



An  
Bord  
Pleanála

## Record of Meeting ABP-302473-18

<b>Case Reference / Description</b>	107 no. apartments and associated site works. Lands to the north and wider Marianella development, 75 Orwell Road, Rathgar, Dublin 6.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Date:</b>	11 <sup>th</sup> October, 2018	<b>Start Time</b>	11.30 am
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	12.45pm
<b>Chairperson</b>	Tom Rabbette	<b>SEO</b>	Siobhan White

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Una Crosse, Senior Planning Inspector
Siobhan White, Senior Executive Officer

### Representing Prospective Applicant:

John Spain- John Spain Associates
Stephanie Byrne-John Spain Associates
Jude Byrne- Cairn Homes
John Grace-Cairn Homes
Emma Flanagan-Cairn Homes
Daibhi Mac Domhnaill- Cairn Homes
Siobhan Holohan- OMP Architects
Niall Barrett- CS Consulting

## **Representing Planning Authority**

Rhona Naughton, Senior Planner- Planning and Property Development
Neasa Moylan, Planner- Planning and Property Development
Kieran O'Neill, Senior Executive Landscape Architect- Parks & Landscape Services Division
Shane Dineen, Town Planner- Transportation Planning

### **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 8<sup>th</sup> of October 2018 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 31<sup>st</sup> of August 2018 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. Development Strategy for the site including height and layout.**
- 2. Parking, permeability and taking in charge;**
- 3. Any other matters**

## **1. Development Strategy for the site including height and layout.**

### **ABP sought further elaboration/discussion on:**

- Clarification on the height policy/material contravention.
- If considered a material contravention must be stated in public notice
- Amendments to layout since initial s.247 meeting in terms of landscaping.
- Details on treatment of boundaries particularly to the east.
- Screening of private open space adjoining entrances;
- Function of roadway adjoining block G in terms of future connections;
- Further clarification would be useful on amenities/open space

### **Prospective Applicant's response:**

- The current development plan allows a height of 16 metres in these areas.
- Will ensure Material Contravention is addressed in application
- Changes to layout in terms of landscaping outlined and potential for further changes noted;
- The intention is to close any gaps along the boundary with St. Luke's.
- Can include privacy screen on private amenity spaces near public entrances
- Internal route past entrance to Block G envisaged as pedestrian;
- Rationale for open space strategy outlined;

### **Planning Authority's comments:**

- Proposed development is considered a Material Contravention given policy in Development Plan.
- Role of internal road and potential for traffic would need to be considered and more detail required.
- Terminology used to describe open spaces to be addressed;

### **Further ABP comments:**

- If determined a Material Contravention of the City Plan, application needs to address this noting, inter alia, the provisions of the 2016 Act relating to a material contravention.

## **2. Parking, permeability and taking in charge**

### **ABP sought further elaboration/discussion on:**

- Car parking strategy required by the City Council
- Future connection points into adjoining lands and provisions to future proof same in any permission;
- Areas to be taken in charge

### **Prospective Applicant's response:**

- Parking strategy for the site to be outlined in detail.
- Consider that permeability can be managed separately
- Not envisaged any part of the site would be taken in charge;

### **Further ABP comments:**

- Further consideration of the treatment of the entrance area onto Orwell Road.

### 3. Other Matters

#### ABP Comments

- Applicants attention drawn to the new EIA Regulations 2018.

#### Prospective Applicant's response

- Will consider and further brief themselves on the new EIA legislation.
- Clarification sought on whether proposal would be material contravention in context of proposed Building Height Guidelines
- AA screening report
- 30% of roof space outlined as green roofs

#### Planning Authority Comments

- Clarification was sought on green roofs
- Attenuation in open space to be addressed in addition to reviewing tree protection zones.

#### 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
- A stand-alone website is required for the planning application. The labelling of the documents should be carefully checked.
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto: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](mailto:spatialplanning@water.ie)

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**Tom Rabbette**  
**Assistant Director of Planning**  
**31<sup>st</sup> October 2018**