Players Please / Dublin 8 Residents
Playersplease.com
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25th August 2022

What this document is about.

This document has been created by the Players Please / Dublin 8 Resident's group, in conjunction with planning consultants and local residents.

It contains our combined comments on what we believe to be the most serious issues impacting the local community contained within the new, August 2022 planning application for the Bailey Gibson site.

We produced this document to assist anybody who may wish to make a submission about the 2nd Bailey Gibson planning application to An Bord Pleanala.

We encourage you to use the document as you see fit. Use it all, or use the elements that resonate with you. Combine it with your own observations.

This document contains:

1. **Background, and the story so far** - what has been happening with the various planning applications and court cases over the last few years and where we stand.
2. **How to make your observation** - Instructions on how to make your own observation on the Bailey Gibson 2nd planning application
3. **The Observation** - our comprehensive, ready to go planning observation. Use as much or as little as you like

DEADLINE

Observations must be lodged and with An Bord Pleanala before 5pm on Monday 29th August 2022.

Background & the story so far

This is the second planning application made by private developer, Hines, for the Bailey Gibson site.

Phase 1 - The Bailey Gibson Site (previous application). STATUS: Permission Granted

On 25th May 2020, developer, Hines submitted an SHD (Strategic Housing Development) planning application directly to An Bord Pleanála (ABP) for residential buildings of 2-16 storeys at the Bailey Gibson site.

An Bord Pleanala's own inspector recommended that the planning application be rejected stating:

> *"Having regard to the serious injury to the amenities of the area and the consequent significant adverse environmental effects of the proposed development...[it] would constitute a gross overdevelopment of the site."*

Despite a flood of observations and the recommendation by their own planning inspector to reject, ABP granted permission with no conditions attached.

Two local residents, on behalf of the Dublin 8 Residents Association immediately sought a judicial review on a number of grounds. Following the hearing in April 2021, Justice Humphreys referred questions to the European Courts of Justice in November 2021.

Phase 2 - The John Player Site - STATUS Planning Permission Granted

With the precedent set by the approval of the Bailey Gibson planning application, Hines' planning application on the Player Wills site on 16th December 2020 - which includes 15 & 19 storey towers and 240 co-living units (just after the housing minister's ban on co-living units was announced), was also approved by ABP in April 2021 despite huge local opposition with hundreds of single and group observations.

The Dublin 8 Residents Association sought, and were granted a second judicial review but Hines challenged the standing of Dublin 8 Residents Association as an environmental NGO, leading to a second set of questions to the ECJ as to whether Irish Planning restrictions on residents groups' right to be heard in court contravene EU law.

Both these planning permissions still stand, but cannot be acted on until the European Courts of Justice (ECJ) has ruled - a decision is expected in 2024.

You can donate to this community action at gf.me/u/y3tk5c

Phase 1 (revisited) - The Bailey Gibson Site - STATUS Planning Application lodged

The Bailey Gibson 2 application lodged by Hines has reduced some heights, but the high percentage of build-to-let, the excessive density, inappropriate unit mix, and the overbearing physical impact on its surrounding neighbours raise serious concerns.

Despite the narrative being pushed by Dublin City Council and the developers, this density/unit mix was never part of the original masterplan for the site and will have serious consequences for our community for years to come.

We are challenging these policies and applications and need your help.

How to make your observation

Step 1: Familiarise yourself with the plans.

Visit playerspleasedublin.com where you can see the full Hines planning application and other useful links.

Step 2: Make your observation

Read our observation template below. Observations to An Bord Pleanala can be made online, by post or hand delivered to An Bord Pleanala offices

Send an online observation

Go to this link:

http://www.pleanala.ie/shd/applications/SHD_Obs_Online.htm

Follow the steps to make a submission.

Send an observation by hand, or by post

Write a cover letter containing:

a. Your name
b. Your address
c. Planning reference info (Planning Ref **314171** Subject: Bailey Gibson Strategic Housing Development)

2. Include as much of the below objections and information as you feel relevant to you/your area (Be sure to add in any specifics on how development affects your situation, clearly stating your reasons, considerations and arguments)

3. Include a cheque, bankers draft or postal order for the €20 fee. **NO CASH!**

4. Post, courier or hand-deliver your letter to An Bord Pleanala at:

An Bord Pleanala
64 Marlborough Street,
Dublin 1,
D01 V902.

Click here for An Bord Pleanala's official guide on making submissions (tinyurl.com/yaoppfos)

Observations must be lodged and with An Bord Pleanala **before 5pm on Monday 29th August 2022.**

Bailey Gibson 2

Planning Application Observation

Planning Ref 314171

Subject: 314171: Former Bailey Gibson Site, 326-328 South Circular Road. Rehoboth Place, Rehoboth Avenue, South Circular Road and Donore Avenue, Dublin 8. (www.bgscr1shd2.ie).

To whom it may concern,

We are writing in relation to the application for planning permission referenced above.

We have carefully considered the proposals put forward for the site and welcome the potential of much-needed residential accommodation. We acknowledge that changes have been made to the previously granted application that have reduced some heights and included some build-to-sell units, both of which are positive steps.

However, we remain seriously concerned about the negative impact of the proposals on the neighbourhood and the city, most critically in relation to the high percentage of build-to-let, the excessive density, inappropriate unit mix, and the physical impact of the development on adjoining neighbours.

We believe that the quality and type of housing proposed falls short of what is required to create and enhance communities in the area and fails in many critical areas to provide quality homes for its citizens.

We are also concerned that the design quality of some of the housing is sub-standard and there are inconsistencies between the submitted documents in demonstrating compliance with various aspects of the Dublin City Development Plan 2016-2022, which we feel need to be addressed by the Board.
These are the genuine concerns of a large number of local residents, who truly want their community to develop into a wholesome, liveable, sustainable area that is diverse and bustling.

In order for that to happen the development must be open to allow for a diversity of tenants, which simply won't be possible within the homogenous blocks of housing proposed.

We urge the board to review this proposal against the standards that were published in that document, which were the conclusions of years of research and consultation, and which reflect best practices in urban and architectural design for the creation of liveable cities; please do not disregard this in favour of the optics of housing at any cost.

Compliance with the Dublin City Development Plan 2016-2022

While the applicant has stated that "The development is designed to comply with (i) the overall guiding principles for SDRA 12 established in the Dublin City Development Plan 2016-2022", this is subject to a Material Contravention on three critical aspects in the DCDP, two of which also breach the standards within *Sustainable Urban Housing: Design Standards for New Apartment 2018*.

These are major contraventions that wholly disregard the DCDP and it is grossly misleading therefore to claim that the development is designed to be compliant.
These items are outlined in the Material Contravention Statement by McCutcheon Halley Planning Consultants:

> *"This report addresses 3 material contraventions of the DCDP identified during the process of preparing the Statement of Consistency (SoC) with the Dublin City Development Plan 2016-2022 which is included under separate cover.*
> *They are;*
> *i. Density*
> *ii. Unit mix*
> *iii. Apartments per core per floor"*

Density

The overall density of the development proposes an increase of 127% on the maximum allowable density stated in the development plan (225 units per hectare in contrast to the 99uph in the SDRA 12 of the DCDP). We believe that this contravention is excessive and wholly unjustified, and the overall density should be reduced in line with the DCDP. The increased density of the development is beneficial only to the developer's pockets and the democratically created DCDP should be adhered to in the interest of proper sustainable planning and urban development.

> *"Having regard to the POS requirement, the net developable area of SDRA 12 is 10.1ha i.e., the total area of 12.62ha– 2.524ha (20% POS). Therefore, the net density is 99 units per hectare (uph) i.e., 1,000/10.1. The nett density of this proposed development is 225 uph and accordingly it represents a material contravention as it is an increase of 127 percent when compared with the inferred1 nett density in the DCDP."*

We also note that there is misleading information in other documents, such as the *Urban and Architectural Design Statement*, which notes the density as 63 uph.

Unit Mix

The application proposes 67% studio and 1 bed apartments, which is more than double the allowable limit noted in the DCDP (25-30%).

Development on a site within 500m of an employment centre may increase that limit to 42-50%. The Material Contravention Statement notes that the site falls outside of an area within 500m of an employment centre, as shown on the figure below, and as such the higher limit does not apply.

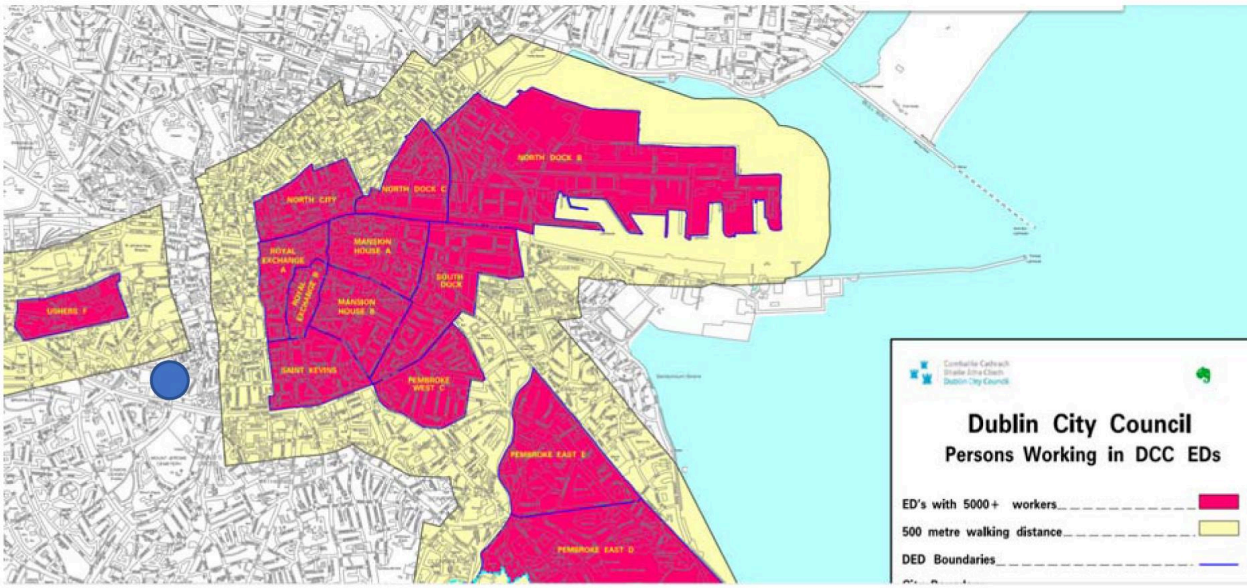


Fig. W from DCC Development Plan 2016-2022 Housing Strategy Appendix 2A

Fig. W from DCC Development Plan 2016-2022 Housing Strategy Appendix 2A

As the residential units on this site do not lie within 500m of an employment centre, the unit breakdown should be as per DCC Residential Quality Standards, which states:

> "Each apartment development shall contain:
>
> - A maximum of 25-30% one-bedroom units
> - A minimum of 15% three- or more bedroom units

These maximum and minimum requirements apply to proposals of 15 units or more and may not apply to certain social housing needs and/or where there is a need for a particular form of housing for older people and students having regard to the housing strategy.

The above mix of unit types will not apply to managed 'build-to-let' apartment schemes for mobile workers where up to 42-50% of the total units may be in the form of one-bed or studio units." However, such a development must be "located within 500 m (walking distance) of centres of employment or adjoining major employment sites."

The unit mix of the proposed development (excluding the 4 houses in BG5) is:

- Studios – 10%

- 1 Bed Apartments – 58%
- 2 Bed Apartments – 31%
- 3 Bed Apartments – 1%

The document *Sustainable Urban Housing: Design Standards for New Apartment 2018* states that the required unit mix should be:

- 20% Studio units
- 30% 1-bed units
- 40% 2-bed units
- 10% 3-bed units

While we believe the lower threshold from the DCDP should be upheld, the proposed unit mix greatly exceeds any guidelines issued by government and should not be allowable.

The Bailey Gibson site lies OUTSIDE the 500m zone of the outlined centres of employment and therefore long-term build-to-let units that are predominantly studios and 1 bed units, should absolutely not be considered in this location. This contravention is completely unjustified and the unit mix should comply with the development plan standards quoted above.

The scale of overdevelopment and the inappropriate unit mix proposed completely disregard the policies that form a part of our country's planning laws, outlined in Dublin City Council's own Housing Strategy, Appendix 2A, DCC Development Plan 2016-2022, which states:

> *Dublin's housing strategy has been prepared to meet statutory requirements set out under the Planning and Development Act 2000 (as amended) and in particular Part V of said Act.*
>
> *Part V of the Planning and Development Act (as amended) requires each planning authority to prepare a housing strategy which will cover the period of its development plan.*
>
> *The Act specifies that: '…each housing strategy should have regard to the proper planning and sustainable development of an area and should be concerned with the overall supply of housing within the planning authority'*

It also states:

> *In meeting the requirements of the Planning and Development Act 2000, the housing strategy shall take into account:*
>
> - *The existing need and the likely future need for housing*
> - *The need to ensure that housing is available for persons who have different levels of income*
> - *The need to ensure that a mixture of house types and sizes is developed to match the needs of different households in the city*
> - *The need to counteract undue segregation in housing between persons of different social backgrounds.*

It is also a requirement of the Planning and Development Act 2000 for each housing strategy to be consistent with requirements set by higher level strategic plans such as the National Spatial Strategy and the Regional Planning Guidelines (RPGs)

For these reasons, the proposals will never allow for real communities to be created or thrive in this area. Particularly considering that this development will be taking place partially on lands owned by Dublin City Council, it seems only right that it be fully compliant with DCC's own development plan and housing strategy.

This proposal disregards the Housing Strategy by not providing for a variety of types, sizes, social backgrounds, and income levels.

Strategic Housing Development policies were never intended to be mechanisms by which to ignore proper planning standards and sustainable development regulations.

Availability of Housing for Persons with Different Levels of Income

The Material Contravention Statement suggests that the Coombe WCH should be considered a centre of Employment for the purposes of determining unit mix. However, this does not consider the affordability of rent in this development.

The average HSE employee earns €40k/ year gross. Though the applicant does not state the expected rent rates in the proposed apartments, previous applications suggested a rent of approx. €1850 per month for a 1-bedroom apartment, making it unaffordable for the average HSE employee.

Indeed, the average salary in Dublin amounts to €2500 per month net, and therefore this development does not provide housing for persons with different levels of income. Only those with salaries well above average can afford to live in the majority of these apartments (excluding the social housing).

As a community, we are fearful that the lack of affordability will drive local residents to the suburbs or beyond, and the development will be occupied by a transient population, or worse, remain vacant, like the many thousands of vacant luxury apartments around the city*.

We want a diverse, thriving, creative, buzzing neighbourhood, and that cannot be achieved when the area is oversaturated with hotels, student accommodation, and single occupancy BTR units. It creates undue segregation of our communities. Again, the ONLY reason for these contraventions is the financial benefit to the developer - single occupancy BTR units provide the greatest returns on investment.

While the applicant has suggested that the unit mix is based on demands within the rental market, it must be considered that the demand for smaller apartments is simply a reflection of the current inflated market in which rents are increasing at an unprecedented rate, and that many people are trying to rent the cheapest home they can afford, regardless of the appropriateness of size or number of bedrooms. The current state of the Dublin rental sector should not be used to determine proper housing standards or sustainable planning guidelines.

The lack of diversity of use relative to the area and the zoning is unsustainable. There is one commercial unit proposed the scheme, which is not enough to cater for local retail needs, but it is difficult to assess this proposal without looking at the entire SDRA because although there is a need for sustainably more services in the area, the total provision of commercial and retail service space needs to be looked at across all the applications as a whole. This overall view of a mix of households, tenure, uses and amenities is largely absent.

Units per Floor

Two of the proposed blocks, BG1 and BG3 breach the DCDP requirement of 8 units per core per floor and there is a material contravention.

While the *Sustainable Urban Housing: Design Standards for New Apartments 2018* allows up to 12 units per floor per core, which is achieved here, we believe that the lower threshold should be adhered to.

This is an unnecessary contravention of a rule that was introduced to provide safe emergency access and egress in terms of fire safety, and high-quality communal spaces that would not be subject to anti-social behaviour. The proposed contravention is again driven by maximising profits by reducing circulation areas and should not be allowable as it greatly reduces the quality of the communal spaces, and increases the number of people using a single evacuation route in the event of a fire.

The circulation areas in BG1 in particular are very tight, with little to no natural light and excessively long corridors that do not contribute to a healthy living environment for its occupants.

Dual Aspect

The application states that 42% of the units are dual aspect. The demonstration of this is tenuous at best, and there is a significant number of the apartments shown as dual aspect that we could consider not to be dual aspect.

Examples of the locations of those apartments that we would consider to be effectively single aspect are shown with blue dots on the figure below (extracted from the *Dual Aspect Analysis Report*).



Fig 2.

We are of the opinion that the windows in the apartments shown that face in a second direction are hugely compromised by issues such as facing into a wall approx. 3m away (Type 3B; Type 1H); facing an opposing window less than 9m away (Type 1P; Type 2E). We don't believe that this constitutes dual aspect, particularly in those apartments that are predominantly north-facing. Many of the windows will get little light, no effective view, and create privacy issues for the occupants. When these problematic apartments (44 no. units) are omitted from calculations, the number of dual aspect apartments constitutes only 28.7% of the total (98 out of 341 units), which should be disallowed as it is far below the minimum number, and effectively means low-quality housing.

From the Material Conservation Statement:

> *The reference to dual aspect ratios is set out under the heading 'Aspect, Natural Lighting, Ventilation and Sunlight Penetration' (also under section 16.10.1) of the DCDP.*
>
> *It states; "It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design."*

Sustainable Urban Housing: Design Standards for New Apartment 2018 states:

> *"North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature."*

It is our opinion that a significant proportion of the north-facing apartments (See Fig 2) are effectively single aspect and do not overlook an amenity space and as such should be disallowed.

The placement of single sided apartments at ground floor level is poor urban design and will result in small units with very little privacy. This again relates to the predominant use of single aspect dwellings. The streets created will lack animation due to the lack of individual entrances along them and very limited provision of commercial units.

The size and openness of this site allows for a much larger number of dual aspect apartments than have been shown in this proposal. Again, there is no excuse for sub-standard design quality in this proposal. We urge the board to carefully assess the reality of the apartment designs in terms of daylight.

The light study by ARUP shows that many of the apartments are deficient in their daylight and do not achieve the required level of daylight in relevant spaces. This cannot be consistent with overall development plan standards and is not consistent with ministerial guidelines.

Overbearing Nature of Proposal on Neighbouring Buildings

The BG1 7-storey block has a detrimental effect on the two-storey houses to the west of the site. The seven storey elements are overscaled. The 7 story block of BG1 is excessively high in terms of the impact on the terraces on Rehoboth avenue – 27.5 back to back distance. There is also be some impact on the houses facing the SCR, although BG5 is 5 stories and BG4 is 4 stories they encroach closely on their context with single aspect apartments.

There are serious issues of overlooking and overbearing by BG1 and overlooking by BG5 and 4. Certainly the relationship of the 7 story BG1 element to the houses on Rehoboth Avenue is of the grave concern and this is aggravated by the single aspect nature of the apartments where overlooking is inevitable - note Kevin Moore ABP Planning Inspector report and recommended refusal of this Applicant's previous application on this site.

Daylight

The scale of development immediately adjacent to Rehoboth Avenue should be reduced so as not to affect the access to daylight of the houses backing onto the proposed development.

This needs to be redesigned and a reduction in height should be conditioned to step down to three storey in the length of Block BG1 as it backs onto Rehoboth Avenue, or the entire refused.

The previous disputed permission had 6 storeys backing onto Rehoboth Ave but was also demonstrated to diminish light and overbear on Rehoboth Avenue and the Planning Inspector,

Kevin Moore, recommended refusal in the clearest of terms due in part to this overbearing form of development.

Block BG1 should be conditioned to a height of 3 storeys in its entirety in order to create a gradient from this BG1 intermediate level to the 7 storeys of BG2 across the street. This is an elementary principle of design and will grade from the small existing storey context to a 3 Storey new neighbour at BG1 to 7 storey BG2 which is to face the Players Park.

The daylight studies demonstrate that a very significant proportion of the proposed apartments fall short of the required daylight metrics. The study invokes commentary from the Architects and Planning consultants suggesting grounds for breach of guidelines in an inner city context.

This should not be allowed by An Bord Pleanala as the deficits are considerable, the are not minor in the proposed apartments and they could be easily rectified by moderating the density of the scheme and grading heights so as to give unimpeded access to light.

There is no justification for building apartments which fall short of the standards for light to the degree shown in the light study presented with this application.

The deficit in light is a consequence of several factors – many of which are already breaches of the development plan such as excessive density in the context, unit mix, apartments per core per floor which lead to an over abundance of deep plan single aspect units and deficit in public open space on the subject site of Bailey and Gibson.

This indicates that the scheme needs to be re-planned or conditioned to be lower at the edges. To lower BG1 which is a long monolithic slab of seven storeys will mitigate effects on Rehoboth, it will allow greater west light to the street in the Bailey Gibson site and thus to apartments at the lower levels in BG2, and a brighter street which will consequently serve give better daylight values to BG1 itself. More truly dual aspect apartments in concert with this moderation in height would assist naturally with achieving the appropriate daylight standards.

The suggested relief sought by the applicant from proper daylight standards is not supportable. The development plan, apartment standards and 2018 Ministerial Guidelines all condition density and height in relation to the appropriate daylight standards and the High Court has ruled on this in Atlantic Diamond which was not appealed.

That the developer seeks to recite the most recent edition of light guidelines does not change the fact that this development falls significantly short of the guidelines to be applied to it and there are no urban design grounds to justify this.

The proposal already has the benefit of low building around so it is not itself over shadowed and it has also been given the benefit of frontage to DCC open space on Players Park. Thus the site has almost un- access to light to the East, South and West while the proposed LDA development lies to the North of it.

There is no excuse for a new development in this location to fall short as to daylight standards in apartments. The fact that the proposed development falls so short of the required minimum values in a site which does not abut a context of tall buildings, demonstrates that the design and excessive density of the proposal is the source of these serious deficits.

There should be no relaxation of daylight standards for this new build development – it should be refused for these deficits or conditioned to be modified to meet the applicable standards by lowering BG1 and cropping the east wing from BG2 to incorporate park space on the site.

Good design and moderation could achieve this as outlined above, the development would be the better for this. They would be of optimum high density and it would serve the overall guiding principles of SDRA 12, the Development Plan and the Ministerial Guidelines and National Planning Framework by being so modulated.

Interaction of Standards, Proper Planning and Cumulative Effects

Appropriate density for the Bailey Gibson Lands and proper site planning and graduated height dropping to 3 stories at the edges can be understood empirically and would clearly improve these proposals.

The development plan and SDRA indicate a density in the order of 100 units per hectare and the 2017 Framework indicates 100-120 units per hectare with a predominantly dual aspect morphology.

This application seeks to contravene development plan densities for this location by over 100 per cent, it provides little public open space in its own lands and, particularly if dual aspect is correctly assessed, is overly reliant on single aspect uncross-ventilated and insufficiently day-lit apartments.

The cumulative effects of this indicate substantial over-development. The contravention of the development plan is extreme as to density, with consequent crudeness of form. If the contraventions were eliminated or were less extreme, and had proper regard to ministerial guidelines and their strictures as to daylight, the design could be much better, and more public open space could be contributed by Bailey Gibson to Players Park as per 2017 Framework.

Heights backing onto existing residential areas could be reduced while maintaining a significant and appropriate density, cross-ventilation could be increased, appropriate daylights standards reached.

This would benefit the existing context, it would benefit future residents of the development and it would benefit future residents of the affordable homes proposed by the LDA and DCC to the north of this development.

The current proposal in this application should be refused or so conditioned as to meet guidelines properly by reduction in scale at the edges to satisfy the spirit and metrics of the development plan and to meet apartment standards as to aspect and light in the interests of proper planning and development.

Pitch and Amenities

The pitch should not be part of this application. Previous Part 8 permissions for Margaret Kennedy Road within SDRA 12 promised and included in the permission the delivery of a temporary pitch in concert with the circa 50 homes now built.

This phase ought to be complete as per their planning before any other permission regarding the pitch.

Furthermore the pitch should not be attached to a Bailey Gibson application – it is a separate undertaking on DCC land and should not be entailed to delivery by Hines. The attachment of the pitch to this application serves to mask the unsustainability of the 225 unit density and paucity of green space on the Bailey Gibson site.

The pitch was planned and agreed with the wider community in the 2017 framework as an open element of a park, specifically being grass in order to afford multiple use by all. The amended Part 8 for Margaret Kennedy Road states as follows:

> *Location: St. Teresa's Gardens, Donore Avenue, Dublin 8.*
>
> *Proposing Department – Housing and Community Services Department*
>
> *In compliance with the provisions of the Local Government Act 2001 and Part 8 of the Planning and Development Regulations 2001 - 2012, it is proposed to carry out amendments to the previous Part 8 Planning Ref 2033 / 14 to allow for Construction of 4 no. New Residential Units and amendments to design of certain permitted units; development of first phase of new park including provision for a temporary grass football pitch; demolition of last remaining 2 no. existing blocks (to facilitate provision for a permanent full size football pitch; and associated works:*
>
> *Amended Units | 12 no. Residential units amended as follows – 10 no. 2 bedroom units (types E1 F1 and D1) to be substituted with 10 no. redesigned 2 bedroom units (types B - 1 to 6, D -1 to 4); 2 no. 3 bedroom units (type A) to be substituted with 2 no. 3 bedroom units (types C 1-2)*
>
> *- Amended scheme Total 54 no. units comprising 16 no. apartments, 24 no. 3 bedroom terraced houses and 10 no2 bedroom terraced houses – including the additional 4 no. units.*
>
> *Future Phase*
>
> *Development of the neighbourhood park and enlarged multi sport pitch will be the subject of a future Part 8 application that will encompass both the area subject of the demolition of the two remaining apartment blocks andthe area of the proposed temporary pitch (demolition will follow detenanting and accommodation of tenants in thenew build housing scheme).*
>
> *The completed park will be approx 2.28 ha including a multi sport pitch.*
>
> https://councilmeetings.dublincity.ie/documents/s13151/St%20Teresas%20Gardens%20Initiation%20of%20Part%208.pdf

DCC is currently in breach of its own permission in not having delivered the temporary pitch.

The Part 8 Permission promises the temporary pitch and playground to be put in place with the Margaret Kennedy Road Housing. This to be followed by the full pitch and under Part 8 application. The pitch should not be subject of the current application as DCC has not fulfilled its original permission.

The pitch and park have been promised to the community and their delivery should not be subject of Hines planning application, the delivery of which is not a foregone conclusion.

Placing the pitch in this application is perverse – it is DCC land and the pitch should be delivered by DCC in association with the LDA as part of the development of DCC lands.

The pitch was promised to be delivered with associated sports pavilions for existing clubs currently housed in the flats and adjacent community buildings.

This application also fails to include these facilities which have been long promised. DCC should not be allowed to pass the pitch around as a political football for Hines to include at will in its applications where it suits them to mask the deficits in public open and green space on their own lands.

The pitch was also included by Hines on the same DCC land in another pre-planning process related to other lands in the applicant's ownership at Player Wills.

This approach holds the pitch hostage. It also places the pitch in the wrong order of development. DCC can develop the pitch with the LDA or in advance of the LDA under a Part 8 or other permission. For the pitch and drainage infrastructure to be attached to this application by HInes is injurious to the delivery of affordable housing by the LDA as the LDA will be hostage to Hines fortunes in delivering their development.

DCC lands will be landlocked behind an encircling Hines Proposal. This is not strategic or wise for the public good and it subverts the development plan SDRA and its adopted 2017 Framework and the sequence of permissions precedent and consequent on this, such as that for Margaret Kennedy Rd.

The Players Park open space proposed is the only green space adjacent to the Bailey Gibson lands. It is DCC land and amounts to 0.4 hec and it might be a decent sized space if it were to be provided for this application only, but we know that this square is essentially all of the public open space on the site for all three applications (Players, BG and LDA) and so in that context is small and moreover will be loomed over by the excessive height of the buildings from the other applications. When considered as the main open space in the center of the scheme, it will be small and overshadowed to east and west.

Parking & Transport Infrastructure

It is understood that the proposed development has been designed with approximately 880 bed spaces (excluding the houses). This amounts to approximately 1 parking space for every ten occupants.

We believe that this will be problematic. While reduction of car use is a pivotal aspect of creating more sustainable communities, this number of spaces simply does not reflect the reality of necessary car usage for people who cannot rely solely on public transport such as families with small children, taxi drivers, tradespeople, people with disabilities.

Electric cars form an important part of sustainable transport systems and should be provided more space in underground car parks than has been shown in this proposal. The lack of on-site parking will undoubtedly cause huge pressure on the adjoining roads.

Public transport in this area is relatively limited when compared to other centrally located sites across the city. Bus or tram stops should be planned to run through the site to allow for the greatly increased population who will be reliant on it.

Construction Traffic and Parking

There has been a huge amount of construction in the vicinity of the site which has caused significant disruption to the area, with one issue being that of parking. The residents request that all parking including for site visitors, sub-contractors etc. be provided within the site compound for the duration of the contract period.

Boundary Treatments

There are a number of inaccuracies in the submitted drawings showing boundary treatments, where detail drawings do not match the section drawings – references to details on plans are also incorrect. Further clarity should be sought on this to ensure well-designed, high-quality fencing etc. in order to prevent boundaries feeling overly security-focused or industrial.

Inconsistency of Information

The overall application does not meet the standard of consistency required of such a development. CGI images of SCR on the face of reports and within them misrepresent the context to the east of the site, text in the Architects Report refers erroneously as follows – (the last of the 1950s flat blocks was finally demolished last year) P.19

The CGIs and elevations do not represent permissioned and proposed development adjacent and thus it is not possible to see this project represented in existing and anticipated future context.

There does not appear to be a verified photomontage from Rehoboth Place

In places the plans have inaccuracies and inconsistencies and show levels superimposed on one another rendering them illegible in parts.

Given these inaccuracies and omissions it appears that this application has been rushed to meet the cut-off for SHD deadlines. There has been no community consultation on this.

The developers and DCC had previously indicated to the community in public that Hines next application would be in Spring 2021 for Player Wills 2 incorporating sports facilities and housing on DCC lands. This application is more tactical and rushed – it is not strategic or well considered in the overall context. It is questionable whether these shifts and inconsistencies satisfy the standards and consistency which an SHD application must achieve.

These developments each require a physical contextual model to be consulted upon and assessed in the round in order to assess their effects - as per development plan application standards. CGIs from selected vantage points may obscure as much and more than they reveal.

Conclusion

This observation tackles only some of the inherent flaws in this proposal. Most significantly, the applicants state that this revised proposal adheres to the democratically created Dublin City Development Plan 2016-2022; it does not.

The proposal hinges on material contraventions that wholly undermine the DCDP, effectively disregarding it, and even disregards many of the less stringent requirements of *Sustainable Urban Housing: Design Standards for New Apartments 2018 (issued 2020).*

The allowable density is more than doubled; there are a little over half of the allowable dual aspect apartments; the unit mix is staggeringly inappropriate, and the development is likely to be unaffordable for the average worker.

The reasons behind all of these issues are to make as much money as possible for investors.

The inappropriateness of this development does nothing to alleviate the housing crisis, it does little to add to the surrounding communities, and it provides sub-standard rental housing at inflated rents.

While the reduction in some of the excess height in previous applications is welcome, more needs to be done with respect to moderation of height at the edges and the provision of public open space on the site itself to contribute to the overall SDRA 12.

We would welcome housing and amenities on this site, but believe there is still a way to go to reach a proposal that is befitting of this exceptional site and the present and future residents of Dublin 8.