



An
Bord
Pleanála

Record of Meeting

ABP-306259-19

Description	154 no. apartments and all associated site works. Dean's Grange Road, Deansgrange, Co. Dublin.
Case Type	Section 5 Pre-Application Consultation Request
Date:	13 th February, 2020
Location	Offices of An Bord Pleanála
Chairperson	Tom Rabbette

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Nichola Meehan, Executive Officer

Representing Prospective Applicant:

Niall Kavanagh, Burlington Real Estate
Brian Murray, Burlington Real Estate
Eugene O'Reilly Snr, Ditton Investments
Eugene O'Reilly Jnr, Ditton Investments
Kosta Kapetangiannis, RAU
James Hirstle, RAU
John Gleeson, IES Consulting
Gary Lindsay, CS Consulting Engineers
Stephen Diamond, SDLA
Eoin Munn, Transport Insights
John Spain, JSA
Tiarna Devlin, JSA

Representing Planning Authority

Dara Holohan, Executive Planner
Bernard Egan, Senior Executive Engineer
Marc Campbell, Assistant Parks Superintendent

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 27th January 2020 providing the records of consultations held pursuant to section 247 and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated 20th December 2019 formally requesting pre-application consultations with ABP. Prospective applicant advised of the need to comply with definition of SHD as set out in the Act of 2016, in relation to thresholds of development. It was also noted that the Inspector dealing with the pre-application consultation request would be different to who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

1. **Building Height / Scale / Form and Visual Impact**
2. **Residential Amenity and Quality of Development.**
3. **Daylight, Sunlight and Overshadowing**
4. **Is the development a build to rent proposal? (If it is BTR, the full compliance with the requirements of SPPR7 would need to be demonstrated).**
5. **Childcare Facilities and School Demand**
6. **Response to the Issues Raised in the Planning Authority Opinion, submitted to An Bord Pleanála on the 27th January 2020.**
7. **Any Other Matters**

1. Building Height / Scale / Form and Visual Impact

ABP sought further elaboration/discussion on:

- Impact in terms of height and density
- Overlooking

Prospective Applicant's response:

- Development in accordance with the local area plan
- Proposal provides for a high-quality scheme
- Design of development reduces perceived impact on existing residential development.
- Balcony arrangement will be reconsidered

Planning Authority's comments:

- Significant concerns in relation to the size and bulk of the proposed development with particular regard to Deansgrange Cemetery and existing residential development.

Further ABP comments:

- Regard to be given to the impact on residential development to the west - Foxrock Close.
- High level windows at gable end should be considered.
- Justification required for height proposed, low rise surrounding character.

2. Residential Amenity and Quality of Development

ABP sought further elaboration/discussion on:

- North eastern corner balconies.
- Dual aspect – National Guidelines specify 50% to be applied.
- Private terraces – not in description of development.

Prospective Applicant's response:

- The proposed development is a considerable improvement on what is existing on the site at present.
- Apartment sizes meet the required criteria set out in National Guidelines
- Terrace use/design will be clarified at application stage

Planning Authority's comments:

- Justification regarding the scale and height of the building in relation to the northern and western boundaries.

Further ABP comments:

- Colour coded drawings should be provided indicating which apartments are considered by the applicant to be dual aspect and which are single aspect.
- Proposed use of communal terrace to be provided for in the development description.

3. Daylight, Sunlight and Overshadowing

ABP sought further elaboration/discussion on:

- Potential shadow impact

Prospective Applicant's response:

- Quality access to daylight/sunlight can be achieved.

Planning Authority's comments:

- Concern regarding overshadowing in late afternoon to houses on the opposite side of Deansgrange Road

Further ABP comments:

- Further consideration of these matters for application stage.

4. Is the development a build to rent proposal? (If it is BTR, the full compliance with the requirements of SPPR7 would need to be demonstrated).

ABP sought further elaboration/discussion on:

- Queried if the proposed development is proposed as a build to rent scheme.

Prospective Applicant's response:

- Not a build to rent scheme in accordance with the guidelines.

5. Childcare Facilities and School Demand

ABP sought further elaboration/discussion on:

- Justification for the omission of a childcare facility / details or report on childcare capacity and services in the immediate area.
- Requirement for a childcare facility of 20 spaces.

Prospective Applicant's response:

- 77 no. 2 bed apartments – low requirement.
- Some available capacity in the area.
- Play areas integrated across communal areas.
- Play spaces predominantly in courtyard.
- 20-30 schools within 2km.
- Can look at again in revised report.

Planning Authority's comments:

- Justification in terms of location.
- Location of playground in terms of adjacent houses.

Further ABP comments:

- Justification for the omission of a childcare facility.
- Family friendly needs to be facilitated.

6. Response to the issues raised in the planning authority opinion, submitted to An Bord Pleanála on the 27th January 2020.

ABP sought further elaboration/discussion on:

- Drainage connections.
- Road, access and car parking.
- Waste management.

Prospective Applicant's response:

- Upgrade required, in agreement with Irish Water – need to liaise with and to provide confirmation of feasibility letter from Irish Water.
- Temporary flood barriers to be provided to commercial units.
- Access ramp to be amended.
- Bins to be moved from basement to front of designated area at the gate on pick up days and then returned.
- To identify space at the top of the ramp

Planning Authority's comments:

- Concern regarding the following - floor levels - treatment to frontage - localised low spot (re: flooding potential) – gullies may not relieve water on the road
- Identify risks and proposed solutions.
- Position of surface water sewer.
- Flood Risk Assessment to be provided.
- Access ramp to be amended.
- Waste management to be discussed prior to any application
- Specific objective on cemetery lands to provide pedestrian connectivity to Deansgrange cross roads. How is this to be incorporated into the scheme?

Further ABP comments:

- Provide finished floor levels.
- Temporary flood barriers not ideal for a new build.
- Detailed cross sections to be provided.
- Waste management strategy should be clarified at application stage
- Ensure all drawings correlate.
- Objective for pedestrian connectivity from the north will be looked at / justified.

7. Any Other Matters

ABP sought further elaboration/discussion on:

- Materials, form, character and appearance.
- All conflict between planting / landscaping and infrastructure services / underground car parking ventilation to be resolved.

Prospective Applicant's response:

- Proposal is sensitive to neighbours, amenity, daylight and sunlight.

Planning Authority's comments:

- Issue with height and scale – make clear how concerns are to be addressed.
- Concerns with daylight, sunlight and overlooking.
- Footpath size to be increased.

Further ABP comments:

- CGI's and photomontages indicating new/evolving streetscape and how proposed development contributes to this to be included in the application.
- Scale and massing a challenge in relation to the neighbouring low-rise buildings.
- Deansgrange is currently a low rise suburban area. Justification for design strategy required at application stage.

Conclusions**The representatives of ABP emphasised the following:**

- There should be no delay in making the planning application once the public notice has been published
- Sample notices, application form and procedures are available on the ABP website
- Irish Water would like prospective applicants to contact Irish Water at cdsdesignqa@water.ie **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is spatialplanning@water.ie

Tom Rabbette
Assistant Director of Planning
June, 2020