



An  
Bord  
Pleanála

## Record of Meeting ABP-303756-19

<b>Case Reference/Description</b>	319 no. student bedspaces with an ancillary cafe. 355 South Circular Road, Dublin 8.		
<b>Case Type</b>	Section 5 Pre-Application Request		
<b>Date</b>	1 <sup>st</sup> April, 2019	<b>Start Time</b>	2.30pm
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	3.20pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Aoife Duffy

### Representing An Bord Pleanála:

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

### Representing Prospective Applicant:

Mary Conway, Deputy Dublin Planner
Nessa Moylan, Executive Planner
Stefan Lowe, Senior Executive Architect

### Representing the Planning Authority:

Kealan McCluskey, Applicant
Glen Barry, ShipseyBarry Architects
Artur Czubak, ShipseyBarry Architects
Rob Goodbody, Historic Building Consultants
Denis O'Sullivan, Murphy Matson O'Sullivan
Gerard van Deventer, DK Partnership
Carl Dixon, Dixon Brosnan
Grace Corbett, Irish Archaeological Consultancy
Tom Phillips, Tom Phillips + Associates
Miguel Sarabia, Tom Phillips + Associates

## **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 18<sup>th</sup> March, 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 5<sup>th</sup> March, 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. Integration of proposed scheme with adjoining scheme on SDRA site and potential impacts on existing residential amenity**
- 2. Daylight and Sunlight Analysis having regard to concerns raised by planning authority.**
- 3. Drainage having regard to comments from Drainage Division**
- 4. Any other Matters**

## **1. Integration of proposed scheme with adjoining scheme on SDRA site and potential impacts on existing residential amenity**

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

- SDRA proposals and how the proposed scheme integrates with these proposals
- How the previous reasons for refusal pertaining to the site have been addressed
- Potential impacts to existing residential amenity

### **Planning Authority Comments:**

- Phase 1 of the site is complete
- No master plan for phase 2, it is still in design stage and there are changes to be made
- Proposed development should have regard to proposed plans for the SDRA site to ensure integration
- EIA is required for the SDRA scheme
- Boundary detail pertaining to proposed development may need to be examined in more detail

### **Perspective Applicants Comments:**

- Discussion with the Planning Authority were not up to date, not aware of the recent proposal regarding phase 2 of the development
- Massing has been revised to address previous reason for refusal on site
- Careful consideration given to finishes and materials used in the design of the buildings
- Will provide evidence of 2 different layout proposals that the planning authority has/is considering on SDRA to demonstrate how proposal has been designed to integrate with adjoining site
- Will engage further with the Planning Authority

### **ABP further Comments:**

- Would be useful for the perspective applicant to see the proposals for the SDRA and to be kept informed of any changes
- Concerns of the Planning Authority should be addressed with regards to boundary issues
- Elevation where the proposed ESB Substation and bike racks should be further refined
- Further consultations with the Planning Authority is advised

## **2. Daylight and Sunlight Analysis having regard to concerns raised by planning authority.**

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

- Concerns raised by the PA in their opinion relating to this matter.
- Overshadowing and sunlight concerns pertaining to existing adjoining residential properties

**Perspective Applicant's Response:**

- Sunlight will be enhanced by using bright paint and finishes in the rooms
- Target values can be increased and will demonstrate this as part of application
- Will examine the reasons for the previous refusal and address issues

**Planning Authority Comments**

- A revised more comprehensive sunlight analysis is needed
- Should meet the standard in all the rooms i.e. corners in rooms and areas where there is awkward configuration
- Would like a good selection of rooms to be sampled

**ABP further Comments:**

- Overshadowing concerns need to be addressed
- Overshadowing details for December should be included in analysis

**3. Drainage having regard to comments from Drainage Division****An Bord Pleanála sought further elaboration/discussion on:**

- Concerns raised in the planning authority's opinion in respect of drainage including taking in charge issues

**Perspective Applicant's response:**

- Will clarify issues raised
- Has been in consultation with planning authority

**Planning Authority comments:**

- Satisfied with the perspective applicant's response

**4. Any other Matters****ABP sought further elaboration/discussion on:**

- Whether footpath to the site frontage is to be taken in charge
- Justification on the size of the café / clarity regarding exact nature of use

**Prospective Applicant's Response**

- Will address issues raised

## 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  
April, 2019