



An  
Bord  
Pleanála

## Record of Meeting

**ABP-303303-18**

<b>Description</b>	101 no. apartments. High Park, Grace Park Road, Drumcondra, Dublin 9.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	13 <sup>th</sup> February 2019	<b>Start Time</b>	10.44 a.m.
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	11.40 a.m.
<b>Chairperson</b>	Tom Rabbette	<b>E.O.</b>	Mark Kielty

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Planning Inspector
Mark Kielty, Executive Officer

### Representing Prospective Applicant:

Katharine Larkin, Newground Limited
Angela Tunney, Respond
Colin Brennan, David Kelly Partnership
David Kelly, David Kelly Partnership
Kenneth Hegarty Hegsons Consultants
Gerry Kane, AEGC Geotechnical Engineering Consultants
Gwen Tierney, Landmark Limited

### Representing Planning Authority:

Siobhan O'Connor, Senior Executive Planner
David Freeland, Assistant Planner

### 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 28<sup>th</sup> of 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 the 21<sup>st</sup> of 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.

**Discussion took place in relation to this being a second pre-application consultation request.**

**ABP comments:**

- The Board queried as to why the applicant had begun the application process, initiating a second pre-application meeting when there had been no material change from the development as proposed in the first pre-application process that had concluded. The Board asked why the prospective applicant was entering into another pre-application process on a development proposal that has not materially changed from the previous proposal. The Board's representatives raised concerns that this may set an undesirable precedent. The intention of the SHD process is to fast track such applications and provide certainty around the timelines involved. In that context, and to protect the procedures involved, the Board queried why a new pre-application process was entered into.
- No merit based assessment takes place of the documentation submitted at pre-application stage. The issues raised at the previous pre-application meeting were to be dealt with at application stage, i.e. when formally submitting the application. The purpose of pre-application meeting is to form an opinion as to whether the documents submitted with the consultation request constitute a reasonable basis for an application or require further consideration and amendment. The forming of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application does not preclude the applicant for making an application on the lands

- An Bord Pleanála are to advise whether to submit application under the previous application number or this one

**Applicant's Comments:**

- The Opinion received from An Bord Pleanála, together with comments from PA at last pre-application meeting, raised issues around density – queried whether to amend this part of the plan or provide justification for proposed density
- Since there is no provision for further information at application stage, the applicant felt that they should begin the application process again in order to address the issues raised at previous meeting

**Agenda**

- 1. Development strategy for the site to include residential density, in the context of local and national policy**
- 2. Other matters to include interaction with Protected Structures; residential amenity; connections; childcare provision; transport and traffic; archaeology and appropriate assessment**

- 1. Development strategy for the site to include residential density, in the context of local and national policy:**

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

- Address issue of density as raised in previous Opinion

**Prospective Applicant's response:**

- Outlined rationale for density proposed

**Further ABP comments:**

- The arguments set out by the applicant justifying their density must be clearly outlined when submitting their application. This must include existing residential units on site and clearly show excluded land when calculating
- 2. Other matters to include interaction with Protected Structures; residential amenity; connections; childcare provision; transport and traffic; archaeology and appropriate assessment:**

**ABP comments:**

- Address specified information, as detailed within previous Opinion, within any subsequent application

**Applicant's Comments:**

- Port Tunnel: Very little impact on the Port Tunnel and have resolved TII's concerns. A report relating to this has been submitted to the Dublin City Council
- Conservation/Protected Structures: No major issues, however, additional height may impact on the visual appearance of the nearby chapel and convent and could be considered to be overbearing

- Public consultations were carried out; overall feedback was generally positive; special attention was given to preserving landscaping of the site and the setting of former Magdalene Laundry buildings
- Consideration given to future connectivity
- Query around where site notices should be displayed

**Planning Authority's comments:**

- Will look at all potential connectivity on all applications

**Further ABP comments:**

- All information should be included in application; no provision for further information at application stage

**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  
March, 2019