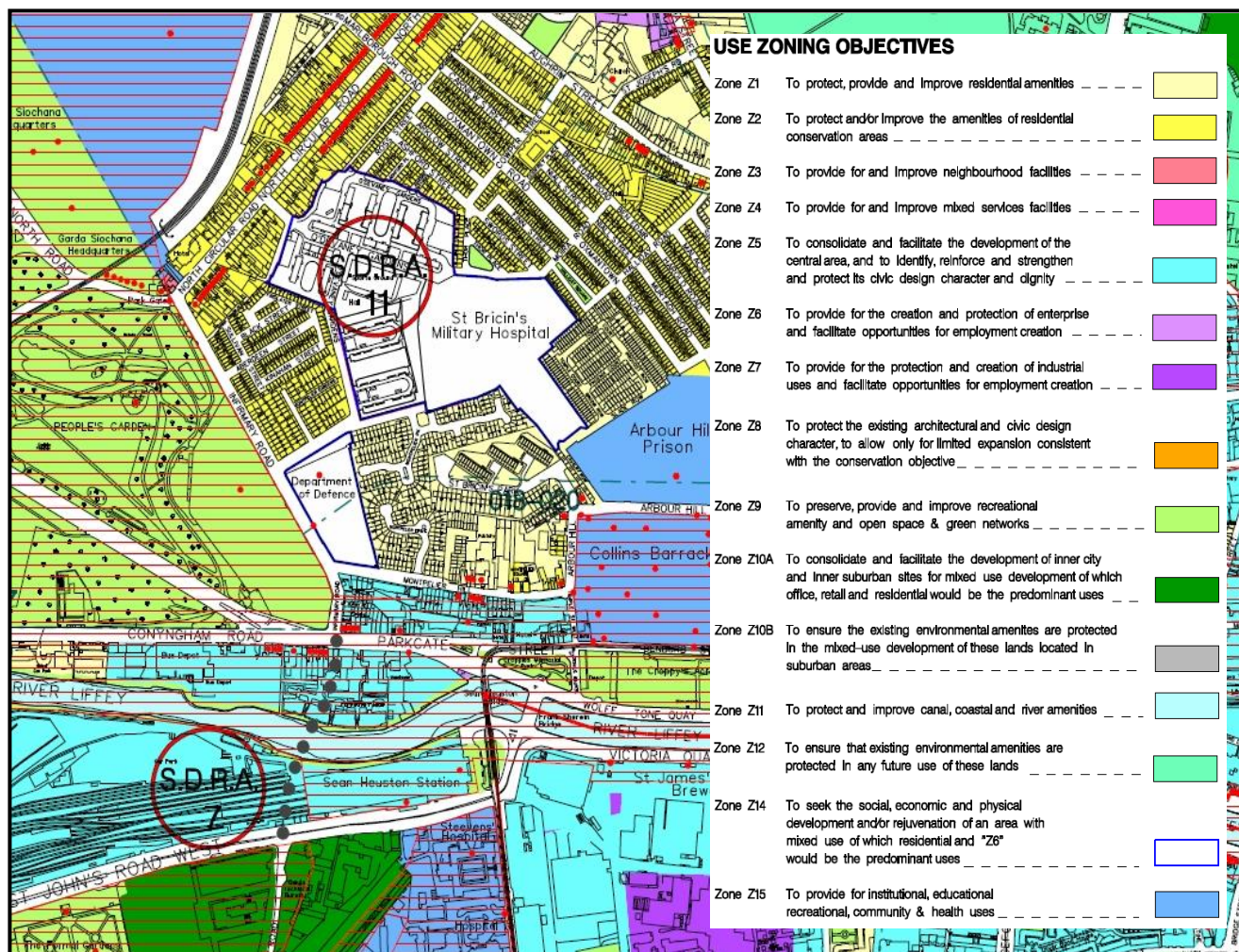
- Cultural: Making provision for cultural facilities throughout the city and increase awareness of our cultural heritage and promoting safe and active streets through design of buildings and the public realm
- Urban Form and Spatial: Creating a connected and legible city based on active streets and quality public spaces with a distinctive sense of place
- Movement: Helping to build an integrated transport network and encouraging the provision of greater choice of transport. Planning and zoning objectives will be brought together to increase the opportunities to live and work close to transport hubs and corridors
- Environmental: Providing for an overall framework involving key principles, strategies and objectives to drive a vision of 'Sustainable Dublin' over the next 25 to 30 years, making sure that buildings can adapt to changing needs and encouraging better waste management strategies

Land Use Zoning

In the Draft Dublin City Development Plan 2011 – 2017, the subject site is zoned Z14, the objective of which is to *“seek the social, economic and physical development and / or rejuvenation of an area with mixed use of which residential and ‘Z6’ would be the predominant uses”*. Z6 uses relate to enterprise and employment uses.

The Z14 zoning objective in the Draft Plan pulls together the Z13 and Z14 objectives, to *“seek the social, economic and physical rejuvenation of an area”* with the Z14 objective to develop mixed use developments, of which residential and 'Z6' uses would be the predominant uses.

Figure 3.5 Zoning Map Extract from 2011-2017 Draft City Development Plan



The Draft Dublin City Development plan describes Z14 areas where proposals for comprehensive development or redevelopment have been, or are in the process of being prepared. These areas also have the capacity for a substantial amount of development in Developing Areas in the inner and outer city.

The range of uses both permissible and open for consideration under zoning objective Z14 are set out below:

Permissible Uses

ATM, Betting Office, Buildings for the health, safety and welfare of the public, Childcare facility, Community facility, Conference centre, Cultural/recreational building and uses, Education, Embassy office, Embassy residential, Enterprise centre, Green/Clean industries, Halting site, Home-based economic activity, Hotel, Industry (light), Live work units, Media recording and general media associated uses, Medical and related consultants, Offices, Open space, Park and ride facility, Part off-licence, Place of public worship, Public service installation, Residential, Restaurant, Science and technology-based industry, Shop (neighbourhood), Training centre.

Open for Consideration Uses

Advertisement and advertising structures, Bed and breakfast, Car park, Car trading, Civic and amenity/recycling centre, Factory shop, financial institution. Funeral home, Garage (motor repair/service), Garden centre, Golf course and clubhouse, Hostel, Nightclub, Off-licence, Outdoor poster advertising, Petrol station, Pigeon lofts, Public house, Veterinary surgery, Warehousing (retail/non food)/Retail Park, Warehousing.

Guiding Principals for Strategic Development and Regeneration Areas

A number of the Z14 areas relate to public housing regeneration areas and in the case of each, the Draft City Plan identifies a number of development principles to guide the development of each area.

These development principles are set out in Chapter 16 of the Draft Plan under the heading of *Guiding Principles for Strategic Development and Regeneration Areas* chapter and are discussed below.

O'Devaney Gardens is identified as Strategic Development and Regeneration Area (SDRA) 11. With regard to Chapter 16 it sets out specific objectives for SDRA 11 O' Devaney Gardens and these are set out below:

- 1. The strategic location context of this site within the city (close to the amenities of the Phoenix Park, Heuston Station, the new emerging courts complex on Infirmary Road), its potential positive contribution to the character of the city and the potential that exists for greater synergies to Stoneybatter and Grangegorman will be valued and promoted.*
- 2. The development of a high quality mixed use quarter comprising of quality new homes supported by a complimentary range of mixed commercial, community and recreational facilities will be promoted for this site.*
- 3. The development of attractive new streetscapes with mixed typologies of high quality accommodation, a high quality public realm and active street frontages will be promoted to compliment the architectural legacy of streetscapes adjoining this location including the special streetscapes of the North Circular Road, Infirmary Road and Oxmanstown areas.*
- 4. Accessible locations for commercial and community facilities to encourage interaction between the site and established communities adjoining will be promoted.*
- 5. The development of a neighbourhood park will be integrated into the masterplan as a key feature of the design to provide recreational amenities, encourage community interaction and provide a focal point/meeting place for the wider local community. The location will be bounded by high quality streetscapes accommodating commercial, community and residential uses to generate activity, encourage active use of the space and provide passive surveillance.*
- 6. The established character of streets and residential amenities for adjoining residents will be respected in the urban design proposals and layout of a new development. Opportunities for new building forms to aid*

legibility through the scheme and create streetscapes of visual interest will incorporate appropriate height transitions from site boundaries and propose locations that avoid negative impact on adjoining residential boundaries.

- 7. Permeability through the site will be promoted to integrate the location more successfully with the adjoining community. The existing bus route will be retained and incorporated along a main boulevard route connecting the North Circular Road to Montpelier Gardens. Opportunities for connections with streets to the northeast boundary, with particular emphasis on walking and cycling routes, will be encouraged.*
- 8. To have regard to the physical integration and regeneration potential of Manor Street/Stoneybatter as important streets / radial routes in the redevelopment proposals for this area.*

The above guiding principles have been taken into consideration in the preparation of the scheme for O' Devaney Gardens. The development aims to provide a high quality mixed use quarter comprising of quality new homes supported by a complimentary range of mixed commercial, community and recreational facilities.

Regeneration

The Draft Development Plan describes that a need has been identified to create sustainable communities and address the underlying causes of deprivation *“through a combination of social, educational and economic initiatives while rejuvenating the built environment in key regeneration areas including: Fatima Mansions, O'Devaney Gardens, Dominick Street, Bridgefoot Street, Charlemont Street, St. Michael's Estate, St. Teresa's Gardens, Dolphin House, Croke Villas, and Mountainview Court”*.

These regeneration areas are identified on Figure 19, an extract from which is included below. The above intention of the City Council is reflected in policies QH23 and QH24, which read as follows:

“QH23 *To regenerate the areas identified on the Main City Centre Regeneration Areas Map and develop them as highly popular areas in which to live and work.*

QH24 *To promote the transformation of the key regeneration areas into successful socially integrated neighbourhoods and promote area regeneration in parts of the City which require physical improvement and enhancement in terms of quality of life, housing and employment opportunities”.*

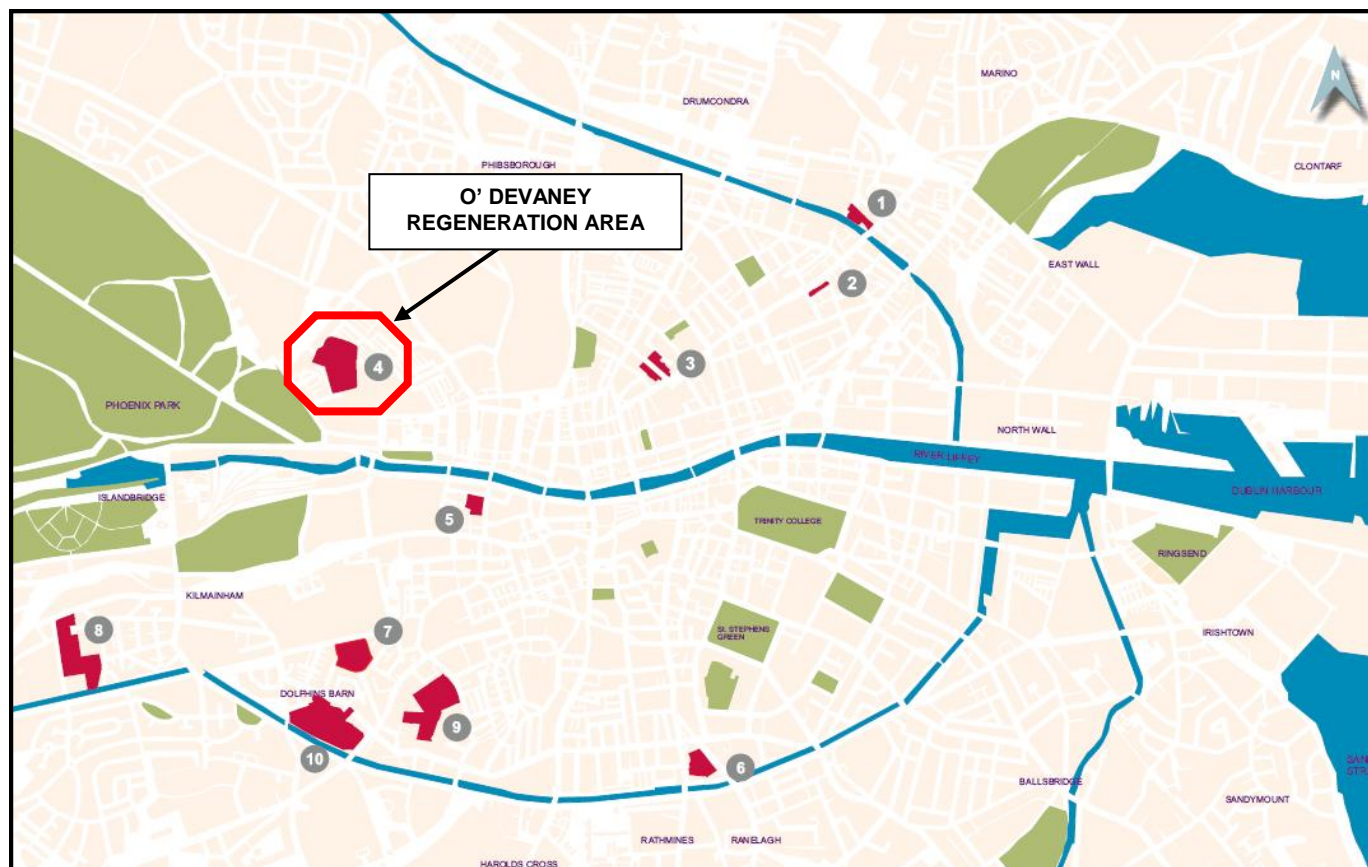


Figure 3.6: Extract from Figure 19 of the Draft Dublin City Development Plan 2011 - 2017

Sustainable Residential Areas

It should be noted that according to the Draft Plan's strategic approach to the development of a compact city, that *"providing for an appropriate quantity and quality of residential accommodation incorporating sustainable densities and designs"* along side a *"variety of housing typologies and tenures which are adaptable, flexible and meet family needs"* while also *"providing for the creation of attractive mixed use sustainable neighbourhoods which benefit from the phased delivery of supporting infrastructure"* is essential to the delivery of a compact city form.

The Draft Plan outlines that it is an objective to create *"a consolidated urban form which fosters the development of compact neighbourhoods and a critical mass which contributes to the viability of economic, social, and transport infrastructure."*

It is considered that the proposed development with its proximity to both current and future public infrastructure and the city centre will assist the council in achieving this objective.

The proposed development is also in accordance with Policy QH6 of the Draft Plan which seeks *"to promote the development of underutilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area"*.

3.4.3 Draft Planning Scheme/ Strategic Plan for Grangegorman

O'Devaney Gardens is located a short walking distance to the south west of the Grangegorman Development area and as such it is felt that the development is of relevance to the proposals for O'Devaney Gardens.

The planning and preparation stages of a Planning Scheme / Strategic Plan for Grangegorman are expected to continue during 2010, with an envisaged completion date for the project in 2017.

The development of grangegorman is to be undertaken under a Strategic Development Zone (SDZ) process under the management of the Grangegorman Development Agency. The development will seek to create *"a new city quarter focused around health and education, in a way that is sensitive to the context of the Grangegorman site, its surrounding neighbourhoods and the existing community."*

The development will include:

- Health care facilities for the Health Service Executive(HSE);
- An Urban campus for Dublin Institute of Technology (DIT);
- Arts, cultural, sports & recreational and high quality public spaces to serve the community and the city;
- A new primary school, public library, and children's play spaces.

The subject site is with in 15 minutes walk of the Grangegorman site and as such it is considered that the development there will aid in revitalising the area surrounding O' Devaney while providing new primary and third level education capacity, new public spaces and access to future public transport.

There is an opportunity to create strong pedestrian linkages between the subject site and the development at Grangegorman along the proposed green route at North Circular Road which can provide direct access to the Grangegorman campus.

3.4.4 Heuston and Environs Framework Development Plan

The Heuston and Environs Framework Development Plan was commissioned by Dublin City Council in April of 2001 and was adopted as part of the Dublin City Development Plan 2005-2011. The overall objective of the framework plan was to *"produce a regeneration strategy which will incorporate an urban design landuse framework plan for the Heuston Gateway."*

The framework plan notes that: *"The Heuston Gateway, along with the Docklands, presents the greatest concentration of brown field development sites located adjacent to the existing city centre in Dublin"*.

The Plan aims to provide a basis on which appropriate and coordinated development of the area can be structured. It identifies key opportunity sites within the Plan area and sets out a design brief to guide their future development. Each brief assesses issues such as spatial layout, urban grain, massing, height and land use and the need to interface such sites successfully with the Park, the river and cultural institutions.

The Framework Plan identifies the following development brief for the former Department of Defence Lands off Infirmary Road.

- It is proposed that the site be developed with high density residential accommodation with a mix of housing typologies.
- New housing blocks should run approximately east-west and be of 3 to 4 storeys. The blocks should effectively be in a terrace formation down the slope allowing south aspect to all blocks.
- The creation of links through from Infirmary Road to existing developments should be encouraged to increase permeability and passive security.
- The piece of land left over to the side of Montpelier Gardens should be included in the development site.
- A pocket park with playground facilities for local residents should be created within this site.

O' Devaney Gardens is located just to the north of the framework plan area thereby opportunities exist to create strong linkages with the identified sites on Infirmary Road and at Heuston Station.