



An
Bord
Pleanála

Record of Meeting ABP-304524-19

Case Reference / Description	Demolition of existing pre-fab classroom structure, construction of 536 no. units (104 no. houses and 432 no. apartments) and associated site works. Lands east of St. Paul's College, Sybil Hill Road, Raheny, Dublin 5.		
Case Type	Section 5 Pre-application Consultation Request		
Date:	28 th June, 2019	Start Time	2.30pm
Location	Offices of An Bord Pleanála	End Time	3.30pm
Chairperson	Tom Rabbette	Executive Officer	Aoife Duffy

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen Rhys Thomas, Senior Planning Inspector
Aoife Duffy, Executive Officer

Representing Prospective Applicant:

Patrick Crean, Marlet Property Group
Emma Gosnell, Marlet Property Group
Simon Clear, Simon Clear and Associates
Darren Quaille, Simon Clear and Associates
Thomas Burns, Brady Shipman Martin
Jim Dowdall, Enviroguide Consulting
Anthony Horan, OCSC Engineers
Paula Shannon, Simon Clear and Associates

Representing Planning Authority:

Mary Conway, Deputy Dublin Planning Officer
Kieran O' Neill, Landscape Architect, Parks and Landscape Services Division

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 20th June 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 24th May 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. Planning Policy and Regulatory Environment - National and Local**
- 2. Reasons for Refusal-Previous application**
- 3. Any other matters**

1. Planning Policy and Regulatory Environment - National and Local

ABP sought further elaboration\discussion on:

- Given that guidelines have been published since the original application was made, the building height guidelines and their consideration in the design of the proposed development should be expanded upon.

Planning Authority comments:

- Satisfied with the height of the proposal, the close proximity of the Dart could also provide a rationale for height.
- Prospective Applicant could examine other design approaches as to not infringe on the views in St. Anne's Park.
- Prospective Applicant should explore a better design solution which would minimise encroaching on St Anne's Park.

Prospective Applicants response:

- The rationale for height stems from local planning policy, the close location of the Dart and up to 8 storeys would have a suitable context in terms of the wider parklands.
- The height guidelines will be addressed at application stage and may look at other solutions.

Further ABP Comments:

- Take note of any new regulations, such as those that concern EIA.
- Ensure that procedures for submitting an EIAR are adhered to in terms of the Department's online portal (and other matters).
- Examine the Planning Authority's comments and consult further with them as necessary.

2. Reasons for Refusal – Previous Application

ABP sought further elaboration\discussion on:

- The reasons for refusal issued in the most recent decision of the Board and whether the applicant is satisfied that they can address same, were discussed at a high level.

Prospective Applicants response:

- Have examined the previous reasons for refusal, it is intended to provide survey data from two winter periods and will provide specific details on the data results, to be included in any documentation submitted.
- Once extensive research has been carried out, it should demonstrate that there is no adverse effects on relevant species and will use appropriate scientific data to demonstrate at application stage

PA Comments:

- Information in the NIS report must be sufficient and any errors need to be addressed
- Cumulative impacts in the NIS will need to be addressed
- There are still some points of concern and these will be discussed further with the prospective applicant
- Taking in charge details should be provided
- There is a preference for the zoning objective of 25% public open space to be met and not divided around the site.

- Quality of the landscape design is important

Further ABP Comments:

- Examine each reason for refusal and address at application stage
- Ensure that the scientific data is in place and accompanies any EIAR and NIS, perhaps contained in appendices.
- Consult further with the Planning Authority as necessary
- Put forward a robust rationale for the landscape plan given the context of the site and the land zoning objective

3. Any Other Matters

ABP Comments:

- It would be extremely useful if the planning report detailed a chronology of events, specifically in relation to recent planning applications and legal challenges as appropriate.
- Address the concerns as detailed by the planning authority and provide a rationale at application stage for the proposed development where/if it differs from the planning authority's perspective.
- Consult further with the Planning Authority as required.

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 **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
July, 2019