



An
Bord
Pleanála

Record of Meeting ABP-306159-19

Case Reference / Description	Demolition of structures on site, construction of 119 no. apartments and associated site works. Frankfort Castle, Old Frankfort, Dundrum, Dublin 14.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	6 th February 2020	Start Time	14:00 p.m.
Location	Offices of An Bord Pleanála	End Time	15:10 p.m.
Chairperson	Tom Rabbette	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Ronan O' Connor, Planning Inspector
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

Michael Hussey, O'Mahony Pike Architects
Siobhan Holohan, O'Mahony Pike Architects
Niall Barrett, Cronin Sutton
Robert Fitzmaurice, Cronin Sutton
Tom McGimsey, Mesh
Calum Kirkwood, DFLA
Luke Stewart, ARUP
Scott Caldwell, Metec
Seamus Donohoe, Tom Phillips & Associates
Oliver Reid, Tom Phillips & Associates
Maurice Tunney, Hardwicke
Brian Keeley, Wildlife Surveys Ireland
Jessica Silva, Cronin Sutton

Representing Planning Authority

Julieanne Prendiville, Executive Planner
Ger Ryan, Senior Planner,
Shane Sheehy, Senior Executive Planner
Tom Kilbride, Executive Engineer, Transportation
Bernard Egan, Senior Executive Engineer
Dara O' Daly, Executive Parks Superintendent, Park

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 January 2020 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 13th December 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. Residential Standards (floor areas/dual aspect/internal daylighting etc)
2. Neighbouring residential amenity
3. Transport including parking provision/infrastructure improvements
4. Trees/Ecology
5. Childcare Facilities
6. Site services
7. Any other matters

1. Residential Standards (floor areas/dual aspect/internal daylighting etc)

ABP sought further elaboration/discussion on:

- Clarity of the nature of the application – References to a total 6 no. studio units appeared to be incorrect/Block D is shared accommodation with 10 no. bedspaces/Floor areas of studios/shared bedspaces and communal areas need to comply with standards.
- The overall management of the proposed development.
- Questioned if the apartment units will be build-to-sell or build-to-rent.
- The proportion of dual aspect units
- Daylight/sunlight analysis of the proposed units/clarity required in relation to the worst-case units selected
- Separation distances between Block B and D.

Planning Authority's comments:

- Broadly open to development at this location
- More explanation of the nature of the development is required.
- In relation to dual aspect – corner units are a concern
- Satisfied with revised daylight and sunlight analysis
- A separation distance of 10 meters is close i.e. between Blocks B and D.

Prospective Applicant's response:

- Block D will be shared accommodation
- All of the accommodation will be managed by one management company.
- There is a precedence of shared accommodation not being a build to rent.
- Dual aspect provision is 51%
- Provision of high level windows to some of the units can be looked at.
- Rooms for daylight/sunlight are meeting standards
- Treatment of windows to Block D can be reviewed in order to mitigate against overlooking.

Further ABP comments:

- Clarify if this proposed development is a build to sell or a build to rent.
- A covenant may be required.
- Shared accommodation implies build to rent as per the Apartment Guidelines 2018.
- Follow the guidelines in relation to bed spaces and communal standards
- Examine using high level windows

2. Neighbouring residential amenity

ABP sought further elaboration/discussion on:

- Potential impacts on surrounding residential dwellings, having particular regard to overlooking/impact on daylight/sunlight levels and overshadowing of rear gardens.

Planning Authority's comments:

- Noted that the submitted report outlined impacts on surrounding residential amenities.

Prospective Applicant's response:

- In relation to overshadowing, was noted that there are marginal breaches for two neighbouring rear gardens.
- Sunlight impacts are minimal
- In relation to impacts the assessment does not take account of the existing trees – these will impact on gardens already.

Further ABP comments:

- Seek to minimise any breaches
- Address potential overlooking to/from end gable windows.

3. Transport including parking provision/infrastructure improvements

ABP sought further elaboration/discussion on:

- Proposed car parking provision.
- Existing and proposed footpath infrastructure.
- Connectivity through the site/routes to the north-west of the site

Planning Authority's comments:

- Require a ratio of 1:1 provision.
- The Board should have regard to the county development plan
- 0.9 is below the rate of car ownership
- There should not be a lower rate than 0.9 or 0.85 car parking per unit
- Ensure cycle parking is in accordance with design standards.
- Even with or without surface parking – there should be adequate cycle parking
- The proposed footpath should be continued to the raised table on site.
- The footpath is cutting across the site
- Queried the legal rights to the proposed access to the north-west of the site.
- There is an existing access to the north therefore the link to the north-east is not too much of a concern
- Provision of a footpath is desirable.

Prospective Applicant's response:

- Car parking provision will be reviewed
- A footpath is being provided - going through the site to avoid impact on trees
- Cannot provide a footpath to the raised table as an area of land to the east of the site is not within the applicants control
- Ambiguity regard access rights to the proposed access to the north-west.

Further ABP comments:

- Car parking should have regard to, inter alia, Section 28 guidance. Further consideration of surface car parking provision, in context of improving on site amenity for residents.
- If north-west pedestrian route not possible this area could provide additional amenity for residents.
- Replacement planting could be used to lessen the impact of the footpath on trees.

4. Trees/Ecology

ABP sought further elaboration/discussion on:

- Tree loss
- Ecology and habitats – particularly in relation to bats

Planning Authority's comments:

- Tree removal is 78%.
- There is a unique collection of trees.
- Concerned regarding the long-term potential of retained trees.
- Trees at the perimeter should be retained.

Prospective Applicant's response:

- The best trees are being retained
- Trees at the boundary site and southern site are being retained
- The retained trees are young and are of high quality
- NPWS have accepted mitigation measures in relation to bats.

Further ABP comments:

- Outline tree removal/trees to be retained/tree protection measures.
- Outline mitigation measures in relation to ecology and bat roosting

5. Childcare Facilities

ABP sought further elaboration/discussion on:

- Capacity of existing childcare facilities

Planning Authority's comments:

- Childcare facilities in the local area are at full capacity
- There should be provision on site.

Prospective Applicant's response:

- A small creche would not be viable for a development containing bed spaces
- A capacity assessment has been submitted

Further ABP comments:

- Consult with the Dun Laoghaire Childcare Committee
- Discuss issue further with the Planning Authority.
- There is no further information sought at application stage.

6. Site services

ABP sought further elaboration/discussion on:

- Foul sewer and site services

Planning Authority's comments:

- Examine if there will be trees planted over attenuation tanks
- The final manhole should be within the site boundary

Prospective Applicant's response:

- Any outstanding issues will be resolved

Further ABP comments:

- Resolve any outstanding issues

7. Any other matters.

ABP comments:

- In relation to AA screening, note that this development is relatively close to the Slang River.
- Sought comment from applicant's conservation advisor.

Applicants Comments:

- Noted re AA screening.
- Existing structure is not protected/not on the NIH

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
February, 2020