



Statement of Response to An Bord Pleanála's Opinion

Prepared in support of a proposed Build-to-Rent Strategic Housing Development on lands associated with St. Laurence College, Wyattville Park, Loughlinstown, Co. Dublin

On behalf of: Green Urban Living N11 Limited

June 2021

Document review and approval

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1.0 Introduction

KPMG Future Analytics, 1 Stokes Place, St. Stephen's Green, Dublin 2 (Chartered Town Planning and Development Consultants), have prepared this Statement of Response to An Bord Pleanála's Opinion on behalf of Green Urban Living N11 Limited, 22 Ely Place, Dublin 2, in respect of a proposed Build-to-Rent (BTR) Strategic Housing Development (SHD) on lands associated with St. Laurence College, Wyattville Park, Loughlinstown, Co. Dublin.

It is the purpose of this Statement of Response to An Bord Pleanála's Opinion to summarise how the Applicant and Design Team have positively responded to and addressed the matters raised in An Bord Pleanála's Pre-Application Consultation Opinion (dated 21 February 2020).

1.1 Pre-Application Consultation Opinion

The Pre-Application Consultation Opinion states that An Bord Pleanála *"is of the opinion 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 strategic housing development"*. The Opinion outlines that *"the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development"*:

1. Interface with N11
2. Pedestrian Permeability

The Opinion notes that the following specific information should be submitted with any application for permission:

1. Daylight/Sunlight Analysis
2. Mobility Management Strategy
3. Childcare Demand Analysis
4. Additional Drainage Details
5. Taking in Charge Plan and Public Realm Strategy
6. Construction Traffic Management Plan
7. Construction and Demolition Waste Management Plan
8. Proposed Covenant or Legal Agreement
9. Schedule of Accommodation
10. Information referred to in Article 299B (1)(b)(ii)(II) and Article 299B (1)(c) of the Planning and Development Regulations 2001-2018

Furthermore, the Opinion states that the Applicant should notify the following authorities in the event of making an application:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Dún Laoghaire-Rathdown County Childcare Committee

It can be confirmed that the aforementioned authorities have been notified of the making of the subject application and a copy of the application has been sent to them.

1.2 Report Structure

This Statement of Response to An Bord Pleanála's Opinion will comprise a further three sections:

Section 2 sets out how the issues raised by An Bord Pleanála have been positively responded to by the Applicant and Design Team.

Section 3 sets out how the specific information requested by An Bord Pleanála has been positively addressed by the Applicant and Design Team.

Section 4 concludes the Statement of Response to An Bord Pleanála's Opinion.

2.0 Response to Issues Raised

The Opinion details that An Bord Pleanála is of the opinion that issues relating to elevation treatment and building presentation to the N11 and pedestrian permeability need to be addressed in the documents submitted to result in them constituting a reasonable basis for an application for SHD. This section sets out how each of these issues have been positively responded to by the Applicant and Design Team.

2.1 Issue 1: Interface with N11

An Bord Pleanála stated the following:

“Further consideration of the documents as they relate to the elevation treatment and building presentation to the N11. This further consideration should have regard to the advice provided by the ‘Urban Development and Building Heights Guidelines for Planning Authorities’ – 2018, specifically section 3.0 Building Height and the Development Management process and the criteria contained therein. Photomontage and computer generated images should also be used to better illustrate the visual impact of the development on the wider area. Detailed cross sections at regular intervals should show the relationship between, building, landscaped margin and road, together with cross sections that show the relationship of the proposed development to adjacent homes. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted”.

Response: In the first instance, An Bord Pleanála is directed to the enclosed Architect’s Design Statement and drawings prepared by Wilson Architecture for a full understanding of the design of the proposed development and its evolution since Pre-Application Stage, as well as Section 7.1.3 in the Planning Report and Statement of Consistency and Section 5.4 in the Statement of Material Contravention prepared by KPMG Future Analytics which demonstrates how the criteria contained in Section 3.0 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) has been incorporated into the proposed scheme.

The design of the development has evolved since Pre-Application Stage having regard to An Bord Pleanála’s and Dún Laoghaire-Rathdown County Council’s observations. As regards the elevation treatment and building presentation to the N11, the articulation of the elevations has been developed to respond to the buildings massing. By breaking down the mass of the elevation into separate elements, appropriate urban forms are maintained, and uninterrupted, monolithic blocks are avoided. Figure 2.1, 2.2, 2.3 and 2.4 below illustrate how the south-west and north-west elevations (the elevations facing the N11) have evolved since Pre-Application Stage. As is shown, the massing has been distributed by, *inter alia*, reducing the height of the buildings and incorporating appropriate levels and distribution of fenestration.



ABP Submission - December 2019



South - West Elevation / ABP Submission - December 2019

Figure 2.1: South-West Elevation – Pre-Application Stage – December 2019.



Current Scheme

Figure 2.2: South-West Elevation – Final Design.



South - West Elevation / Current Scheme



ABP Submission - December 2019

Figure 2.3: North-West Elevation – Pre-Application Stage – December 2019.



North - West Elevation / ABP Submission - December 2019



Current Scheme

Figure 2.4: North-West Elevation – Final Design.



North - West Elevation / Current Scheme

Computer generated images which provide a clearer visualisation of the proposed development, as well as photomontages which illustrate the visual impact of the proposed development from a variety of distances and directions around the subject site were also respectively produced by Wilson Architecture and Digital Dimensions and are submitted herewith (please refer to relevant enclosed documents). Furthermore, detailed cross sections which show the relationship between building, landscaped margin, and road, as well as cross sections that show the relationship of the proposed development to adjacent homes have been prepared by Wilson Architecture and are submitted herewith (please refer to relevant enclosed drawings). These materials provide a clearer illustration of the proposed development in the context of its surrounding environs.

2.2 Issue 2: Pedestrian Permeability

An Bord Pleanála stated the following:

“Further consideration of the documents as they relate to pedestrian permeability and the accessibility of the site to locally available public transport and the emerging Cherrywood Town Centre with respect to sustainable transportation. This further consideration should detail and map all relevant local facilities and services such as parks, schools, commercial services and public transport networks amongst other things. Pedestrian and cyclist routes should also be detailed on and off the site, with particular attention for accessibility to and from the N11 having regard to convenience and safety. Pedestrian and cyclist permeability through the site should also be shown in the context of the masterplan exercise for the

entire school lands, where student and teacher accessibility is of importance. The internal layout of the entire site should comply with the advice provided by the Design Manual for Urban Roads and Streets and put the pedestrian and cyclist first in the design process. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted”.

Response: The subject site benefits from excellent accessibility to both public transport due to its immediate proximity to the N11 and its associated Quality Bus Corridor, as well as close proximity to Cherrywood Luas Stop and proximity to Killiney Dart Station (Figure 2.5), and services and facilities due to its location in a well-established suburb.

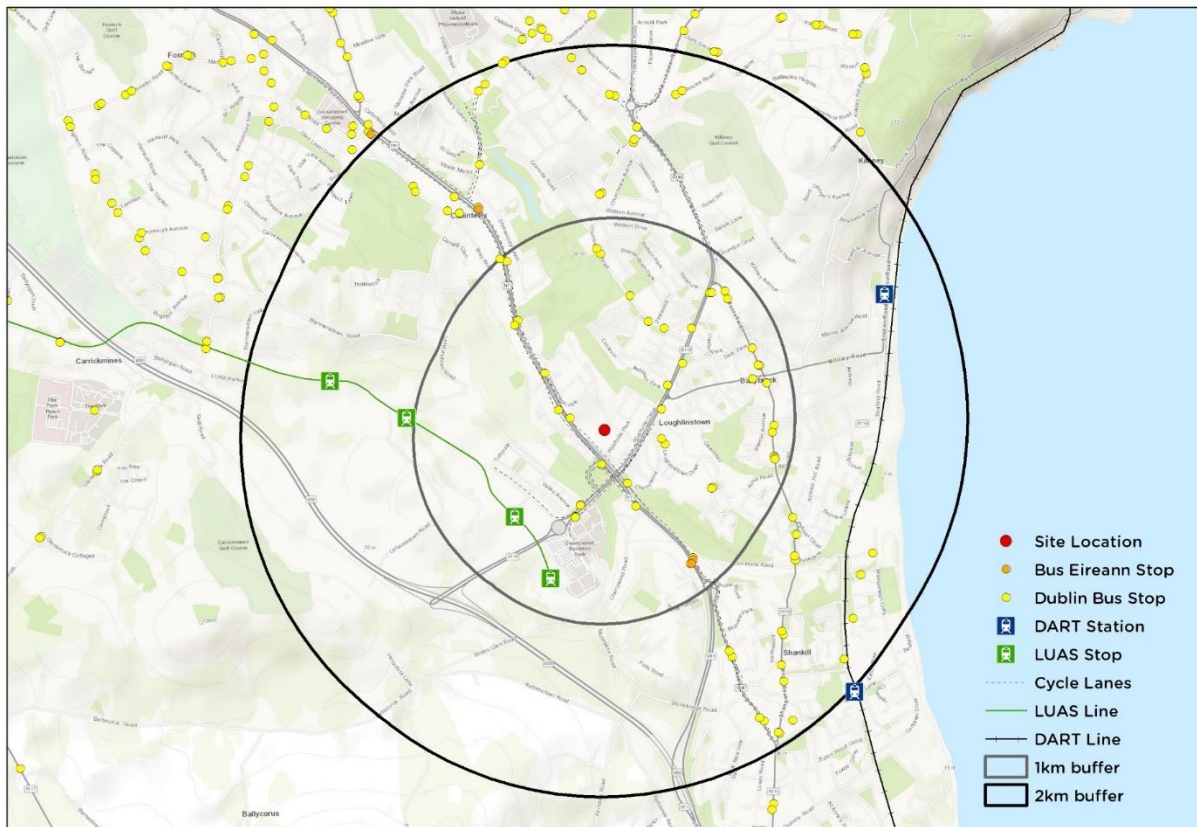


Figure 2.5: Transport Infrastructure Map.

As regards local facilities and services, 188 services and facilities, inclusive of health services and facilities, childcare and education facilities, community services and facilities, sports and recreation facilities, commercial services, faith facilities and emergency related infrastructure, were identified within the vicinity of the subject site during the baseline survey undertaken (please refer to the enclosed Social Infrastructure Audit prepared by KPMG Future Analytics which identifies, maps and establishes the capability of the existing provision of social infrastructure to support the needs of the existing population and future residents). In summary, a sufficient provision of social infrastructure to support the population of the area was identified.

Furthermore, the internal layout of the site has been designed having regard to the principles and requirements set out in the Design Manual for Urban Roads and Streets (DMURS). The design notably gives pedestrians, cyclists, and users of other modes of transport that involve physical activity the highest priority (please refer to the enclosed plans and particulars prepared by Barrett Mahony Consulting Engineers, including their DMURS Compliance Statement which confirms the proposed development’s consistency with the principles and requirements set out in DMURS). Pedestrian and cyclists routes are detailed on and off the site (please refer to the relevant enclosed plans and particulars prepared by Wilson Architecture, Barrett Mahony Consulting Engineers, The Big Space and KPMG

Future Analytics). In addition, pedestrian and cyclist permeability through the entire site is also shown in the enclosed St Laurence College Masterplan.

As regards pedestrian and cyclist routes, particular regard has been had to the convenience and safety of the proposed pedestrian/cycle link from the N11 to Wyattville Park. A Quality Audit which identifies the safety implications of the scheme, with due regard to the proposed pedestrian/cycle link, and assesses the potential usability/accessibility for pedestrians and cyclists has been prepared by PMCE and is enclosed with the subject application. With regard to the proposed pedestrian/cycle link from the N11 to Wyattville Park, PMCE observed that the pedestrian/cycle link won't give rise to a substantive increase in informal pedestrian/cyclist crossings of the N11 at this location.

3.0 Response to Specific Information Requested

An Bord Pleanála requested the submission of specific information with any application for permission. This section sets out how each item has been positively addressed by the Applicant and Design Team.

3.1 Item 1: Daylight/Sunlight Analysis

An Bord Pleanála requested the following:

“A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. Specific regard should be had to ground floor apartments at sensitive locations and existing adjacent properties. Drawings that detail dual aspect ratios should be clearly laid out, colour coded and accompanied by a detailed design rationale report.”

Response: In response to this request, DKPartnership have prepared three reports, namely Daylight Reception Analysis, Effects on Daylight Reception Analysis and Sunlight Reception Analysis, which are enclosed with the subject application. In summary, the Daylight Reception Analysis provides information on the level of achieved daylight reception in habitable rooms within the proposed development, with specific regard to habitable rooms at sensitive locations. With respect to daylight reception in habitable rooms in the proposed development, it concludes that the proposed residential development except for Apartment C.102 is in line with the recommendations within the Site Layout and Planning for Daylight and Sunlight – A Guide to Good Practice published by the Building Research Establishment (BRE) (referred to herein as the BRE Guide). As regards Apartment C.102, it further concludes that if the recommended mitigation measures (utilisation of lighter colours for the floor and wall covering) are implemented the daylight reception will be in excess of the average daylight factor recommendations and therefore it is deemed to be compliant.

The Effects on Daylight Reception Analysis provides details on the level of achieved daylight reception in habitable rooms in existing neighbouring buildings before and after the introduction of the proposed development. As regards the level of achieved daylight reception in neighbouring habitable rooms, it determines that all selected neighbouring habitable rooms are affected to some degree with regards to daylight reception due to the introduction of the new development in their respective habitable rooms facing the new development. However, these effects are all within the maximum change factor range of 1.0 to 0.8 or a maximum of 20%. The calculated change in daylight reception in all of the analysed rooms/buildings have a change factor in excess of 0.8 ranging from 0.84-0.96 which is within the constraints and recommendations of the BRE’s Guide.

The Sunlight Reception Analysis provides information on the effects of the proposed development on shadow/sunlight in existing neighbouring amenity spaces, as well as the private, communal, and public amenity spaces within the proposed development. With regard to the private amenity spaces within the proposed development (note, specific regard was had to the private open space associated with the ground floor apartments), it concludes that the proposed private gardens/balconies all receive two hours or more of sunlight at 50% of the area on 21 March which complies with the BRE Guide. As regards the communal and public amenity spaces in the proposed development, it determines that the new amenity spaces receive in excess of two hours sunlight on at least 50% of the area on 21 March which is in compliance with the BRE Guide. Furthermore, in relation to the existing neighbouring amenity spaces, it concludes that they receive at least two hours of sunlight on 21 March and its loss of sunlight is not greater than 0.8 (20% reduction) times its former size which complies with the BRE Guide.

In response to this request, a Dual Aspect Study which provides detailed information on the units within the proposed development which benefit from dual aspect design has also been prepared by Wilson Architecture and can be found within the enclosed Housing Quality Assessment. In addition to this, Wilson Architecture have annotated on the relevant drawings which of the residential units benefit from dual aspect design (please refer to the relevant enclosed drawings).

3.2 Item 2: Mobility Management Strategy

An Bord Pleanála requested the following:

“A mobility management strategy that shall be sufficient to justify the amount of parking proposed for cars and bicycles.”

Response: A Parking and Mobility Report which includes a Mobility Management Plan has been prepared by Barrett Mahony Consulting Engineers and is submitted herewith. In summary, it estimates the car and bicycle parking requirement for the overall development and demonstrates that for the commercial component full compliance with the relevant car and bicycle parking requirements are achieved, while for the residential component full compliance with the relevant bicycle parking requirements is achieved. Whilst full compliance is achieved with the majority of the relevant car and bicycle parking requirements, a reduced car parking provision for the residential component is proposed.

Having regard to the foregoing, the Parking and Mobility Report provides a rationale for the reduced car parking provision for the residential component of the proposed development, and demonstrates that the proposed provision (0.71 per residential unit in addition to dedicated spaces for the commercial uses) is entirely sustainable given the current car ownership levels and modal splits for the journey to work for existing residents living close to the subject site, and is in line with the recommendations on parking provision set out in the Sustainable Urban Housing: Design Standards for New Apartments (December 2020). It further demonstrates the sustainability in transportation terms of residents utilising non-car based forms of travel by illustrating the high level of service that is provided by the transport infrastructure in place at and in proximity to the subject site with regards to walking, cycling, public transport and other services (taxis, car-club). Furthermore, it identifies both physical elements and strategies to be incorporated within the proposed development which will facilitate and create incentives for both residents of and visitors to the development to use the available modes of public transport, along with walking and cycling in preference over private car use.

3.3 Item 3: Childcare Demand Analysis

An Bord Pleanála requested the following:

“Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to existing childcare facilities in the area, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.”

Response: A detailed analysis of childcare demand, including but not limited to an analysis of the existing supply of childcare facilities in the vicinity of the subject site, an assessment of the specific childcare demand generated by the proposed development and the associated rationale for the inclusion of the proposed crèche and its size, can be found within the enclosed Childcare and School Demand Assessment prepared by KPMG Future Analytics.

In summary, the proposed development will generate a demand for a total of 29 childcare spaces. It is noted that this demand is likely to be lower as the CSO’s Quarterly National Household Survey (QNHS) Q3 2016 on childcare take-up found that the majority of pre-school children in Dublin are cared for by their parents or partners of their parents. However, consultation with Dún Laoghaire-Rathdown County Childcare Committee revealed that pre-Covid-19 demand for childcare within the vicinity of the subject

site outstripped capacity, with significant waiting lists for childcare places. It is expected that there will be no material change in circumstance post-Covid-19 and demand for childcare within the vicinity of the subject site will outstrip capacity.

In accordance with national- and local-level planning policy relating to childcare facilities, a crèche with a gross floor area of 363 sq.m (plus an outdoor play area of 101 sq.m) is thus proposed to be provided as part of the development which will notably accommodate the aforementioned likely childcare demand generated by development proposal. Owing to the likelihood that the demand generated by the proposed development for a total of 29 childcare places will be lower based upon the proportion of Dublin-based parents who stated that they utilise childcare facilities for their pre-school children in the CSO's QNHS, it is considered that it will also contribute towards addressing the existing shortfalls in childcare availability in the vicinity of the subject site.

3.4 Item 4: Additional Drainage Details

An Bord Pleanála requested the following:

“Additional drainage details for the site having regard to the requirement of ‘Drainage Planning’ as indicated in their report and contained in section 1.3 (i) of the Planning Authority’s Opinion. Any surface water management proposals, should be considered for all parts of the development site, including the apartment blocks, relocation of playing pitches and school car parking.”

Response: Having regard to the requirements of the Drainage Planning Department as indicated in their report and contained within Dún Laoghaire-Rathdown County Council’s Response to Pre-Planning Submission, Barrett Mahony Consulting Engineers in association with other consultants have provided additional drainage details and liaised with the Drainage Planning Department regarding their requirements. Details of Barrett Mahony Consulting Engineers correspondence with the Drainage Planning Department and the associated additional details provided in response to their requirements (please also refer to the relevant enclosed reports and drawings) can be found within Appendix IX associated with the enclosed Infrastructure Report.

3.5 Item 5: Taking in Charge Plan and Public Realm Strategy

An Bord Pleanála requested the following:

“A site layout plan showing which, if any, areas are to be taken in charge by the planning authority, and a detailed public realm strategy that outlines the provision of durable and acceptable materials and finishes that comply with the technical requirements of the planning authority. The applicant shall clarify how the works in the public realm will be carried out and by whom.”

Response: In response to this request, a site layout plan indicating what areas are to be taken in charge by the Planning Authority (please refer to the relevant enclosed drawing) has been prepared by Wilson Architecture and is submitted with the subject application. As illustrated on the drawing, an area in the southeast corner of the site which comprises a ramp and stairs for pedestrians and cyclists and landscaping is proposed to be taken in charge by the Planning Authority.

In response to this request, a detailed Public Realm Strategy that outlines, *inter alia*, the provision of durable and acceptable materials and how the works in the public realm will be carried out and by whom has also been prepared by The Big Space and is submitted herewith. As regards landscape materials, a palette of high quality and durable hard and soft materials, including but not limited to concrete paving flags, reinforced grass, and shrub planting, is proposed to be used and where relevant will be maintained on a regular basis. The palette of landscape materials proposed to be utilised across the development will create a high quality, attractive environment.

3.6 Item 6: Construction Traffic Management Plan

An Bord Pleanála requested the following:

“A detailed Construction Traffic Management Plan should be prepared with specific reference to any access to the N11.”

Response: An Outline Construction Traffic Management Plan (a more detailed version of which will be provided by the contractor and developed in agreement with Dún Laoghaire-Rathdown County Council) has been prepared by Barrett Mahony Consulting Engineers and is submitted herewith. In summary, the Outline Construction Traffic Management Plan outlines the baseline conditions in terms of pedestrian and cycle accessibility, public transport and the road network and traffic conditions, the type of traffic likely to be generated during the construction phase, namely construction vehicle traffic, construction worker traffic and deliveries, and the proposed measures to reduce any negative impact on traffic during this phase. Measures proposed include the designation of a site manager who will be responsible for, *inter alia*, the coordination of transport. In addition, the Outline Construction Traffic Management Plan has specific regard to the proposed temporary construction access from the N11 slip road, containing details regarding, *inter alia*, the site access and junction.

3.7 Item 7: Construction and Demolition Waste Management Plan

An Bord Pleanála requested the following:

“Construction and Demolition Waste Management Plan.”

Response: An Outline Construction and Demolition Waste Management Plan has been prepared by Barrett Mahony Consulting Engineers and is enclosed herewith. In summary, the Outline Construction and Demolition Waste Management Plan estimates the type and quantity of construction and demolition waste to be generated by this phase of the development and outlines associated waste management costs. It specifies the measures which will be implemented to ensure that the management of this waste at the site is undertaken in accordance with current legal and industry standards, with the principal aim being to maximum recycling, reuse and recovery of waste and divert from landfill, wherever possible. It additionally provides guidance on the appropriate collection and transfer of waste from the site to prevent issues associated with litter or more serious environmental pollution. Furthermore, it outlines the additional commitments and measures to be implemented during this phase of the proposed development, such as training and consultation with relevant bodies.

3.8 Item 8: Proposed Covenant or Legal Agreement

An Bord Pleanála requested the following:

“A proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains in use as Build to Rent accommodation. There shall be a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period (Your attention is drawn to the provisions of Specific Planning Policy Requirement 7 of the ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ 2018).

Response: A proposed Deed of Covenant further to which appropriate planning conditions may be attached to a grant of permission to ensure that the development remains in use as Build-to-Rent accommodation is submitted with the subject application. In summary, the proposed Deed of Covenant details that the development shall remain owned and operated by an institutional entity and that no residential unit within the development shall be sold or rented separately for a minimum period of 15 years from the date of completion of the development.

3.9 Item 9: Schedule of Accommodation

An Bord Pleanála requested the following:

“A detailed schedule of accommodation which indicates consistency with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018) including a report which addresses the use of the residential support facilities.”

Response: A detailed schedule of accommodation which highlights the consistency of each of the residential unit’s internal and external areas with the relevant standard in the Sustainable Urban Housing: Design Standards for New Apartments can be found within the enclosed Housing Quality Assessment prepared by Wilson Architecture. Further details of the proposal’s consistency with other standards in the Sustainable Urban Housing: Design Standards for New Apartments can be found in the enclosed Planning Report and Statement of Consistency prepared by KPMG Future Analytics. Furthermore, a Property Management Strategy Report which addresses, *inter alia*, the use of the residential support facilities has been prepared by Aramark Property for the proposed residential development and is enclosed herewith.

3.10 Item 10: Information referred to in Article 299B (1)(b)(ii)(II) and Article 299B (1)(c) of the Planning and Development Regulations 2001-2018

An Bord Pleanála requested the following:

“The information referred to in article 299B (1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.”

Response: An Environmental Impact Assessment (EIA) Screening Report has been prepared by KPMG Future Analytics and is enclosed with the subject application. In summary, the EIA Screening Report firstly considers and establishes whether the proposed development falls within the projects or classes of development set out in Annex I and Annex II of Directive 2014/52/EU and Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. Having concluded that the proposed development does not fall within the projects or classes of development set out in Annex I and Annex II of Directive 2014/52/EU and Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended; and therefore, there is no mandatory requirement to prepare an EIA, it subsequently:

- Assesses the characteristics of the proposed development;
- Assesses the location of the proposed development, having regard to the environmental sensitivity of geographical areas likely to be affected by the proposed development; and
- Examines the potential impacts of the proposed development on the environment.

Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, the EIA Screening Report concludes that the proposed development will not be likely to lead to any significant effects on the environment, and thus a sub-threshold EIA is also not required.

4.0 Conclusion

This Statement of Response to An Bord Pleanála's Opinion sets out how the matters outlined in the Pre-Application Consultation Opinion in relation to the proposed BTR SHD on lands associated with St. Laurence College, Wyattville Park, Loughlinstown, Co. Dublin have been positively responded to and addressed by the Applicant and Design Team.

The layout and design changes incorporated into the final scheme are considered to result in enhancements to the overall development and ensure the provision of a high-quality development.

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