

**An
Bord
Pleanála**

**Record of Meeting
ABP-306473-20**

Case Reference / Description	200 no. apartments, creche and associated site works. Lisieux Hall, Murphystown Road, Leopardstown, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	04.02.2020	Start Time	11.30am
Location	Offices of An Bord Pleanála	End Time	1.30pm
Chairperson	Tom Rabbette	Executive Officer	Aoife Duffy

Representing An Bord Pleanála:

Tom Rabbette Director of Planning
Sarah Moran, Senior Planning Inspector
Aoife Duffy, Executive Officer

Representing Prospective Applicant:

Alannah Smyth, Ketut
Andy Worsnop, Tree file
Barry Macken, KMD Architecture
Bernard Seymour, Bernard Seymour Landscape Architects
Bill Hastings, ARC Conservation Architects
Bryan Lawlor, Ketut
Noel Smyth, Ketut
Ray Ryan, BMA Planning
Vivinne Boylan, BMA Planning
Seamus O Rourke, Muir Associate Engineers

Representing Planning Authority

Donal Kearney, Parks Department
Joanne Codd, Water and Drainage Department

Miguel Sarabia, Planning Department
Naoimh Fleming, Planning Department
Thiago Bodini, Transportation Department

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 18th February 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 22nd January 2020 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. Design and layout of the proposed residential development, ancillary uses and associated open spaces**
- 2. Conservation issues. Impacts of the setting of the adjacent Protected Structure Lisieux Hall. Impacts of the Walled Garden.**
- 3. Building height in the context of national and local policy**
- 4. Traffic and Transportation issues. Vehicular, cycle and pedestrian connections
Car and cycle parking**
- 5. Drainage and flood risk**
- 6. A.O.B**

1. Design and layout of the proposed residential development, ancillary uses and associated open spaces

ABP sought further elaboration/discussion on:

- The overall nature and the design of the proposed development
- Whether the development is a 'Build to Rent' development as defined in the Apartment Guidelines. Applicant to consider the costs of long term management of the development as an owner occupied scheme, in particular the Building Lifecycle Report.
- The general management of the development and any ancillary uses
- Further clarification on the use of open spaces within the scheme
- Overall % of dual aspect units within the development with regard to national policy as per the Apartment Guidelines
- Applicant to justify the location of the playground and address PA concerns

Prospective Applicant's response:

- Extant permission for residential development at the site
- Have considered build to rent model however would be applying for the development as a build to sell scheme.
- Will set out and discuss the overall management of the site further at application stage
- Development has been designed to prevent overlooking between blocks.
- There is a good use of open space within the scheme
- Have considered the location of the playground and can provide a justification.

Planning Authority's comments:

- Clarity should be provided on the type of scheme that is being proposed
- Agree with ABP comments regarding Build to Rent development
- Concerns over some of the dual aspect units in terms of the narrow windows and potential overlooking, a detailed daylight/sunlight analysis should be submitted with application
- Construction of the water feature may need to be justified and details provided
- Concerns with the location of the playground and the general use of open spaces within the development. The southern open space is considered to be residual as it does not serve any function.

Further ABP comments:

- Will be assessed as a build to sell scheme (if not advertised otherwise) however there should be full clarity at application stage
- Prospective applicant should submit a Building Lifecycle Report with the application
- Applicant to address the long term use of the development including ancillary uses.
- Address any Planning Authority concerns regarding the water feature and children's play areas

2. Conservation issues. Impacts of the setting of the adjacent Protected Structure Lisieux Hall. Impacts of the Walled Garden.

ABP sought further elaboration/discussion on:

- Walled Gardens and conservation issues on site
- Impact of mature tree removal on the site
- Planning Authority concerns with regard to conservation

PA Comments:

- Concerns regarding the large level of tree removal required to facilitate the development, there is a degree of uncertainty to which trees are being removed and kept. Concerns about potential impacts of basement construction on trees at the site.
- Trees would provide ecological benefits and a specialist should be bought in to conduct a detailed report of the site. All potential effects on trees should be examined
- Concerns about impacts on the walled garden
- Removal of the boundary wall would open up the development and improve the public realm
- Concerns about the height of 5 storey Block 4 and impacts on the setting of the protected structure.

Prospective Applicant's response:

- Have taken the PA comments into consideration
- Consider that the height of Block 4 is appropriate however will discuss further with the Planning Authority
- Will discuss the removal of the walls and railings further with the Planning Authority
- The walled garden has limited heritage value. This was considered in the previous application. Will provide supporting documentation at application stage

Further ABP comments:

- Reconsider and respond to the concerns raised by the Planning Authority
- Provide any correspondence from the landowner at application stage.
- Photomontages, tree survey and CGIs reflecting the different seasons should be included at application stage.
- Further elaboration on the treatment to the entrance of the site is required particularly with regards to Murphystown Road.

3. Building height in the context of national and local policy

ABP sought further elaboration/discussion on:

- Height of the development with regard to the Building Height Guidelines and Building Height Strategy in the DLR County Development Plan. Applicant to consider if the development materially contravenes development plan building height policy.
- PA concerns with regard to height of the proposed development.

PA Comments:

- Consider that seven stories would be a material contravention of development plan policy on building height.
- Development plan is currently being revised however would envisage it would still have the same implications for this proposal.
- Location of the site in the setting of a protection structure is a 'downward modifier' as per the development plan Building Height Strategy, however proximity to the Luas stop is an 'upward modifier'.

Prospective Applicant's response:

- Development is within the area of a non-statutory plan dating to 2008, it is submitted that development plan building height policy can be considered in this context.
- Can provide a rationale for the proposed building height

Further ABP comments:

- There is a need to provide clarification on whether the development materially contravenes the development plan in relation to the issue of building height, this must be addressed at application stage
- If the proposal materially contravenes the development plan then it will need to be reconsidered and supporting documentation must be provided

**4. Traffic and Transportation issues. Vehicular, cycle and pedestrian connections
Car and cycle parking**

ABP sought further elaboration/discussion on:

- Provide a rationale for the quantum of car and cycle parking provision.

PA Comments:

- Would be satisfied with the proposed quantum of car parking
- Would need to submit more detail on the entrance to Murphystown Road
- Would not be in favour of double stack bicycle parking
- Would need to submit a DMURS statement at application stage
- Can discuss any issues further with the prospective applicant

Prospective Applicant's response:

- Will reconsider car parking provision and provide a rationale at application stage

Further ABP comments:

- Consider in detail the level of parking that is being provided in the context of the nature of the proposed development and likely car parking demand.
- Consider the nature of the proposal, density and any traffic generated by proposed car parking provision.
- Applicant to look at car parking provision in other similar schemes.

5. Drainage and flood risk

ABP sought further elaboration/discussion on:

- Planning Authority concerns with regards to drainage as set out in the report of DLRCC Drainage Planning Section.

PA Comments:

- Could talk to the prospective applicant further on details of the pond etc
- There are some inconsistencies that need further clarification for example green roof details and more details of the water feature
- The PA is satisfied with the quality of urban design within the scheme

Prospective Applicant's response:

- Will discuss further with the planning authority in detail

6. A.O.B

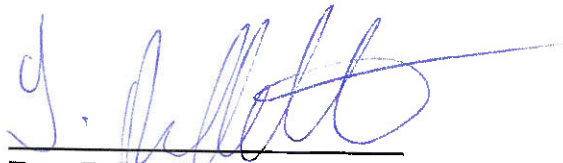
Further ABP Comments:

- Prospective applicant should submit a detailed rationale for the proposed childcare provision.
- Applicant should submit further details regarding nature and management of the proposed development.

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 **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

20 March 2020