



An
Bord
Pleanála

Record of Meeting

ABP-303257-18

Description	123 no. build to rent apartments and associated works 24-28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	25 th January, 2019	Start Time	2.30 p.m.
Location	Offices of An Bord Pleanála	End Time	3.45 p.m.
Chairperson	Anne-Marie O'Connor	S.E.O.	Kieran Doherty

Representing An Bord Pleanála:

Anne-Marie O'Connor, Assistant Director of Planning
Stephen Rhys Thomas, Senior Planning Inspector
Kieran Doherty, Senior Executive Officer

Representing Prospective Applicant:

Edward Brady, Foster Stack Limited
Niall White, Foster Stack Limited
Simon Clear, Simon Clear & Associates
Paula Shannon, Simon Clear & Associates
John Fleming, John Fleming Architects
Rachel Moore, John Fleming Architects
Gordon Poyntz, (Lohan Donnely Consulting Engineers
Gavin Foy, AIT Urbanism and Landscape
Emmett Power, John Fleming Architects

Representing Planning Authority

Shane Sheehy, Senior Executive Planner
Peter Nelson, Executive Planner
Claire Casey, Senior Executive Engineer
Elaine Carroll, Executive Engineer

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 21st January 2019 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 17th December 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, scale and massing
2. Residential Amenity
3. Visual Impact
4. Car/Cycle Parking – quantum and design
5. Eastern By-Pass reservation
6. Childcare Provision
7. Surface Water - Flood Risk
8. Legal Covenant
9. Any other matters

1. Building height, scale and massing

ABP sought further elaboration/discussion on:

- Issues raised in the planning authority submission

Prospective Applicant's response:

- Design of proposal is informed by the issues in the area such as height and density
- The substantial size of the site can set its own design parameters
- Brownfield site with a currently derelict warehouse building
- Site is well serviced including a Quality Bus Corridor
- Z1 zoning in the development plan
- Adjacent to the growing UCD campus
- Cognisant of Ministerial Guidelines on height
- 5th floor is set back
- Doesn't break the tree line height
- H plan design maximises natural light
- High number of dual aspect apartments
- Frosted glass and set back distances prevents overlooking
- Minimum 11 metre distance from neighbours (except one neighbour has developed close to the boundary)
- 50-60 metres from the houses to the rear, on St Thomas's Road and there is existing tree screening
- With regard to apartment design standards and in this context SPPR4 is more relevant than SPPR3

Planning Authority's comments:

- Concerns regarding relationship with neighbours

Further ABP comments:

- A greater range of long sections through the site and neighbouring properties
- Demonstrate relationship with neighbouring houses
- Prepare a statement regarding the building height in relation to the receiving environment

2. Residential Amenity

ABP sought further elaboration/discussion on:

- The amenity of future residents

Prospective Applicant's response:

- Proposal is a private rented sector model in response to the housing crisis
- Communal areas provided, including gymnasium, lounges, play areas, terrace, media/cinema room, and two guest suites for visitors
- No overlooking
- Screening to be considered for balconies
- Close to St Helen's Park and also UCD's facilities

- Totally sprinklered apartments allow for more flexible design and open plan living
- Shaded play areas
- Daylight/sunlight analysis has been completed. Two apartments that failed the analysis were removed

Planning Authority's comments:

- Overshadowing of residents and other issues in the planning authority report

Further ABP comments:

- Application should provide a rationale for the plan and the amount of light to existing and proposed residential units.

3. Visual Impact

ABP sought further elaboration/discussion on:

- Visual impact of the proposal

Prospective Applicant's response:

- Existing trees will screen the building
- Four new London plane trees will be added to the street scape
- Landscaping of site
- Wide grass verge
- Planting in front of ground floor apartments
- Raised table footpath proposed
- Set down area required for taxis, etc. (currently outside the red line)
- Currently three entrances to the site

Planning Authority's comments:

- Interface between pedestrians and cars
- Public footpath to remain as is
- Liaison required regarding any set-down area

Further ABP comments:

- The front of the site requires further discussion between the PA and applicant
- Ensure DMURS compliant

4. Car/Cycle Parking – quantum and design

ABP comments:

- Quantum of parking for build-to-rent housing
- Design of the ramp and cycle access

Prospective Applicant's response:

- 77 parking spaces proposed for the basement plus 3 surface spaces
- BTR accommodation has a lower requirement for parking
- Basement will accommodate car sharing companies
- All parking spaces can have electric charging points

- Extensive single stack bicycle parking
- Car ramp is steep so separate lower incline bicycle ramp
- Quantum of bins to be re-examined
- A parking management document will be submitted

Planning Authority's comments:

- Concern over separate cycle access to parking
- Neighbours may have issues with the lower parking provision

Further ABP comments:

- Application should illustrate why less parking spaces are required
- Demonstrate how the proposal works for cyclists, how will the ramp work in the dark, there should be lighting and good passive supervision from proposed apartments

5. Eastern By-Pass reservation

ABP comments:

- Current status of the Dublin Eastern By-Pass reservation

Planning Authority's comments:

- A long-term objective of the development plan
- No current funding
- The comments in the planning authority report are for clarity and certainty and all developers are similarly advised

Prospective Applicant's response:

- Development is outside of the protected corridor
- A technical response with regard to traffic noise will be prepared

Further ABP comments:

- Applicant should acknowledge and address how the by-pass will impact on the development

6. Childcare Provision

ABP comments:

- Has assessment been done

Prospective Applicant's response:

- Low demand likely for BTR, therefore no provision
- One-bed units unlikely to have children
- The number of two-bed units is below the required threshold
- Assessment of providers in the area will be done
- Play areas are provided

Planning Authority's comments:

- The provisions in the area should be assessed

Further ABP comments:

- A childcare demand report is required
- Advisable to contact the DLRD Childcare Committee

7. Surface Water - Flood Risk

ABP comments:

- Not possible to submit any further information after application

Planning Authority's comments:

- Issues with the foul water
- Additional foul loading
- Capacity issues
- Surcharging issues

Prospective Applicant's response:

- Outfall is to downstream of existing sewer issues
- Downstream of surcharging manholes

Further ABP comments:

- Have further discussions with Irish Water, don't assume there are no issues

8. Legal Covenant

ABP comments:

- Any update on the progress of the legal covenant

Prospective Applicant's response:

- Covenant being progressed with the client's solicitors
- Covenant may be long-term as long-term finance is expected

Further ABP comments:

- The planning application requires a proposed covenant or legal agreement

9. Any other matters: Part V Agreement

ABP comments:

- Engagement should take place with DLRD

Applicants Comments:

- Progress is being made with the planning authority

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
- Proposed development must be specifically described in public notices as build to rent housing for long-term rental housing
- 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

Anne-Marie O'Connor,
Assistant Director of Planning

4th February 2019