



An  
Bord  
Pleanála

## Record of Meeting ABP-304838-19

<b>Case Reference / Description</b>	Demolition of existing structures, construction of 347 no. Build to Rent apartments, creche and associated site works. Newtown, Malahide Road, Dublin 17.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	20 <sup>th</sup> August, 2019	<b>Start Time</b>	2.30 pm
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	3.30 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Cora Cunningham

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Karen Hamilton, Planning Inspector
Cora Cunningham, Executive Officer
Hannah Cullen, Executive Officer – observing

### Representing Prospective Applicant:

Martin Healy, Applicant
Matt Farrell, Applicant
John Fleming, JFA Architects
Myles McSwiney, JFA Architects
Joe O'Reilly, JOR Consulting Engineers
Seamus Nolan, NRB Traffic Consultants
Johnny Park, Parkwood Landscape Architects
Richie Dalton, 3DDB
Paul Turley, JSA

### Representing Planning Authority

Nicola Conlan, Senior Executive Planner – Environment and Transportation
Diarmuid Murphy, Senior Executive 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 1<sup>st</sup> August, 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 5<sup>th</sup> July, 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. Impact on traffic along the Malahide Road, vehicular and pedestrian connectivity around the site, including Grove Lane and proposed allocation of parking spaces.**
- 2. Development Strategy for the site to include inter alia:**
  - **Architectural Response and external material rationale, in particular frontage along the Malahide Road,**
  - **Layout, design of interface areas and boundary treatment around the site, including the First Stop garage to the north, Malahide Road and rear road facing the apartments along the east,**
  - **Quality and design of open space provision including sunlight analysis and surveillance,**
  - **Daylight and sunlight analysis for existing apartments and surrounding sites.**
  - **Access and appropriate provision of refuse for residential and commercial.**
- 3. Quantum and quality of the provision of shared services, childcare and residential amenity provision.**
- 4. Any other matters.**

**1. Impact on traffic along the Malahide Road, vehicular and pedestrian connectivity around the site, including Grove Lane and proposed allocation of parking spaces.**

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

- The inclusion of the bollards from Grove Lane, at the rear of the site
- Site history regarding capacity, access onto Malahide Road and, use of the signalised junction at Grove Lane and its integration into proposed development
- The integration of the proposal with the existing footpaths and use of boundary treatment
- Allocation of parking spaces in the basement for both residential and retail

**Prospective Applicant's response:**

- The private lane to rear of the site is within Tesco ownership and the PA have not yet taken it in charge
- 30m of Grove Lane from Malahide Road in prospective applicant's ownership, remainder in Tesco ownership
- There is no knowledge on the ownership of the wastelands at the rear of the site
- The building line along the front of the site will be setback along Malahide Road
- The existing palisade fence will be removed around the site and boundary fence provided to allow pedestrian permeability through to Malahide Road
- Unsure why Tesco have not allowed area to be taken in charge
- More connections have been created and integrated into the design following section 247 meetings with PA
- First Stop have an outstanding lease on the adjacent site and the applicant included indicative layouts for the site with the possibility of integration in the future

**Planning Authority's comments:**

- Upgrades proposed outside of prospective applicant's ownership and the red line should include all works and provide connectivity to the surrounding area
- Look at proactive measures and a shared travel plan, having regard to the existing residential development and the newly approved SHD adjacent approved site in relation to providing options to train station

**Further ABP comments:**

- All works, including connection to surrounding pathways should be included within the red line boundary
- Include in application how proposed development will be treated if adjacent site is developed in the future and if no future development takes place
- Address pedestrian connectivity and how public domain is treated
- Have regard to PA Opinion in relation to the Traffic and Travel Plan and their comments in relation to electric charging spaces and car club
- Residential Management Plan to investigate the potential connections to train station

**2. Development Strategy for the site to include inter alia:**

- **Architectural Response and external material rationale, in particular frontage along the Malahide Road,**
- **Layout, design of interface areas and boundary treatment around the site, including the First Stop garage to the north, Malahide Road and rear road facing the apartments along the east,**
- **Quality and design of open space provision including sunlight analysis and surveillance,**
- **Daylight and sunlight analysis for existing apartments and surrounding sites.**
- **Access and appropriate provision of refuse for residential and commercial.**

**ABP comments:**

- There is no specific issue with height although the scale and linear treatment of Block B is excessive having regard to the dominant location along the Malahide Road
- Possible investigation of the inclusion of winter gardens along the Malahide Road to protect residential amenity of future occupants
- Ensure the documentation includes justification/ compliance with any height requirements, with particular reference to the SHD file on the adjoining site
- Demonstrate that the proposed development will not prejudice any future development on the adjacent site to the north
- Photomontages don't give clear details of duplex units at the rear and these should integrate an active street frontage
- The crèche play area does not meet required sunlight standards
- Active play areas should be included in the overall design as per the apartment standards
- The impact of the proposed development on the Clarehall apartments has not been fully assessed as the documentation refers to possibility of dual aspects and require further consideration
- The design should integrate the requirements of the apartment guidelines in relation to location and size and provision of appropriate refuse facilities

**Prospective Applicant's response:**

- The proposal has been revisited on foot of PA Opinion, with design changes, proposed materials and finishes changed, additional work is being carried out to improve the scheme
- Bulk of proposed development overlooking amenity, fully active frontage provided along Malahide Road
- Will consider the provision of winter gardens
- The gable wall along the north will be designed to assume the adjacent garage is not redeveloped and will consider future development of the site
- Prospective applicant has sought to engage formally with Tesco, will engage further
- Public open space to be gated at night
- Majority of units have dual aspects, will give further details in application
- Will address guidelines in relation to refuse proposals as necessary

**Planning Authority's comments:**

- Ensure sizable presence on proposed site using high quality material finishes
- No objection to proposed height
- Agreement required with Parks and Landscape Department in relation to hours the park will be open to the public
- Concern in relation to adjacent garage and possible future development, address in application
- Address boundary treatment and how public open space will be managed
- Ensure sunlight is available for as long as possible
- Address visual assessment in relation to sunlight and daylight assessment
- Have regard to microclimate
- Consult with IAA and DAA in relation to solar panels

**3. Quantum and quality of the provision of shared services, childcare and residential amenity provision.**

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

- Crèche size and offsetting places in Clare Village crèche
- The use and management of the shared works space, residential amenity space and the gym

**Prospective Applicant's response:**

- Crèche size is appropriate to the unit mix proposed and further elaboration will be provided in the application
- Residential amenity has been increase since the plans where submitted and all areas including the co-working etc. will be for private residents use

**Planning Authority's comments:**

- Consult with DCC Childcare Committee

**4. Any other matters:**

**ABP comments:**

- EIAR Screening Report to be submitted, the schedule 7a information is noted
- Address possible issues in relation to flight path into Dublin Airport
- Address any possible issues relating to proposed height and/or any material contravention

**Applicants Comments:**

- Address microclimate in application

**Planning Authority's comments:**

- Will engage in further discussions with PA

## 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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Rachel Kenny  
Director of Planning  
September, 2019