



An  
Bord  
Pleanála

## Record of Meeting ABP-302993-18

<b>Case Reference / Description</b>	Construction of 123 no. build-to-rent apartments, including ancillary resident support facilities, services and amenities, car parking, plant, bicycle and bin storage and all associated site development and infrastructural works. Clarehall, Malahide Road, Dublin 17.		
<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>	19 <sup>th</sup> December, 2018	<b>Start Time</b>	14:30 p.m.
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	15:45 p.m.
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Ciaran Hand

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen Rhys Thomas, Planning Inspector
Ciaran Hand, Executive Officer

### Representing Prospective Applicant:

Cian McMorro, Applicant
Barry Norman, HJL Architects
Niall Barrett, CS Consulting Engineers
Gordon Finn, CS Consulting Engineers
Rory Walsh, BPG3 Daylight Consultants
Paul Turley, JSA Planning Consultants

### Representing Planning Authority

Bryan Ward, Senior Planner, Planning and Property Development Dept
Marie Down, Executive Planner, Environment and Transportation Dept
Maria Treacy, Executive Engineer, Drainage 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 10<sup>th</sup> December, 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 13<sup>th</sup> November 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. **Building Height - *Urban Development and Building Heights Guidelines for Planning Authorities***
2. **Public realm improvements**
3. **Residential Amenity**
4. **Car parking and Transport**
5. **Specific Planning Policy Requirements – covenant/legal agreement**
6. **Any other matters**

## **1. Building Height - *Urban Development and Building Heights Guidelines for Planning Authorities***

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

- The building height in the context of the wider area and in reference to the “*Urban Development and Building Heights Guidelines for Planning Authorities*”
- If there will be an impact on the flight path

### **Prospective Applicant’s response:**

- CDP has height limit at 16m
- This development has a landmark corner element
- The corner element will contain 8 storeys
- The height is not consistent with the CDP however it is consistent with the “*Urban Development and Building Heights Guidelines for Planning Authorities*”
- Tesco Shopping centre is located on one side of the development and Clare Hall on the other side
- Therefore, this area already has high buildings surrounding the development
- As a result, scaling has been taken into account
- Any increase in height will result in more car spaces
- Increasing the height and number of storeys can be examined

### **Planning Authority’s comments:**

- A urban design rationale must be submitted
- Satisfied with the height at the village end of the site
- Open to the possibility to increasing the height once a rationale is submitted
- There are no airspace constraints
- The density is high, it is similar to a city centre or docklands development

### **Further ABP comments:**

- Further information cannot be sought at application stage
- Submit a rationale for the proposed height if it is to increase
- Have regard to the “*Urban Development and Building Heights Guidelines for Planning Authorities*” when submitting an application

## **2. Public realm improvements**

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

- Details of the footpath beside the site
- Cyclist and pedestrian access beyond the site
- How the site fits into the overall public realm
- The separation between the public and private realm

### **Prospective Applicant’s response:**

- Tesco owns the internal roads
- The footpath is owned by Tesco however they may be open to public realm improvements on their lands
- The streetscape contains communal spaces which have been clustered
- There is a mix of residential and communal facilities

- There will be passive overlooking
- Communal uses are facing onto the streetscape as much as possible

**Planning Authority's comments:**

- This development is right up to Clare Hall
- Satisfied with activation of frontages
- Prioritise visual amenity issues
- Windows onto the ground floor units need grade separation

**Further ABP comments:**

- Explain how the footpath will be treated
- Examine pedestrian and cyclist access from the site across the main road

### **3. Residential Amenity**

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

- Rationale for the number of proposed laundries
- Quality of the accommodation
- Overshadowing analysis
- How will this scheme be managed?

**Prospective Applicant's response:**

- The number of proposed laundries can be examined
- The number proposed was for suitability and access
- Overshadowing analysis has been tested
- Sunlight has been tested with good results
- Skylight testing is reasonable
- There is more of an impact on bedrooms than living rooms
- The impacts are moderate
- Some corridors have not been closed off to create more light
- Light wells on corridors are shown
- The number of laundries could be sacrificed to create more light wells
- This is a north facing site and as many dual aspect apartments will be provided as possible
- Communal facilities are 7-8 sq. metres per apartment
- The gym provided allows for views to the coastline
- Storage areas are included as this is a build to rent and people moving may need to avail of it
- An operator will be selected to manage the scheme

**Planning Authority's comments:**

- There needs to be high quality daylight and sunlight analysis
- It needs to be investigated if north facing apartments can be dual aspect
- Higher ceilings should also be examined
- Internal corridors need more natural light
- The residential mix needs as much information as possible
- There is a high proportion of small units

**Further ABP comments:**

- Examine the number of laundries proposed and the possibility of other resident amenities
- Ensure that the floor area space of apartments is in accordance with Apartment Guidelines
- Specify the unit types with both number of bedrooms and occupants, as per the guidelines
- Submit a Lifecycle Report and note the comments of the PA with regard to specific technical details such as shared terraces and screen heights
- Explain how the scheme will be managed and highlight other schemes as examples

#### **4. Car parking and Transport**

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

- Car parking proposals
- Transportation plans

**Prospective Applicant's response:**

- Census data is being examined with reference to the amount of car usage
- A shuttle bus for residents and car clubs are being examined
- It is envisaged that GoCar will be included
- There will be a management system to ensure functionality

**Planning Authority's comments:**

- There is access to public transport
- Census data is helpful
- A detailed travel plan is required and a parking management strategy

**Further ABP comments:**

- If car parking is at a minimum show the alternative approaches being taken
- Submit a transport and parking plan
- A management plan must also be submitted

#### **5. Specific Planning Policy Requirements – covenant/legal agreement**

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

- The required covenant/legal agreement

**Prospective Applicant's response:**

- A covenant will be submitted at application stage

**Planning Authority's comments:**

- No final operator has been identified
- Agree that a covenant is required at application stage

**Further ABP comments:**

- Proposals in relation to a covenant will be required at application stage

**6. Any other matters**

**ABP comments:**

- 3<sup>rd</sup> party consents with regards to Irish Water
- Ensure that all technical issues are resolved prior to an application being submitted
- There is no further information sought at application stage

**Prospective Applicant's response:**

- Consent has been obtained from Tesco for the required water connections
- Application drawing will ensure drainage proposals match landscape proposals
- Further discussion will take place with the P.A if required

**Planning Authority's comments:**

- The drainage connects onto private land and out to the roundabout
- Surface water is a two-stage process
- The applicant needs to explain how SUD's will be treated and how rain gardens link with the landscape proposals
- Further discussion will take place with the applicant if required

**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](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  
January, 2019