



An  
Bord  
Pleanála

## Record of Meeting

**ABP-305078-19**

<b>Description</b>	485 no. residential units (484 no. apartments and 1 no. house). Former CIE Lands, Carnlough Road, Cabra, Dublin 7.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	18 <sup>th</sup> September, 2019	<b>Start Time</b>	9:30am
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	10:45am
<b>Chairperson</b>	Rachel Kenny, Director of Planning	<b>E.O.</b>	Hannah Cullen

### Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Lorraine Dockery, Senior Planning Inspector
Fiona Fair, Planning Inspector (observing)
Hannah Cullen, Executive Officer

### Representing Prospective Applicant:

Conor Delahunty, Royalton
Ken Parker, Royalton
Graham Tyler, Tristan
Kristian Smyth, Tristan
Stephanie Byrne, JSA
Mary McMahon, JSA
Des Twomey, Plus
Michael O'Reilly, OCSC

### Representing Planning Authority

Siobhan O'Connor, Senior Executive Planner
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## **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 **4<sup>th</sup> September 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 **8<sup>th</sup> August 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. Amendments from that previously permitted under File No. ABP-300491-17**
- 2. Any other matters**

## 1. Amendments from that previously permitted under File No. ABP-300491-17

### ABP sought further elaboration/discussion on:

- Main alterations proposed includes for, inter alia, increase in no. of units by 65 no; amendment to block layouts and amendments to elevations of Blocks A,D and F
- Reduction in commercial element; increase in resident amenity facilities
- Clarity required on whether this is a Build-to-Rent scheme
- If not Build-to-Rent, concerns regarding extent of resident amenity facilities proposed and rationale for same; their uses/functionality; their long-term operation, management and maintenance
- The prospective applicant would need to demonstrate that the extent of such facilities would not become an onerous burden on residents of the scheme going forward, in particular given extent of studio/one-bed units proposed. Unlikely that such concerns would arise if this were a Build-to-Rent scheme, due to the management regime that would be in place
- In terms of increase in units proposed, highlighted serious concerns in relation to reduction in quality of scheme from that permitted under ABP-300492-17, in particular with regards increase in single aspect units and reduction in daylight/sunlight standards. Increased density not a concern, how it is being achieved raises issues
- May be able to achieve a higher density on site without such compromise on quality of units
- Many of the single aspect units are east facing units overlooking a main railway line; queried basis of calculation for dual-aspect units- concerns that figure for single aspect units may be higher than that stated in documentation- clarity regarding same required- split windows not deemed as dual aspect
- BRE guidance in relation to daylight/sunlight should be largely achievable given that this is a brownfield site, with little in the way of site constraints
- Proposed scheme is marginal in terms of meeting minimum standards in relation to these matters
- No issues raised in relation to elevational treatment/finishes

### PA Comments:

- Queried the actual uses of the units/spaces.
- Clarification as to whether construction has begun on the granted development.
- Fundamental concern with the overall quality.
- Justification should be sought for large number of single aspect units to the east overlooking a railway line, more noise disturbance in this area.
- Satisfied with layout of public plaza.

### Prospective Applicants response:

- Keeping options flexible, can be clarified in the planning application if it is going to be build to rent.
- Change in owners from applicants in previous SHD application.
- Works are underway for what has been permitted, clearing the site
- Adhered to the standards and are fully compliant with minimum standards of section 28 guidelines.
- Responding to change in the 2018 guidelines; noted that 66% of the apartments are bigger than minimum standards.
- Will submit a justification for the mix in the apartments

- Focused on affordability of the units.
- Queried whether they could split the proposed scheme, with build to rent and build to sell units
- Reason the layout remains unaltered is because construction has commenced on site.

**Further ABP Comments:**

- Application should clearly show aspect of all units, whether single, dual or triple
- Proposed development is marginally above minimum standards; serious concerns relating to overall quality of the scheme and level of amenity being afforded to future occupants
- No issue with a build to rent scheme , needs to be advertised as such
- Part build to sell and build to rent have been seen in use together before.
- If build to sell, needs to detail the uses/extent of amenity spaces and how they will be managed into the future without being an onerous burden on future occupants

**2. Any other matters**

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

- Liaise with Irish Water, Planning Authority and their internal departments.
- Reiterated need for a scheme that provides a living environment for future occupants and which enhances the wider area

**Prospective Applicants response:**

- Materials, finishes and facades have been improved.
- BRE report shows lighting has improved from 92% to 96%
- 70,000 cubic meters has been cleared in a short amount of time showing dedication to the project
- Feedback has been constructive
- Waiting for response from Irish Water
- Screening report carried out showing the works are below EIAR threshold.
- Will be future proofing the development.
- Issue of material contravention will be looked into.
- Limitations to the price point of the scheme so the units are varied at a price point people can afford.
- Committed to providing an affordable place to live

**Further ABP Comments:**

- No provision for further information at application stage
- Ducting for electrical charging in the basements now a condition of any grant of permission in such developments
- The merits of the application are not being discussed however achieving minimum standards is not best practice and raises concerns.

## 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  
October, 2019