



An
Bord
Pleanála

Record of Meeting ABP-305255-19

Case Reference / Description	101 no. apartments and all associated site works. Land within the grounds of Castle Park School, Castle Park Road, Dalkey, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	30 th September, 2019	Start Time	10.00 am
Location	Offices of An Bord Pleanála	End Time	11.15 am
Chairperson	Tom Rabbette	Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Planning Inspector
Cora Cunningham, Executive Officer

Representing Prospective Applicant:

Eugene Larkin, Applicant
Stephen Little, Stephen Little and Associates Town Planners
Eoin Newman, Stephen Little and Associates Town Planners
Robert McCauley, McCauley Daye O'Connell Architects
Niamh Guven, McCauley Daye O'Connell Architects
Ulick Burke, Kavanagh Burke Consulting Engineers
Declan O'Sullivan, Kavanagh Burke Consulting Engineers
Shaun Grima, Aecom Consulting Engineers
Declan O'Leary, Cunnane Stratton Reynolds Landscape Architects
Maoliosa Molloy, Molloy Conservation Architects

Representing Planning Authority

Cáit Ryan, Senior Executive Planner
Alex Fahey, Assistant Planner
Mark Freeman, Senior Executive Engineer (Transportation)

Mary Hegarty, Senior Executive Engineer (Public Lighting)
Paul Conlon, A/Executive Parks Superintendent

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 17th 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 23rd 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. Development Strategy having regard to, inter alia, the two local objectives for the lands, set out in the Dun Laoghaire Rathdown County Council Development Plan 2016-2022**
- 2. Residential Amenity in the context of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', March 2018**
- 3. Childcare Provision**
- 4. Response to the issues raised in the Planning Authority Opinion, submitted to An Bord Pleanála on 17th September, 2019**
- 5. Any Other Matters**

1. Development Strategy having regard to, inter alia, the two local objectives for the lands, set out in the Dun Laoghaire Rathdown County Council Development Plan 2016-2022

ABP sought further elaboration/discussion on:

- The Development Plan sets out two local objectives for the area
- 'To protect and / or improve institutional use in open lands'
- 'To protect and preserve trees and woodlands'
- Further justification and assurance required around these local objectives, in particular with respect to protection of trees and woodlands
- It is acknowledged that there is a recent, permitted, live permission for a residential scheme of 50 residential units on the same footprint as the subject application

Prospective Applicant's response:

- Highlights that there is an existing permission for larger 2 and 3 bedroom residential units on the proposed site
- It is submitted that the current proposal is similar to the permitted development in terms of footprint, massing, scale and height
- NPF and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018, published since previous permission granted
- NPF reference 1 and 2 bed units. Urban Design and Building Height Guidelines for Planning Authorities (2018) support increased building height and density in accessible locations
- The permitted residential development on the site comprises a majority of large 2 and 3 bedroom units, some in excess of 100 sq.m
- The subject application seeks to increase density and typology in the area having cognisance to new National Apartment Guidelines
- Cognisance is had to the landscaped / wooded character of the site. The subject proposal extends part of the central portion of the building some 4m to the south, with a consequent loss of 12 additional trees to that of previous permission
- The eastern boundary with Castle Park School is to remain in-situ and landscaped strip of trees and woodland will create buffer with school lands to the east and rear gardens of houses to the south
- Trees will be replaced as part of ongoing woodland plan. The woodland character/nature of the site is to be retained and protected, as a feature of the development, with the proposed development integrated into this unique landscape character
- An Arborist Report was carried out and submitted with the pre-application
- An Arborist will be on site during ground works and construction of the development
- Issues raised by PA will be clarified in an application and a Construction Management Plan will be prepared and submitted
- Construction compound proposed together with tree root protection plan
- The lands have been separated from the Castle Park School use for some time now. Castle Park School has been extended within this time and there are ample grounds around the school to cater for expanding educational needs of the area

- The School Management has raised no issues with the proposed development

Planning Authority's comments:

- Ensure tree loss and category correlated, there is some ambiguity in the Arborist Report submitted
- Address how trees will be protected during construction
- Require arborist on site during construction
- Designated institutional land, masterplan requirement remains an issue that still needs to be addressed, masterplan should include proposed development and school lands

Further ABP comments:

- There is a need to address the requirement for a Masterplan and Institutional Lands Objective in an application
- A large number of objections were submitted in respect of the previous application on this site and objections raised need to be taken into account and issues addressed going forward
- The reports from the Department of Culture Heritage and the Gaeltacht relating to Archaeology and Architectural Heritage and the requirement for an Archaeological Impact Assessment should be addressed in any application submitted

2. Residential Amenity in the context of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', March 2018

ABP sought further elaboration/discussion on:

- Doubling of the number of units / density within the footprint and height of the permitted scheme. How is this being done in terms of adherence to minimum standards set out in the Guidelines
- Protection of residential amenity is important, in particular, in terms of dual aspect, minimum floor area sizes and private open space
- A requirement for clear delineation/colour coding of floor plans indicating which apartments are dual/single aspect
- It is important that the proposal meets and exceeds the minimum standards in terms of dual aspect (50%)

Prospective Applicant's response:

- It is submitted that over 40% of units are single aspect, with 56 % being dual aspect, this will be clarified and clearly identify in an application
- Market demand has changed since previous application. There is a demand for a greater mix and larger units (GFA's) previously proposed have been reduced in favour of smaller units which still exceed minimum floor areas

Planning Authority's comments:

- No additional comments than what had been outlined in PA Opinion

Further ABP comments:

- Not clear from submitted pre-application drawings which units are dual and single aspect, clarify in application and include colour coding
- Minimum 50% of units should be dual aspect, clarify in application
- Clarify/demonstrate that the floor areas proposed are exceeding minimum apartment guidelines standards

3. Childcare Provision

ABP sought further elaboration/discussion on:

- Issues raised in PA Opinion in relation to non-provision of childcare facility
- Analysis of capacity in the area required

Prospective Applicant's response:

- No childcare unit being provided due to change in unit types (64 two bed and no three bedroom units) the proposal is below the 75-number threshold and, therefore, not required
- Number of spaces that would be required (c. 20) would not be commercially viable on the site
- Undesirable to have additional creche traffic, serving the wider area, accessing via Castle Park School Avenue access
- Will have regard to comments in PA Opinion and address in an application

Planning Authority's comments:

- More childcare analysis needed for area including analysis of demographic profile of area
- The planning authority do not have information on childcare capacity in the area and consider this may be a concern

Further ABP comments:

- Has existing childcare facilities been looked at in area
- Have regard to objections that may be raised if there is no capacity in the area

4. Response to the issues raised in the Planning Authority Opinion, submitted to An Bord Pleanála on 19th September, 2019

ABP comments:

- Is the proposal 'Build to Rent'
- Uses proposed in residents club building
- Submit Building Lifecycle Report
- Clarify management of proposed amenity space
- Ensure good quality finishes of interior and exterior communal areas
- Provide Shadow Impact Assessment of wider area including issues raised by PA
- Provide detail on construction access and management
- Clarify issues pertaining to drainage connections
- Justify car parking numbers and types proposed
- Architectural heritage protection, applicant should respond at application stage to DAU report received in relation to the pre-app

Prospective Applicant's response:

- Proposed development not designed as Build to Rent
- Pavilion area will be a residential amenity area over and above the norm and will be used as a gym or communal area which will be owned by residents
- Will have regard to DAU comments and address in application, doesn't appear DAU raised issue in previous application
- DAU have asked applicant to liaise directly with them in advance of lodging application
- The DAU requires that in the event of an application an Archaeological Impact Assessment should be prepared to assess potential impact
- Bicycle parking has been increased in the proposed development
- Dart stations well within walking distances of proposed development having regard to the apartment guidelines and NPF
- GoCar to be provided in proposed development
- Carparking provision lower, in line with apartment guidelines, carparking management plan will be submitted
- Ducting will be provided in all parking spaces
- Large balconies proposed, did not want to restrict views, controlled aspect on balconies at east and west ends of proposed development

Planning Authority's comments:

- PA wanted clarity in relation to Build to Rent
- Concerns from Conservation Officer submitted in report accompanying PA Opinion, issues were outlined at section 247 meetings also
- Quite a number of details still need to be addressed
- Disabled and motorcycle parking required
- Have regard to PA cycle parking standards
- Have regard to auto track analysis especially visitor parking
- Proposed development is in excess of 1km from all Dart stations
- Proposed site can take higher density but carparking provision not in line with number of units proposed. The Development Plan states that the site is located within Zone B therefore there is a requirement for 1.1 spaces per unit
- The planning authority do not have an issue with proposed density, however, access, car parking provision, childcare provision and residential amenity are key considerations
- Have regard to visual impacts, photomontages and public lighting
- Consider treatments of balconies and terraces
- Address potential impacts on protected structures
- Address issues raised in various reports submitted with PA Opinion

5. Any other matters**ABP comments:**

- Clarification regarding walking distance to Dart stations
- Address public lighting on site

Applicants Comments

- Irish Water submission to ABP sets out that both the water and waste water networks must be extended to accommodate this development. No statutory consents will be required for the wastewater extension other than a road opening licence from the LA. Permission to lay a water main in the road will be required from third party owners for the water network extension
- The waste water extension and upgrade is proposed via Castle Park Close cul de sac which is taken in charge
- IW advises that subject to a valid connection agreement being put in place the proposed connection to the IW network can be facilitated
- No watermain on same road as foul water, will address in application
- Watermain connection proposed via Castlelands cul de sac – ROW
- Storm water located on same road as foul water
- Lighting proposals had regard to woodland area, bats and adjoining houses
- Proposed development designed to be permeable, woodland will be private residential amenity with controlled pedestrian access

Planning Authority's comments:

- Drainage Department available for further discussions on proposal
- Provide clear analysis regarding walking distances to Dart station
- Will a gated access be provided through Castle Close
- Wooded area unsafe to light, gives false sense of security
- Proposed development will need full lighting redesign

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
October, 2019