



THORNTON O'CONNOR  
TOWN PLANNING

# Response to DCC Opinion

## Response to DCC Opinion

In respect of a Mixed-Use Development on a site at:

Leydens Wholesalers & Distributors,  
No. 158A Richmond Road,  
Dublin 3,  
D03 YK12

Submitted on Behalf of Malkey Limited

February 2023

## 1.0 INTRODUCTION

On 20<sup>th</sup> October 2022, Thornton O'Connor Town Planning on behalf of Malkey Limited submitted a pre-application consultation request to Dublin City Council. The purpose of this document is to respond to the specific information requested by Dublin City Council in their Notice of Pre-Application Consultation Opinion (LRD6006/22-S2), further to a meeting held on 15<sup>th</sup> November 2022 with Dublin City Council and the Applicant/Design Team.

This Notice states that it is the Planning Authority's determination that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for Large-Scale Residential Development. The Planning Authority have set out key issues /areas that must be addressed in the application documents that could result in the proposal constituting a reasonable basis for making an application.

A response to the items raised in the Planning Authority's Opinion is set out throughout this document. The principal changes that have occurred since the meeting held with Dublin City Council are:

- Block A has reduced in height from 5 No. storeys to 4 No. storeys.
- Block C has increased in height from 8 No. storeys to 9 No. storeys.
- The total number of units has increased from 132 No. to 133 No. units.
- A creche and gym have been incorporated to the ground floor of Blocks B/C, resulting in a decrease of retail floorspace.
- The façade/materials of Block B has been amended to ensure the block appropriately assimilates and complements the neighbouring Distillery Lofts. The details of the elevations have been developed to include brick soldier coursing, stone inset panels, and additional windows. Details of the changes are in Section 07 of the *Architectural & Urban Design Statement* prepared by RKD Architects.
- The development proposes the provision of a flood wall along the western, southern and south-eastern boundaries of the proposed development in the event that the flood wall proposed in the adjoining SHD (pending decision ABP Reg. Ref. TA29N.312352) is neither granted nor implemented before this application commences development. Both applications are under the control of the Applicant.

On the preferred basis that the flood wall is not required as part of the subject application as it will have already been provided as part of the Phase 1 SHD application, an approach favouring soft landscaping will be used between Phase 1 (SHD) and 2 (LRD). The soft-landscaping approach will comprise grass and shrub planting of between 40 to 100 centimetres, allowing for the creation of a vegetative buffer adjoining Block A. A gate will also be provided between the two phases at the end of the central courtyard of phase 2 between Buildings A and B, creating a physical link between Phases 1 and 2.

- The development proposes the provision of new telecommunications infrastructure at roof level of Block B including shrouds, antennas and microwave link dishes (18 No.



antennas enclosed in 9 No. shrouds and 6 No. transmission dishes, together with all associated equipment) in the event that the telecommunications infrastructure in the adjoining SHD (pending decision ABP Reg. Ref. TA29N.312352) is neither granted nor implemented before this application commences development. If that SHD application is granted and first implemented, no telecommunications infrastructure will be required under this application for LRD permission. If the SHD application is refused permission or not first implemented, the proposed telecommunications infrastructure in the LRD application will be constructed.

No.	Item to be Addressed	Response
1i	<p>The application will be determined under the incoming <i>Dublin City Development Plan 2022-2028</i> in effect from 14<sup>th</sup> December 2022 and so all references to compatibility with Development Plan standards shall be as per the new Development Plan. The applicant may refer to the outgoing Plan where an element of the proposed development may or may not have met a policy or objective of the outgoing Plan and does or does not now meet a policy or objective of the incoming Plan but otherwise the application should focus on compatibility with the 2022-2028 Plan.</p>	<p>The application documentation has been prepared in accordance with and in reference to the newly adopted <i>Dublin City Development Plan 2022-2028</i>. This has been detailed in the <i>Planning Report &amp; Statement of Consistency</i> enclosed separately and prepared by Thornton O'Connor Town Planning. It is considered that this planning application adheres to all relevant policies of the <i>Dublin City Development Plan 2022-2028</i>.</p>
1ii	<p>The application shall be accompanied by a detailed report demonstrating how the proposed development is consistent with the Z10 zoning objective for the site as set out in the 2022-2028 Dublin City Development Plan.</p>	<p>Thornton O'Connor Town Planning have prepared a detailed report entitled <i>Planning Report &amp; Statement of Consistency</i>. This report comprehensively details the consistency of the proposed development with the Z10 zoning objective pertaining to the lands (<i>Inner Suburban and Inner City Sustainable Mixed-Uses</i>). Please refer to Section 7.0 in particular.</p>
1iii	<p>The site is located in an Outer Suburbs designated area for the purposes of height and density as set out in the 2022-2028 Plan Appendix 3 while the zoning objective of Z10 states 'Inner Suburban and Inner City Sustainable Mixed-Uses' with Section 14.7.10 setting out the requirements for such zoned areas.</p> <p>The application shall, therefore, contain a detailed assessment of how the proposed scheme reconciles these policy positions and why the height and density proposed is appropriate for this site. This assessment shall be an expansion and more detailed appraisal of the proposed height set out in the Planning Report &amp; Statement of Consistency pg. 83 including demonstration of each of the points raised in that appraisal.</p>	<p>As noted above, Thornton O'Connor Town Planning have prepared a detailed report entitled <i>Planning Report &amp; Statement of Consistency</i>.</p> <p>This Report provides a detailed justification for the proposed height and density of the subject development, with particular reference to Appendix 3 of the <i>Dublin City Development Plan 2022-2028</i>. Please refer to Section 7.3.2 in particular.</p>
1iv	<p>An Economic Study is required and evidence included in the proposal to demonstrate that the quantum of retail space is sustainable with consideration of the option of being able to subdivide the units according to demand as well as consideration of potential alternative uses</p>	<p>The quantum of retail has significantly reduced since the LRD Pre-Planning (Opinion) Stage from 771 sq m to 335 sq m (3 No. units reduced to 1 No. unit). A creche and a gym now occupy two of the previously indicated retail units. Therefore, it is considered that an Economic Study is no longer</p>

	<p>should letting of the spaces for retail be an issue.</p>	<p>required as 1 No. smaller retail unit is provided on site, in addition a mix of other commercial uses, which is more likely to be occupied in the future in this location. As there are specific users now for the gym and creche, there is unlikely to be any requirement to sub-divide the units further.</p>
<p>1v</p>	<p>Objective CUO25 requires that relevant development provide at a minimum 5% community, arts and culture space and that developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector. In this context, the application should incorporate both cultural/arts and community uses or be accompanied by an evidence base justifying the proposed mix.</p>	<p>The proposed development incorporates artist studios at the ground floor level of Block A. Please see the proposed layout on the Ground Floor Plan of Block A prepared by RKD Architects. The area schedules demonstrate compliance with minimum requirement in addition to the <i>Architectural and Urban Design Statement</i>.</p> <p>The artist studios will have a gross floor area of c. 749 sq m which exceeds the 5% requirement set out in the Development Plan (as it represents 8% of the net area of the residential and commercial floorspace of c. 9,350.1 sq m).</p> <p>The <i>Cultural Infrastructure (Impact) Assessment</i> enclosed prepared by Turley sets out the justification for providing a cultural/arts use only as part of the required 5%. In addition, we note that the artist studios are intended to be occupied by the Richmond Road Studios who have been searching for a new location since they received notice of their eviction from existing premises on Richmond Road. Further to their eviction and search for new space, the Applicant had liaised with the Richmond Road Studios prior to the Objective being finalised in the <i>Development Plan</i>, in order to ensure a suitable space was being provided on site to accommodate their needs.</p> <p>In this specific context, the Applicant does not feel it is fair or appropriate to renege on their agreement with the Richmond Road Studios artists, which as set out above was in discussion prior to the 5% policy being formalised in the new <i>Development Plan</i>, which asks for the consideration of both community and cultural uses.</p> <p>We do note however that the proposed development also includes a creche which could be considered a community use, surplus to the 8% cultural use being provided.</p>

2i	The incoming Development Plan 2022-2028 requires as an objective under QHSNOP15 Community Safety Strategy that all housing developments over 100 units shall include a community safety strategy for implementation. The application shall therefore include such a safety strategy.	RKD Architects have provided a Community Safety Strategy within the <i>Architectural and Urban Design Statement</i> (please see Page 54).
2ii	The assessment of the impact on daylight / sunlight on existing houses is described as being of minor and moderate impact. This assessment shall be expanded upon in non-technical terms and with use of graphical presentation for the benefit of existing residents and contained in either a standalone report or as a clear and obvious element of the Planning Report and/or Architectural Design Statement.	A graphical non-technical report has been prepared by 3D Design Bureau as a stand alone report. See report entitled <i>Response to DCC Opinion Item 2II - Impact on Existing Windows</i> enclosed for details.
2iii	There is concern at the impact on windows in Phase 1 (current SHD before An Bord Pleanála ABP-312352-21) of moderate to major impact on Vertical Sky Component and Annual Probable Sunlight Hours as a result of Phase 2. The application shall address this issue, propose mitigation and, where this is not possible, to justify such impacts.	<p>The subject windows in Phase 1 (which is owned by the Applicant's parent company) are facing towards Block A of Phase 2 which has the lowest height in the development with only 4 No. storeys proposed, which has been reduced since the pre-application consultation stage (from 5 No. storeys) to both improve daylight into Phase 1 and the dwellings on Richmond Road opposite.</p> <p>Block A is set back as far as is feasible towards Richmond Road. The subject windows will be looking towards to a well-designed landscaped terrace and the shared external amenity space. When Phase 2 is complete the visual amenity from these windows will be improved as they will be looking out to an active and green amenity space rather than a hardscaped concrete car park and shedscape. The windows of these units in Phase 1 are as large as possible to maximise the daylight and views out. The units are also larger</p>

		<p>in size than the minimum, ranging from 48.7 sq m to 53.2 sq m.</p> <p>As the Phase 1 and Phase 2 are expected to be built together by the Applicant, the Phase 1 residents will have no expectation of existing light without the Phase 2 development in place.</p>
2iv	The shadow study of the scheme shall include both 2D and 3D presentation.	The <i>Daylight and Sunlight Assessment Report</i> prepared by 3D Design Bureau includes 2D and 3D shadow studies as set out in Appendix D.o, E.o, F.o and G.o of the Report.
2v	There are a number of non-compliant rooms in the scheme with regard to sunlight exposure. The scheme shall seek to improve this case and minimise the number of non-compliant rooms and where rooms cannot be improved, particularly in the case of rooms that fail significantly, to outline what compensatory measures are to be taken and to justify the impacts.	Section 5.3 of the <i>Daylight and Sunlight Assessment Report</i> prepared by 3D Design Bureau outlines the compensatory design measures for any rooms that do not achieve the recommended level of daylight and/or sunlight. These measure include larger floor areas, larger private terraces and the provision of dual aspect units.
2vi	Average Daylight Factor (ADF) has been superseded and omitted from 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (BRE209 2022), however, this measure is still required as per Sustainable Urban Housing: Design Standards for New Apartments 2020 and so the Assessment should include this measurement.	<p>Section 4.4.5 of the <i>Daylight and Sunlight Assessment Report</i> prepared by 3D Design Bureau notes the following:</p> <p><i>"Since the publication of the 3rd edition of the BRE Guidelines, SDA has replaced ADF when assessing daylight access in new developments. Although ADF is no longer considered a relevant metric to assess daylight access in new developments, this study has been carried by request in the Notice of LRD Opinion (Planning Authority Reference No.LRD6006/22-S2)".</i></p> <p>Please see Appendix H.5 of the <i>Daylight and Sunlight Assessment Report</i> for the ADF results.</p>
2vii	The applicant is requested to detail how the privacy of units and attendant private open space across the scheme and in relation to adjoining potential redevelopment sites can be maximised. Sample treatments/sections should be provided. The applicant is requested to consider how apartment units and their attendant private open space can be best screened where they are in proximity to external circulation areas, entrance zones and open space.	<p>The <i>Architectural and Urban Design Statement</i> prepared by RKD Architects has included the relevant details in response to this item. Please see Section o6 of the Report for information.</p> <p>In summary, all units bounding the communal podium will be provided with buffer planting (minimum 1.5 metre tall), while maintaining passive surveillance onto the open space. The buffer planting is continued between any</p>

		<p>external private amenity areas, external circulation areas and entrance zones.</p> <p>Appropriate setbacks have been provided from the pending Phase 1 development which will ensure sufficient privacy is provided for both schemes. There is also sufficient distances provided from the remaining boundaries of the site ensuring that sufficient privacy will be retained to the proposed units should neighbouring sites be developed (once the potential future neighbouring developments also provide setbacks from their boundaries).</p>
3i	<p>A letter of consent from DCC for works undertaken on DCC lands and shown within the application red line boundary will be required to be submitted with the LRD application. The applicant is advised to allow at least 14 working days for the issuing of a letter of consent following the agreement in principle to the works with DCC.</p>	<p>A letter of consent has been obtained from Dublin City Council and accompanies the planning application.</p>
3ii	<p>The applicant is requested to demonstrate in the TTA how the proposed development will not preclude future road improvement works on Richmond Road.</p>	<p>As detailed in Section 4.4 of the submitted TTA Report and illustrated in DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1102, the scheme proposals include the delivery of the Richmond Road enhancement works along the length of the site frontage controlled by the Applicant. (We note this includes both the Phase 1 (pending SHD application) and Phase 2 lands. Thus, in the event that the Phase 1 lands do not receive permission, the Phase 2 lands provides works along the full extent of lands under the control of the Applicant's parent company).</p> <p>The works by the Applicant include temporary tie-in arrangements with the existing off-site road infrastructure (beyond the site frontage). Viewpoint 2 in DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1102 illustrates the enhancement works by the application integrated with the future road improvements that will be undertaken by Dublin City Council in the future to the north-west and south-east of the Applicant's works on Richmond Road. Therefore, the development will not preclude future road improvement works on Richmond Road.</p>



3iii	Demonstrate the connectivity of the public footpath on Richmond Road and surrounding public realm with the neighbouring sites east and west of the subject site.	Please see Section 02 of the <i>Architectural and Urban Design Statement</i> (page 22) which includes a diagram illustrating the connectivity of the site with the surrounding area including the public footpath on Richmond Road and the surrounding public realm with the neighbouring sites to the east and west, with particular emphasis on the residential connection to the Phase 1 development (if granted).
3iv	Car Parking Provision requires review:  Submit a letter of commitment from a car share provider stating the intention to provide service.	A letter of support has been obtained from GoCar and accompanies the application in the Traffic and Transport Assessment (TTA). It is proposed to locate 3 No. car share vehicles on-site for the sole use of residents of the proposed development.
3v	Car parking allocation is significantly below the maximum standards outlined in the CDP 2016-2022 (and the approved 2022-2028 Plan). The applicant is advised to review the car parking quantum and allocation and submit a comprehensive rationale for the proposed parking provision.	The scheme proposals have been revisited with the number of on-site car parking spaces increased in parallel with the number of car share vehicles proposed from 1 No. to 3 No. spaces. Details of the new car parking arrangements and proposed allocation are detailed in Section 4.5 of the submitted TTA.
3vi	Submit a Car Parking Management Plan to include details of how parking spaces will be allocated to users.	Details of the proposed car parking management regime are detailed in Section 4.5.2 of the submitted TTA report.
3vii	Increased sustainable transport measures should be considered to support the significantly reduced car parking provision.	<p>The scheme proposals have been revisited and now include additional interventions with the objective of enhancing the ease of access and uptake of sustainable travel options.</p> <p>The number of car share vehicles for on site has been increased to 3 No. vehicles with dedicated car bays assigned. In agreement with GoCar operator these 3 No. car share vehicles will be made available solely for the use of the residential units, subsequently maximising the availability of a car share vehicle for residents and further reducing the need to own a private motor car.</p> <p>The scheme design has been amended to purposely enhance access (and reduce walking distance) to / from the residents (and staff) long term bicycle parking. All blocks now incorporate dedicated secure internal gated store areas for the sole use of residents. The residents bike store areas include the provision of cargo bike parking,</p>

		<p>electric scooter parking / lockers and bicycle pump / repair stations. The revised quantum of long term residents bicycle parking of 306 No. is significantly higher than the minimum amount of spaces required in reference to DCC and national DHPLG's standards (201 No. spaces required). The redesigned bike stores include the ability to charge electric bicycles.</p> <p>Taking all these additions into account, the proposed development has provided a range of sustainable measures that will off-set reduced private car-parking, all of which is a key tenet of the <i>Apartment Guidelines, 2022</i>.</p>
3viii	<p>Provide details in relation to the proposed set-down at Richmond Road. The applicant is advised that a 'set down' area is not recognised under the Traffic Signs Manual. The applicant should propose a suitable alternative. The applicant is also advised to note that all designated on-street parking/loading bays are for public use and cannot be allocated or reserved for private use. Any forthcoming LRD application should demonstrate that the site is able to fulfil its own servicing and operations demands without impacting on the public road.</p>	<p>The originally proposed kerbside indented 'set-down' area on Richmond Road has been replaced by a loading bay which is recognised and regulated by the Traffic Signs Manual. This will function solely as a Loading Bay (for most of the day/night) but will be made available to accommodate creche drop-off/collections at peak AM and PM periods through the implementation of the appropriate regulations (as detailed on the supplementary signage plate in accordance with the Traffic Signs Manual). However, it is intended that the majority of people dropping kids off to the creche will walk or cycle.</p> <p>Furthermore a new dedicated loading bay has been designed into the amended scheme proposals and located with the under-croft area of Block B/C.</p> <p>All servicing of the proposed retail unit and all waste collection activities for the entire development will be undertaken via this internal area in the under-croft area.</p> <p>Minimal deliveries will occur in the road side loading bay such as occasional drop-off/courier deliveries, however most deliveries will be through the internal set down within the site. Please refer to the <i>Outline Servicing and Operations Management Plan</i> enclosed and prepared by AWN Consulting.</p>
3ix	<p>Bicycle Parking proposals requires review.</p>	<p>The approach to the provision of bicycle parking (quantum, design and access) has been revisited as requested. The updated proposals are</p>

	The total number of bicycle parking shall be reconsidered for the development.	<p>discussed in Section 4.7 of the <i>TTA</i> and RKD Architect's Dwg Nos. 22001-RKD-ZZ-00-DR-A-1100A and 1100B.</p> <p>The proposed development will include 424 No. bicycle parking spaces comprising 336 No. long term and 88 No. short term spaces. The scheme requires 208 No. long term spaces and 88 No. short stay spaces when the <i>Development Plan</i> standards are considered and the scheme requires 201 No. long term spaces and 66 No. short stay spaces when the <i>Apartment Guidelines, 2022</i> standards are considered. Therefore, the bicycle parking provision is significantly in excess of the minimum requirements.</p>
3x	Review potential conflict of the long stay retail bicycle parking area and safety of users having regard to the proximity and opening direction of the main vehicular entrance gates.	The long stay retail cycle parking has been relocated to the western end of the undercroft parking area adjacent to the 2 No. mobility impaired parking spaces to address the concerns raised by Dublin City Council. Please refer to Section 4.7 of the <i>TTA</i> .
3xi	Demonstrate that all long-term resident parking is secure, accessible only via key/fob access and separated from visitor spaces.	<p>The updated proposals are discussed in Section 4.7 of the <i>TTA</i> and illustrated in RKD Architect's Dwg Nos. 22001-RKD-ZZ-00-DR-A-1100A and 1100B.</p> <p>All long-term resident parking is secure, accessible only via key/fob access and separated from visitor spaces.</p>
3xii	Ensure adequate bicycle parking facilities are provided within each block to reflect the number of residents within that block. An updated table should be provided that details the quantum of cycle parking provided within each apartment block relative to the number of units/bedrooms within the said block.	Please refer to Section 4.7 of the <i>TTA</i> which details the amended bicycle parking arrangements. The <i>TTA</i> contains a table which includes the breakdown of bicycle parking for each use.
3xiii	Where a central bicycle parking compound is proposed, submit a robust rationale for same and demonstrate connectivity, functionality, safety and convenience of users from Block A to bicycle store.	The amended proposals now incorporate a dedicated bicycle parking store (long term) for residents in Block A. Block A residents will no longer need to use the Block B/C bike store. Please refer to Section 4.7 of the <i>TTA</i> which details the amended bicycle parking arrangements.

3xiv	Details of the management/operation of the 14 No. visitor bicycle parking spaces are located in the gated area between Blocks A & B.	These spaces have been relocated to the public open space between Blocks A and B/C and are no longer located within a gated area and thus are easily accessible for visitors. Please refer to Section 4.7 of the <i>TTA</i> which details the amended bicycle parking arrangements.
3xv	Ensure consistency throughout the documentation, including the <i>TTA</i> and <i>Planning Report</i> , with respect to the quantum and type of cycle spaces proposed.	Noted. Please refer to Section 4.7 of the <i>TTA</i> which details the amended cycle parking arrangements. The <i>Planning Report and Statement of Consistency</i> matches the bicycle parking provision as detailed in the <i>TTA</i> (total provision of 424 No.).
3xvi	<p>Servicing &amp; Operations requires review.</p> <p>A swept path analysis demonstrating the functionality of vehicles to enter and egress the accessible/disabled parking bays is to be submitted.</p>	Please refer to DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1103 which demonstrates that private motor vehicles can readily gain access onto and from the two on-site disabled parking bays.
3xvii	A swept path analysis with a fire tender accessing, manoeuvring and egressing the site along the eastern internal access and parking area.	Please refer to DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1103 which illustrates the swept path analysis for a fire tender. We note that this fire tender access is proposed in the central courtyard rather than the eastern access and parking area (as this is an undercroft area).
3xviii	Clarity is required regarding the turning area where vehicles appear to be encroaching on and manoeuvring onto the footpath within the car parking area.	Please refer to DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1103 which illustrates the requested swept path analysis for the vehicle turning area, demonstrating no encroachments will occur.
3xix	Clarity is required regarding how the refuse collection will operate and be managed for Block A, as no bins shall be placed on the public footpath on Richmond Road.	The bin store for Block A has been relocated to the eastern ground floor elevation of Block A. All waste collection activities are to be undertaken on-site within the under-croft area of Block B/C as detailed in the accompanying <i>Delivery and Servicing Management Plan</i> prepared by AWN Consulting.
3xx	Submit a <i>Servicing and Operations Management Plan</i> to include details of all anticipated servicing and operational requirements for the residential, commercial and cultural components of the development.	An <i>Outline Servicing and Operations Management Plan</i> prepared by AWN Consulting accompanies the planning application.
3xxi	It is recommended that a further setback of blocks should be considered, having regard to the close proximity of the building edge to the proposed public footpath. No element of the	The proposed road layout has been revised to ensure there is sufficient space for the footpath. The applicant confirms that no element of the development including terraces and balconies

	development including terraces and balconies should encroach across or overhang public lands and/or lands to be taken in charge.	encroaches across or overhang public lands and/or lands to be taken in charge. Please see RKD Dwg No. 22001-RKD-ZZ-ZZ-DR-A-1003.  Please also refer to DBFL Dwg No. 210178-DBFL-TR-SP-DR-C-1102 and DBFL Dwg No. 210178-DBFL-RD-SP-DR-C-1200 which demonstrates that the available pedestrian footpath width has been increased and now varies in width from c. 2.2 metres up to c. 7.87 metres.
3xxii	The gated access should be sufficiently set back to clear the kerb edge and avoid stoppages on the main carriageway resulting from vehicles entering the site and allow sufficient pedestrian clearway.	The proposed gate has been revised and set back into the site to ensure there is sufficient space for a private motor vehicle to clear the kerb edge and subsequently avoid stoppages on the main carriageway and maintain a clear pedestrian route (on the footpath) whilst the inbound vehicle is waiting for the security gates to open. The adjacent bicycle parking has also been relocated so there is no conflict when the gate is in its open position. Reference DBFL Dwg No. 210178-DBFL-RD-SP-DR-C-1200.
3xxiii	Clarify and demonstrate the connectivity between the proposed LRD and the adjoining proposed SHD development to the west and southwest.	The scheme allows for connections between the pending Phase 1 and the proposed Phase 2 for the residents of both schemes by providing gated access at the end of the public open space between Blocks A and B/C. The Phase 1 landscaping will be amended if granted permission to facilitate access between both schemes in order to allow this gated access between both developments for residents. The connection is for residents only as there is communal open space provided for Phase 1 residents on the Phase 1 site adjacent to the boundary with Phase 2.  Please see pages 50-52 in the in 22001-RKD-ZZ-ZZ-RP-A-3000 <i>Architectural and Urban Design Statement</i> .
3xxiv	Outline any lands for Taking in Charge by Dublin City Council.	Please see Dwg No. 22001-RKD-ZZ-ZZ-DR-A-1003 prepared by RKD Architects.
4(1)	<b>Public Open Space (POS)</b>	4(1)a. Please see pages 50-53 of the <i>Architectural and Urban Design Statement</i> prepared by RKD Architects. The total public open space provided is 606 sq m (11% of the development site area).
a	The requirement for provision is 10% of the site area (550m <sup>2</sup> ) and two areas are provided with a combined provision of 513m <sup>2</sup> . The requirement for this application is not met and the applicant	

	<p>will have to address this with a full provision. It is noted that Phase 1 may have an over provision of public open space, however a decision is yet to be issued on the Phase 1 application.</p>	<p>The provision of this public open space will be a significant benefit to the local community. If planning permission is not granted for Phase 1, then 10% public open space is still provided for the Phase 2 lands. If the Planning Authority do not consider the public open space provided in Phase 2 to be adequate as a standalone (i.e. without the Phase 1 public open space), the Applicant can provide a financial contribution towards the development of public open space in the wider area.</p> <p>We would like to highlight that the Phase 1 development provides a significant quantum of public open space (1,501 sq m) including a Greenway along the River Tolka. On the Phase 1 lands, the public open space provision represents 25% of that site and is therefore well in excess of the 10% requirement.</p>
b	<p>The POS west of Block A requires further design review as proposed cycle-stands and planting would create a barrier to its integration with the Phase 1 plaza adjacent.</p>	<p>4(1)b. The bicycle stands and landscaping layout has been revised. Please see RKD Dwg Nos. 22001-RKD-ZZ-ZZ-DR-A-1002A and 1002B, and page 55 in the <i>Architectural and Urban Design Statement</i>.</p> <p>Bike stands have been relocated to create a more open plaza and connection with Phase 1.</p> <p>Please also refer to Landscape Dwg Nos. RIC0001-MA-XX-XX-DR-L-100 and RIC0001-MA-XX-XX-DR-L-103.</p>
c	<p>The existing street trees on Richmond Road adjacent to the plaza shall be indicated on plans, their retention will require suitable de-compaction of root-zone. If road realignment is proposed to remove these trees then they may be shown on the landscape plans as removed and should not be shown on application's CGIs.</p> <p>The second POS between blocks A &amp; B/C should preferably be connected to the Tolka River open space fronting Phase 1, however creating the link requires access through the current Phase 1 COS. The POS without linkage may not attract genuine public use. Daylight analysis shows non-compliance for this area, so it may not be a space that people will stay in, unless there are more active building ground level frontages.</p>	<p>4(1)c. After consultation with the project arborist (The Tree File), it has been concluded that it is not possible to retain the existing trees within their new context due to the proposed new upgrade and road widening works along Richmond Road, which would have to be done by Dublin City Council if the Applicant were not proposing them. The existing trees in their current location would have encroached on the new cycle lane and footpath.</p> <p>Therefore, we have removed the trees from our drawings and also from the CGIs.</p> <p>In relation to the second public open space between Blocks A and B/C, the residents of Phase</p>

d	The proposed POS will not be taken in charge by Park Services.	<p>1 and 2 will have access between both developments rather than the public in order to ensure privacy for the residents in the Phase 1 communal open space. The artist studios will front onto the public open space and the newly incorporated creche will have its entrance from this public open space area, which will ensure that this area will be active.</p> <p>In addition, we reiterate that a significant quantum of public open space is provided for in the pending Phase 1 scheme, which the Phase 2 scheme can also utilise.</p> <p>4(1)d. Noted.</p>
4(2)	<p><b>Communal Open Space</b></p> <p>Adequate area (1820m<sup>2</sup>) provision is made however further active recreational facilities should be provided for residents and a dedicated zone on the larger podium landscape may be considered. Required play area provision is satisfactory.</p>	Additional external table tennis and futsal facilities have been proposed on the podium communal open space. Therefore, additional active recreation facilities have been provided.
4(3)	<p><b>Richmond Road</b></p> <p>Proposed tree planting has been removed due to underground services. Some on-site planting is provided for along this edge of the proposed development.</p>	Noted
4(4)	<p><b>Green Roof</b></p> <p>A green roof or green/ blue plan shall be provided. The applicant shall note the requirement of section 15.6.3 of the new city development plan.</p>	DBFL have indicated the coverage of the green/blue roofs and green/blue podiums on the enclosed Dwg No. 210178-DBFL-SW-SP-DR-C-1310. The proposed build-up of the roof is detailed in Section 5.4.3.1 of the Infrastructure Design Report. Some 70% of the total proposed roof area for the development is proposed to have either green/blue roof or green/blue podium coverage as per the DCC Green & Blue Roof Policy and is in accordance with Section 15.6.3 of the <i>Development Plan</i> . Roof coverage calculations are included in the Infrastructure Design Report (Section 5.4.4).
4(5)	<b>Biodiversity</b>	Enviroguide Consulting have prepared a Biodiversity Enhancement Plan (BEP) which describes the various ecological and biodiversity

	<p>A biodiversity enhancement plan will be produced for the scheme. This will combine ecology, landscape and architecture to implement measures that will provide new urban habitat. Measures may include installing bat, swift and bird boxes on buildings, mitigating lighting to minimise impact on commuting/foraging bats and providing suitable planting types, in particular on green roofs.</p>	<p>enhancement measures that are included in the proposed development design. These include the provision of bat boxes and swift bricks along the south-western elevations of Blocks B &amp; C respectively, bat friendly lighting design, and biodiversity friendly planting and landscape management at the site.</p> <p>The bat boxes and swift boxes are illustrated on RKD Dwg No. 22001-RKD-ZZ-ZZ-DR-A-1301.</p>
5i	<p>Drainage Division have serious reservations about the Site Specific Flood Risk Assessment (SSFRA). The SSFRA relies on works being completed outside of this site – design measures include a flood defence wall that is planned as part of a proposed development on an adjacent site. No planning permission has been granted for the adjacent site development – the application awaits a decision from An Bord Pleanála. This is noted in the submission for this LRD6006/22. The site is not independent of the adjacent site in terms of flood risk management.</p>	<p>The flood risk management proposals for the development have been amended to include a flood wall within the development boundary to manage flood risk from the Tolka River. Refer to DBFL Dwg No. 210178-DBFL-RD-SP-DR-C-5211 for the flood elevation.</p> <p>As detailed in the Statutory Notice, the development proposes the provision of a flood wall along the western, southern and south-eastern boundaries of the proposed development in the event that the flood wall proposed in the adjoining SHD (pending decision ABP Reg. Ref. TA29N.312352) is neither granted nor implemented before this application commences development. Both applications are under the control of the Applicant.</p> <p>On the preferred basis that the flood wall is not required as part of the subject application as it will have already been provided as part of the Phase 1 SHD application, an approach favouring soft landscaping will be used between Phase 1 (SHD) and 2 (LRD). The soft-landscaping approach will comprise grass and shrub planting of between 40 to 100 centimetres, allowing for the creation of a vegetative buffer adjoining Block A. A gate will also be provided between the two phases at the end of the central courtyard of phase 2 between Buildings A and B, creating a physical link between Phases 1 and 2.</p> <p>Except where referenced, all assessments carried out are based on the worst-case scenario, i.e. the provision of the flood wall as this is more invasive than the soft-landscaping option.</p> <p>The SSFRA has been updated to mitigate flood risk to the proposed development independently</p>



		from the adjacent Richmond Road Phase 1 (if required i.e. with the flood wall in place).
5ii	The site is mainly within the Tolka flood zone B and is not fully defended. The SSFRA refers to levels for the proposed flood defence wall however it is noted that these are lower than those previously agreed (6.2m at lower end and 6.4m at upper end). In 2003 the 200 year flood height at this location was estimated at 5.1m Malin. Defences currently along the Tolka River do not include an allowance for climate change. Proposed finished floor level of 4.7m for two of the blocks seems low in this context.	<p>The proposed flood wall as part of the development has a minimum top of wall level of 6.4 metres, providing flood protection from the Tolka River and accounts for freeboard and climate change. Blocks B &amp; C, set with a ground level finished flood level of 4.7 metres AOD, is proposed for commercial use only, as allowed for areas within Flood Zone B.</p> <p>The proposed FFL of 4.7 metres AoD is up to 1m higher in places than existing site ground levels, therefore providing a significant improvement to the existing flood risk of the site.</p> <p>As noted previously, the flood wall will only be provided if Phase 1 is refused permission or is not first implemented.</p>
5iii	It is not clear in the submitted documents how water gathering at the low point in the south-eastern corner of the site is to be managed.	Water collecting at the south-east corner of the site would drain to the proposed surface water sewer network via the road gullies and would be attenuated in the cellular attenuation tank. Note the internal road/parking area is undercroft and only a small area around the perimeter of the internal road/parking area is exposed to direct rainfall. In the case of surface water network failure, an overland flow path into Richmond Road is provided. Refer to DBFL Dwg No. 210178-DBFL-CS-SP-DR-C-1300 for details of the proposed drainage network.
5iv	Surface water management policies and requirements contained in the new Development Plan should be noted.	All surface water management policies in the new <i>Development Plan</i> have been noted and accounted for in the proposed surface water management strategy detailed in Section 5.7 of the <i>Infrastructure Design Report</i> .
5v	<p>Proposed new public surface water sewer on Richmond Road:</p> <p>a. It is not clear from the documents what considerations or modelling took place to inform the design (capacity of receiving sewer, etc.). No discussion took place with Drainage Division in relation to this proposal. The proposed sw sewer is shown connecting to the existing sw culvert, which discharges to the Tolka further downstream. Applicant should</p>	a) A 300mm surface water sewer is proposed to drain the proposed upgraded Richmond Road via proposed gullies as shown on DBFL Dwg No. 210178-DBFL-CS-SP-DR-C-1300. The last pipe before tying into the existing surface water sewer is proposed to be 150mm diameter to attenuation surface water from Richmond Road by way of surcharging the proposed 300mm pipe upstream. DBFL Dwg No. 210178-DBFL-CS-SP-DR-C-1300 also indicates existing road

	<p>note that a new culvert (which serves a significant catchment area to the north) was recently connected to this existing culvert.</p> <p>b. The feasibility of the proposed route must be confirmed (site investigations, slit trench information, etc.). Proposed route appears to be in conflict with 2 no. existing Irish Water foul sewers along this section of carriageway (525mm and 900mm pipes) and constructability should be demonstrated.</p>	<p>gullies draining to the existing combined sewer to be removed. This approach was discussed and agreed with DCC Drainage on 14<sup>th</sup> December 2022.</p> <p>Network calculations for the proposed Richmond Road surface water sewer have been attached as Appendix C of the Infrastructure Design Report.</p> <p>b) The routing of the proposed surface water sewer has been revised in order to avoid crossing the existing combined sewer in Richmond Road as shown on DBFL Dwg No. 210178-DBFL-CS-SP-DR-C-1300.</p> <p>Site inspections revealed that the proposed tie in manholes as indicated on the drainage layout are accurate and feasible.</p>
5vi	<p>There is no indication of gully locations and the extent of drainage works involved (e.g. relocation of existing gullies, provision of new gullies, connection of existing gullies to new sw sewer). Applicant should note that the Greater Dublin Regional Code of Practice for Drainage Works is applicable to all surface water infrastructure within the public realm and no precast chambers/MHs are permitted. Specifications for ironmongery will be required.</p>	<p>The newly proposed public surface water sewer in Richmond Road now indicates the location of the proposed gullies with the existing gullies, currently draining to the combined sewer, to be removed as per drawing 210178-DBFL-CS-SP-DR-C-1300.</p> <p>All public drainage proposed in Richmond Road is designed according to the Greater Dublin Regional Code of Practice for Drainage Works.</p>
5vii	<p>Surface water management within the development:</p> <p>i. Design parameters are not fully explained, e.g. soil type selection (based on site investigation?). Also clarify how storage quantities were determined. Green roof coverage inconsistent between drawings and Infrastructure Design Report. There is no storage provision within the proposed permeable paving – infiltration test results should be provided to support proposed drainage mechanism. Infrastructure Design Report should also identify how the key design criteria outlined in Section 16.3 of the Greater Dublin Regional Code of Practice for Drainage Works are met.</p>	<p>The soil on site has been classified as S<sub>3</sub>, using the site investigation trial pit information attached as Appendix J of the <i>Infrastructure Design Report</i>.</p> <p>Green/blue roof coverage calculations have been updated and are consistent between the surface water catchment plan Dwg No. 210178-DBFL-SW-SP-DR-C-1310.</p> <p>The appropriate infiltration rate as determined as part of the site investigation has been used in the design of the permeable paving between Blocks A &amp; B and provides sufficient storage volume to attenuate runoff generated in this area. Refer to Appendix B of the <i>Infrastructure Design Report</i> for Micro Drainage source control calculations of all surface water storage structures on site.</p> <p>Key design criteria outlined in the Greater Dublin Regional Code of Practice for Drainage Works</p>

		have been met as described in the <i>Infrastructure Design Report</i> (Section 5.2 and 5.4.4).
5viii	Boundary: query private boundary line and demarcation between that and public footpath/carriageway on the northern perimeter. Drawing should be included which clearly indicates proposed private land and proposed areas for taking in charge by DCC; and how this relates to surface water drainage proposals. Site ownership line appears to extend across sections of footpath and cycle track fronting the site.	Please see RKD Taken in Charge Drawing 22001-RKD-ZZ-ZZ-DR-A-1003. As set out in the <i>Landscape Planning Report</i> by Mitchell + Associates, a metal linear strip will define the taking-in-charge areas along Richmond Road.
5ix	DCC Drainage Division cannot recommend this proposal on the basis that the flood risk has not been addressed in accordance with the OPW Guidelines for flood risk management nor the Dublin City Development Plan. The application should not proceed until suitable flood defence provision is included in the application and the other points are also addressed. It does not seem advisable from a planning perspective to consider a proposal/application which is dependent on completion of a different development to satisfy legal obligations.	<p>All flood risk for the proposed development has been re-assessed independently from the adjacent development. The flood mitigation and defence strategy has been revised to this effect.</p> <p>As set out above, the flood risk management proposals for the development have been amended to include a flood wall within the development boundary to manage flood risk from the Tolka River. Refer to DBFL Dwg No. 210178-DBFL-RD-SP-DR-C-5211 for the flood elevation. This approach has been discussed and agreed with Dublin City Council Drainage on 14<sup>th</sup> December 2022.</p> <p>A separate flood wall is also proposed in the adjoining Strategic Housing Development (SHD) application (pending decision ABP Reg. Ref. TA29N.312352) under the control of the Applicant. If that SHD application is granted and first implemented, no flood wall will be required under this application for LRD permission and soft landscaping will be provided instead. If the SHD application is refused permission or not first implemented, the proposed flood wall in the proposed LRD application will be constructed.</p>
6i	<p><b>Artist Studios</b></p> <p>Further information is required on the proposed artist studios as follows:</p> <ul style="list-style-type: none"> <li>- Operation and management of the studios on a day-to-day basis</li> <li>- Operation of the facility long term and how to ensure the building is maintained for this</li> </ul>	The Richmond Road Studios (RRS) are intended to occupy the proposed artist studios within the development. A response to the majority of these items has been prepared by RRS which is enclosed as part of the <i>Cultural Infrastructure (Impact) Assessment</i> prepared by Turley. The <i>Cultural Infrastructure (Impact) Assessment</i> concludes the following key points:

	<p>purpose into the future in terms of funding and management</p> <ul style="list-style-type: none"> <li>- Tenure/lease arrangements for artists</li> <li>- How artists will be selected to occupy the studios, whether local artists will have preference</li> <li>- Cultural Impact Assessment of the area to demonstrate that the studios are a cultural facility and meeting a local cultural need/shortfall as required by the Development Plan</li> <li>- How the exhibition space will be operated and whether this space can also be made available to future residents and/or the wider community when not in exhibition use</li> <li>- The Planning Authority considers the Artist studio layout is required to have a more visually permeable relationship with the two Public Plaza areas with some degree of views and interaction between the studio spaces and the public/communal open spaces.</li> </ul>	<p><i>"We believe this report sets out clear evidence base to justify the 5% is deliver to one sector i.e. artist workspace – cultural space. Viability is also under stress due to the macro environment and increased construction costs therefore additional community space, may hinder the scheme coming forward, whilst in contrast the lease agreement proposed provides a long-term cultural tenant and operator of the studios...There is a strong case for progressing with the proposals as described, our assessment demonstrates a clear need and an opportunity for positive cultural impact at a local level in terms of contributing to the social and economic regeneration of the area as well as at city level in terms of contributing to cultural infrastructure needs and addressing gaps."</i></p> <p>In relation to the following item:</p> <p><i>-The Planning Authority considers the Artist studio layout is required to have a more visually permeable relationship with the two Public Plaza areas with some degree of views and interaction between the studio spaces and the public/communal open spaces.</i></p> <p>The following changes have been made:</p> <ul style="list-style-type: none"> <li>• The windows have been changed from translucent to clear windows and it is proposed that each studio has an art display shelf behind the window.</li> <li>• The corner unit on Richmond Road has been changed to a shared space for the artists.</li> </ul>
6ii	<p><b>Blocks Design and Materials</b></p> <ul style="list-style-type: none"> <li>- Justify why Block C does not maintain the shoulder height onto Richmond Road established by blocks A &amp; B and adjacent developments. Furthermore, to also provide a rationale for the significant step up in height of block B above the shoulder height of the block onto Richmond Road.</li> <li>- While the external finishes and materials are acceptable it is considered that a greater variety</li> </ul>	<p>RKD Architects have provided a full response to these items on pages 40-43 and 65-74 in the <i>Architectural and Urban Design Statement</i>. The key text has been extracted below:</p> <p>-Block B and C massing is designed as a courtyard block on podium. Opposite corners are taller to increase the density and maximise the daylight / sunlight quality in the courtyard and for the units. This form also ensures that the taller facades are not directly facing each other. The Richmond Road corner of Block C is a prominent corner on</p>

	<p>in textural finish is required, particularly on the Richmond Road elevation such as set in and step out of brick courses, recessed/projecting window reveals or other means of enlivening the facades and providing a strong vertical emphasis.</p> <p>- Separately there is concern as to the appearance of the Southern elevation shown on VVM21 view beside the Distillery buildings and that such a prominent façade requires a more refined design.</p>	<p>the bend road and there is a big set back and car park to the day care centre across the road. This corner of the block is taller and expressed vertically marking the bend in the road. The massing along Richmond Road creates a strong building line and street edge. The massing is broken up with a variety of heights to respond to the existing and emerging context.</p> <p>-The elevations along Richmond Road have been carefully considered with regard to creating a beautiful and vibrant environment, along with the scale of the facades. The verticality of the design is highlighted through the use of double modules within the facade. Brick and stone are tactile textural materials which ground us. To enliven the facade further stone detail panels are introduced where windows cannot be placed. These details come in the form of zig zag panels, and the inset whiskey bottle pattern honouring the industrial history of the site. The <i>Architectural and Urban Design Statement</i> outlines the material palette for each block.</p> <p>- The rear (southern) elevation of Block B has been carefully considered, especially in relation to the Distillery Lofts, which is a historic building, and the prominence of this particular facade. The detail has been refined by additional zig zag detailed stone panels, and additional square windows which sit over the sofa area in the apartments. The windows alternate location per floor giving the facade a playful movement aspect. The material colours have also been slightly amended to be more in keeping with the colours and materials of the local context.</p>
6iii	<p><b>Statistics</b></p> <p>The applicant is advised to submit site statistics and figures of a combined potential development of the subject site along with adjoining lands at No. 146A and No's 148-148A Richmond Road as per the concurrent proposal (or similar) made under ABP-312352-21 (DCC Ref. SHD0032/21).</p>	<p>Please refer to the table included in Appendix A to this Report which outlines the combined site statistics of both Phase 1 and Phase 2 developments.</p>

## Appendix A - Combined Statistics of both Phase 1 and Phase 2 Developments

	Phase 1 (Pending SHD-ABP Reg. Ref. TA29N.312352)	Phase 2 (Proposed as part of this Planning Application)	Combined Phase 1 + Phase 2
Developable Site Area	c. 0.61 Ha.	c. 0.55 Ha.	c. 1.16 Ha
Existing / Demolition Gross Floor Area	c. 2,346 sq m	c. 3,359 sq m	c. 5,705 sq m
Proposed Gross Floor Area	c. 16,366 sq m over a basement of c. 2,729 sq m	c. 14,590 sq m	c. 30,956 sq m + a basement of c. 2,729 sq m in Phase 1
Proposed Gross Floor Space	c. 15,689 sq m	c. 13,715 sq m	c. 29, 404 sq m
Number of Units	183 No. (Build-to-Rent)	133 No. units	316 No. units (including 183 No. Build-to-Rent units in Phase 1)
Unit Mix	104 No. 1 beds 79 No. 2 beds	65 No. 1 beds 68 No. 2 beds	169 No. 1 beds 147 No. 2 beds
Commercial Space	Café / Retail unit (c. 157 sq m)	Creche (c. 156 sq m) Retail unit (c. 335 sq m) Gym (c. 261 sq m)	Café / Retail unit (c. 157 sq m) Creche (c. 156 sq m) Retail unit (c. 335 sq m) Gym (c. 261 sq m)
Cultural Space	N/A	Artist Studios (c. 749 sq m)	Artist Studios (c. 749 sq m)
Public Open Space	1,501 sq m	606 sq m	c. 2,107 sq m
Communal Open space	2,283 sq m	1,480 sq m	c. 3,763 sq m
Density	300 No. units per hectare	242 No. units per hectare	272 No. units per hectare
Plot Ratio	2.7	2.65	2.68
Site Coverage	32%	73%	52%
Dual Aspect Units	92 No. units (50%)	93 No. units (70%)	185 No. units (59%)
Car Parking	71 No. spaces	25 No. spaces	96 No. spaces
Bicycle Parking	388 No. spaces	424 No. space	812 No. spaces
Cargo Bicycle Parking	2 No. spaces	2 No. spaces	4 No. spaces
Electric Scooter Storage	10 No. spaces	10 No. spaces	20 No. spaces
Motorcycle Parking	5 No. spaces	7 No. spaces	12 No spaces

