



An
Bord
Pleanála

Record of Meeting

ABP-303505-19

Description	192 no. apartments replacing 56 no. apartments permitted under D15A/0247 and PL06D.246601. Clay Farm (Phase 1C), Ballyogan Road, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th February 2019	Start Time	14:00 p.m.
Location	Offices of An Bord Pleanála	End Time	15:00 p.m.
Chairperson	Tom Rabbette	E.O.	Ciaran Hand

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Joanna Kelly, Senior Planning Inspector
Ciaran Hand, Executive Officer
Aoife Duffy, Executive Officer

Representing Prospective Applicant:

Sean O'Neill, Park Developments
Dick Cuddihy, Park Developments
John McAndrew, Park Developments
Michael Hussey, O' Mahony Pike Architects
Orla O'Kane, O' Mahony Pike Architects
Thomas Jennings, DBFL Consulting Engineers
Paul Forde, DBFL Consulting Engineers
Thomas Burns, Brady Shipman Martin
Paul Turley, John Spain Associates

Representing Planning Authority

Louise McGauran, Senior Planner
Michele Costello, Senior Executive Planner
Naoimh Fleming, Executive Planner
Claire Casey, Senior Executive Engineer
Bernard Egan, Senior 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 15th February 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 18th 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. Residential Amenity
2. Traffic and Transportation to include issues raised in planning authority's opinion
3. Surface Water Management to include issues raised in planning authority's opinion
4. Any other matters

1. Residential Amenity

ABP sought further elaboration/discussion on:

- Qualitative nature of amenity associated with the proposed units
- Sunlight and daylight analysis and target values used for analysis
- Outlook from the ground floor studios
- Management of communal/shared accommodation areas
- Whether this development is build-to rent or private scheme
- Clarity regarding location of bicycle areas

Planning Authority's comments:

- The sunlight and daylight are below target values
- 37% of units are dual aspect
- The site is not constrained therefore, dual aspect could be increased
- Clarity is required regarding any overshadowing on existing structures
- There should be a 35m separation distance for any buildings 3-4 storeys high

Prospective Applicant's response:

- Sunlight and daylight have been examined and they will exceed the target values
- Increasing the percentage of dual aspect can be examined
- Bicycle areas will be at surface level
- A 35m separation distance can be achieved
- Intended to be a private scheme

Further ABP comments:

- The use of labels for identifying windows in daylight/sunlight analysis should be clear
- Provide justification for any reduction in sunlight and daylight to units that are below target values
- Some areas of open space have limited sunlight and should consider quality of residential amenity associated with these areas

2. Traffic and Transportation to include issues raised in planning authority's opinion

ABP sought further elaboration/discussion on:

- Comments from Transportation Department in particular that the proposal is considered premature having regard to temporary nature of access road to access site
- Status of Elmfield junction

Prospective Applicant's response:

- Road access across open space lands adjacent Elmfield development cannot be provided as it is in 3rd party ownership
- Proposal ensures connectivity to these lands
- The access road to the north of the site encroaches onto open space as per the extant permission
- A detailed design up to the party boundary can be provided

- Permeability will be ensured on any proposed roads
- Studies have shown that road capacity is not an issue regarding the use of the temporary access road

Planning Authority's comments:

- The road (to north) is located on Zoned F1 lands
- A link road to adjoining third party lands is desired
- An application could be considered premature having regard to phase 1 condition
- The permitted link road access across open space (on adjoining phase) is temporary
- Upping the quantum is premature pending delivery of loop road
- CPO of third party lands not appropriate in this instance
- Taken in charge plan should be submitted
- Any proposed roads layout need good permeability
- Parking capacity and storage needs to be addressed

Further ABP comments:

- Address the concerns of the P.A regarding the phase 1 condition
- Clarify pedestrian and cycle routes
- Consider submitting a Mobility Management Plan
- Superimpose the layout on the zoning objectives for the lands

3. Surface Water Management to include issues raised in planning authority's opinion

ABP sought further elaboration/discussion on:

- Drainage concerns outlined in the P.A report

Prospective Applicant's response:

- Concerns outlined in the P.A report will be addressed

Planning Authority's comments:

- Provide detail on flooding and use updated CFRAM maps
- No major outstanding issues

Further ABP comments:

- Address the concerns outlined in the P.A report
- No further information mechanism under SHD process

4. Any other matters

ABP comments:

- Give consideration to concerns raised by PA regarding external finishes
- Clarity regarding provision of Part V and whether agreed with PA

Planning Authority's comments:

- Ensure that the red line is around the entire site
- This is a standalone application and not an amendment

- Can talk with the prospective applicant regarding construction access

Applicants Comments:

- Part V is in one block (E3) on adjoining site due to shared basement car parking and this will be handed over to the Iveagh Trust
- The quality of open space will be addressed
- Construction access on the main road needs permission

ABP comments:

- Ensure sufficient interest in lands contained within red line boundary
- Ensure phasing is clear and examine open space quality

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

Tom Rabbette,
Assistant Director of Planning

March 2019