



An
Bord
Pleanála

Record of Meeting

ABP-303355-19

Description	143 no. Build to Rent apartments, Roselawn and Aberdour, Stillorgan Road, Foxrock, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	13 th February 2019	Start Time	2.30 p.m.
Location	Offices of An Bord Pleanála	End Time	4.20 p.m.
Chairperson	Tom Rabbette	S.A.O.	Ellen Morrin

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen Rhys Thomas, Planning Inspector
Ellen Morrin, Senior Administrative Officer

Representing Prospective Applicant:

Amy Lee, Granville Hall Partnership
Dermot Clancy, Granville Hall Partnership
Richard Doorly, Henry J Lyons Architects
Claire Pierce, Henry J Lyons Architects
Sean Cassidy, Mitchell's Landscape Architects
Dave Kirkwood, Mitchells Landscape Architects
Joe Gibbons, Waterman Moylans Consulting Engineers
Elaine Hudson, Thornton O'Connor Town Planning
Patricia Thornton, Thornton O'Connor Town Planning

Representing Planning Authority

Enda Duignan, Assistant Planner
Liam Walsh, Senior Planner
Brendan McArdle, Executive Engineer
Bernard Egan, Senior Executive Engineer
Johanne Codd, 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 30th 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 16th January 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.

Agenda

1. Building height, scale and massing
2. Residential Amenity
3. Visual Impact
4. Car/Cycle Parking – quantum and design
5. Pedestrian linkage
6. Surface water management
7. Legal Covenant
8. Any other matters

1. Building height, scale and massing

ABP sought further elaboration/discussion on:

- Outline how the proposed development fits in with the new Urban Development and Building Height Guidelines for Planning Authorities 2018 published since the previous permitted application on the site.
- Shadow Analysis, in terms of adjacent and proposed development.

Prospective Applicant's response:

- Previous scheme was on a smaller site
- Proposal is of an increased scale on a larger site
- Similar height relationship with adjoining housing development
- High quality development, extensive balconies, glazing and residential amenity
- Shadow is a key tenant of the height guidelines – this balance between height and shadow was the basis for the design structure of the buildings

Planning Authority's comments:

- N11 has the potential to accommodate taller buildings
- Satisfied that Block A of the proposal is within the said Guidelines.
- Concerns with overall scale and form of Block B and its impact on residential amenity of properties in the vicinity

Further ABP comments:

- Suggest that the Prospective Applicant take additional CGIs to illustrate impacts to do with height, scale and massing to adjacent property.

2. Residential Amenity

ABP sought further elaboration/discussion on:

- Rationale for the building aspect/orientation – noting the potential for less daylight at lower level apartments
- Movement of people through the development
- Landscaping and screening
- Sprinkler system and apartment internal layouts

Prospective Applicant's response:

- A 22m separation distance between apartment block A and B in the centre of the scheme with 17.5m at the end of each block
- Apartments on ground floor may have less light but have large balconies
- Existing trees at the north boundary will be retained and are important to alleviate overlooking
- Tree canopy spread is accurate in the drawings
- Trees will be planted where there are gaps in the tree line
- Sprinkler system allows better layout of apartment space by losing the fire lobby from the layout

Planning Authority's comments:

- Concern that separation distances between blocks is not in line with current Development Plan
- As the proposal has a 7-storey building height, it is considered reasonable that a 22m separation distance between the blocks is provided at a minimum
- Impacts in terms of overshadowing of the podium courtyard

Further ABP comments:

- Prospective Applicant is encouraged to liaise with the Parks Department of Planning Authority regarding tree retention and the provision of semi-mature trees on site, where necessary and as indicated by the applicant

3. Visual Impact**ABP sought further elaboration/discussion on:**

- The visual impact of the entrance to the development on the character of Knocksinna Court

Prospective Applicant's response:

- Low impact on the street, it is sympathetic to its surroundings
- Location of entrance chosen to address car headlight impact on the proposed dwellings
- Proposed scheme is to be gated

Planning Authority's comments:

- Footpath of Knocksinna Court should not be obstructed by vehicle when the proposed new vehicular gate is opening

4. Car/Cycle Parking – Quantum and Design**ABP sought further elaboration/discussion on:**

- Reduced car parking spaces in light of apartment guidelines and B2R policies

Prospective Applicant's response:

- The car parking provision of 93 spaces is suitable to the rental market
- Car parking is not allocated. Residents can choose to rent a car parking space with an apartment

- 36%-47% of residents will commute by car
- QBC beside the site
- Use of five Go Car Spaces in the scheme
- Adjoining Knocksinna Court road is in the ownership of the prospective applicant

Planning Authority's comments:

- Reduction in car parking standards maybe appropriate, SPPR 8 of the Design Standards for New Apartments – Guidelines for Planning Authorities 2018, refers
- Given the nature of proposal, build to rent, reduction in car parking may be acceptable
- Lack of sufficient off-street car parking spaces may create inappropriate/illegal parking on adjoining roads, i.e. parking over-spill
- Insufficient off-street car parking space for the proposed development will set a precedent for other development in adjoining sites

Further ABP comments:

- A Management Plan for car parking would be beneficial.
- Suggest further discussions with planning authority on managing car parking and what the appropriate quantum should be.
- Omission of some surface car parking spaces could ensure the greater likelihood of tree retention along the northern boundary.

5. Pedestrian Linkage

ABP sought further elaboration/discussion on:

- Consideration of a universal access relating to pedestrian connectivity between the N11 and Knocksinna Court, given the changes in ground levels
- Use of pedestrian link 24 hours a day
- Safety of pedestrian link at night
- Maintenance and insurance responsibility

Prospective Applicant's response:

- Pedestrian link is integrated and a number of alternative routes and approaches have been considered
- Provides appropriate transition of pedestrians through the site
- Pedestrian access taken around trees that are required to be kept
- Some trees are outside prospective applicant's ownership
- Pedestrian link is 2.5m wide and is fully lit
- Level difference is not appropriate for wheelchair users
- Prospective Applicant will maintain the link

Planning Authority's comments:

- There is a planning gain to get as much pedestrian accessibility as possible
- The link should be accessible by vulnerable road users
- Residents would have to request the Planning Authority to take the public right-of-way in charge in accordance with the Planning and Development Act 2000, as amended.

Further ABP comments:

- Suggest that the Prospective Applicant and the Planning Authority discuss the best possible proposal for the pedestrian link, in terms of universal access.

6. Surface Water Management

ABP sought further elaboration/discussion on:

- Surface water management in the context of previous requirements within the existing permission on the site.
- The requirement for a pumping station

Prospective Applicant's response:

- Not aware of flooding issues at Knocksinna Court
- No pumping station required

Planning Authority's comments:

- Flooding remedial works such as ramps, double gullies to resolve flooding issues
- Request measures for uncontrolled run-off from proposed scheme

Further ABP comments:

- Consider comments of the Planning Authority in relation to surface water run off
- Liaise with Planning Authority to further identify issues

7. Legal Covenant

ABP sought further elaboration/discussion on:

- Legal Requirement for Covenant
- Draft of Legal Covenant

Prospective Applicant's response:

- Aware of need to have a legal covenant under SPPR 7 of the 2018 Apartment Guidelines
- Draft covenant in consultation with the Planning Authority

Planning Authority's comments:

- Form of the legal covenant could be in accordance with section 47 of the Planning and Development Act 2000, as amended which provides for agreements regulating development or use of land
- May conduct research with Dublin City Council in this regard

Further ABP comments:

- Prepare draft covenant in consultation with the Planning Authority

8. Any Other Matters

Planning Authority's comments:

- Use of the gated access by future developers for adjoining lands.

Prospective Applicant's response:

- Can be accessed in partnership with the Management Company of the scheme

Prospective Applicant's comments:

- Request Planning Authority to allow access from N11 for construction phase of the scheme

Planning Authority Response:

- Access from N11 may be considered for the construction phase of scheme

Further ABP comments:

- Suggest engagement with the Road Department of the Planning Authority on access for construction phase.

Conclusion

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 **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

The representative of ABP informed the Prospective Applicant to contact the Strategic Housing Division for details on how to lodge a planning application for the proposed development.

Tom Rabbette
Assistant Director of Planning
March, 2019