



An
Bord
Pleanála

Record of Meeting ABP-306506-20

Description	730 no. Build to Rent apartments, creche and associated site works. 'Marmalade Lane', Gort Muire, Dundrum, Dublin 14.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	25 th March, 2020	Start Time	11:30am
Location	Offices of An Bord Pleanála	End Time	1:30pm
Chairperson	Tom Rabbette	E.O.	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant: (via Microsoft Teams)

Rob Miley, Lioncor
Michael White, Lioncor
Trevor Sadler, MCG Planning
Peter Dudley, STW Architects
John Montgomery, NMP landscape architects
Paul Casey, Punch Engineering

Representing Planning Authority (via Microsoft Teams)

Marguerite Cahill, Planning
Lorraine O'Hara, Landscape and Biodiversity
Bernard Egan, Drainage
Darragh Gavin, Admin
Shane Sheehy, Planning

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. This meeting was carried out online by all parties using Microsoft Teams due to COVID-19. 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 February 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 24th January 2020, 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 for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; and interface with surrounding development.**
- 2. Support Facilities and Services including communal facilities and amenities, support services and management.**
- 3. Pedestrian / Cycle Connectivity & Access to Ballawley Park.**
- 4. Residential Amenity: open space / play areas, aspect of units, access to daylight and sunlight, wind impacts, overlooking and impact on existing dwellings.**
- 5. Architectural Heritage**
- 6. Transportation & Carparking**
- 7. Site Services**
- 8. Issues raised in the Planning Authority report dated 20.02.2020 submitted to the Board on the 20th February 2020.**
- 9. Any other matters**

1. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; and interface with surrounding development.

ABP sought further elaboration/discussion on:

- The site of the proposed development is zoned A, with a number of protected structures in proximity.
- Transitional nature of the area and proposed site.
- Justification for how the development would contribute to place making given its location.
- Connectivity is an important element of the proposal
- Justification of the height of the buildings and proximity of Blocks to the boundaries, in particular Blocks D and G proposed to the south and south east of the site given proximity and potential impact on adjoining suburban housing (Westley Lawns).
- Justification for proximity of Blocks to boundaries and potential to materially impact upon the future development of adjoining lands.
- Clarification with respect to ownership of trees to the south of the site, and their protection.
- Block C which is located west of adjoining housing to the east and potential for overshadowing and/or other potential impacts.
- Orientation and relationship of apartment Block G with housing to the south (Westley Lawns)
- Justification for interfaces of the blocks with one another.
- Greater visual analysis of the development by way of clear CGI's & Photomontages
- There is a need to address the Institutional Lands Objective, as set out in the Dun Laoghaire Rathdown County Council Development Plan 2016 – 2022, in any application, particularly in light of a recent HC judgement.

PA comments:

- Overall serious concern with the scheme, in particular, with relation to impact on adjoining lands zoned residential and impact upon residential amenity of adjoining low rise suburban housing.
- Proposed height constitutes a gross deviation from current traditional low rise suburban housing, transitional nature of the site is not taken into account.
- Concern with respect to overlooking and over-bearing impacts
- Proposal Materially Contravenes the County Development Plan.
- Planting should not be relied on solely for mitigation measures.
- Concern with respect to proximity of Blocks to boundaries and potential to materially impact upon the future development of adjoining lands, in particular, St. Tiernan's School lands.
- Level of detail included in the documentation and inaccuracies within documentation submitted makes the proposal deficient, lacking and difficult to form in-depth analysis.

Prospective Applicants response:

- Elements of the former institutional uses are reflected in this scheme.
- Permeability/connectivity through the site is a key determinant in the layout proposed.

- The layout proposed includes an opportunity to open up the lands to public links and Ballawley Park.
- Development will assist in providing pedestrian and cycle connectivity to the south east of site.
- The reduction in car parking proposed is linked with the high level of connectivity and proximity to transportation links and services serving the site.
- The proposed development has regard to its context. It is contended that this site can appropriately integrate the level of development proposed.
- Block C is orientated away from the boundary with L-shape layout, there is a mature boundary established with a distance of 35-45 meters between the existing residential units and proposed Block C.
- Block G to the north of Wesley Heights will not give rise to overlooking due to orientation and design (gable wall), the proposed apartments are orientated perpendicular to this boundary.
- Trees to the south of the site are located on both adjoining lands and within the application site.
- Landscaping will be used to provide softer buffer zones.
- Pages 9 and 10 of the architectural design statement shows the evolution of the site.
- As the crow fly's the site is located within close proximity of Dundrum shopping centre and the Luas at Ballawley, connectivity through the site will be improved.
- The tallest element of the scheme is located some 100m away from Ballawley Park.
- The proposal will not have a negative visual impact upon the surrounding environment.
- A landmark building is appropriate on this site
- Materials and Finishes shall be to a high specification and quality.

Further ABP comments:

- If the proposed 15 storey height is to form part of the application as currently proposed, the application should include a response to the planning authority's concerns
- Greater visual analysis of the development. Photomontages and CGI's at application stage to demonstrate the scale of the development in the context of the smaller housing units. The quality of the development in terms of material finishes and design of façades are paramount.
- There is a need to justify the rationale and appropriateness for a landmark building of the height proposed, in terms of both the immediate and wider context.
- Proximity of blocks and screening to balconies should be considered.

Further Prospective Applicants comments:

- A shadow study including daylight analysis will be included at application stage.
- All issues arising shall be worked through in collaboration with the planning authority.
- Comments have been noted regarding particular blocks facing lower rise/smaller scale housing units.

2. Support Facilities and Services including communal facilities and amenities, support services and management.

ABP sought further elaboration/discussion on:

- Lack of detail provided on the residential amenity areas, planned uses for each area, further details of gym/sports facilities required.

PA comments:

- There is a lack of definition given for the facilities proposed.
- Creche would be required in a development like this.
- Convenience and coffee shop not deemed as community facilities for calculations.
- Distance walking from Block G to the main community facility areas is lengthy, scope to reconsider.

Prospective Applicants response:

- Further elaboration will be supplied on the facilities around Blocks D and E and how they will work within the overall scheme.
- Creche is proposed at 500sqm for use to entire community, 300sqm coffee shop, community centre 955-1000sqm.
- Facilities placed in the central area to encourage social interaction.
- Design of spaces have been enhanced significantly since lodging the preapplication, more in-depth details will be supplied at application stage.

Further ABP comments:

- It is necessary to provide nature/type of all spaces and justification of resident support facilities, resident services and amenities and how they will be managed.

3. Pedestrian / Cycle Connectivity & Access to Ballawley Park.

ABP sought further elaboration/discussion on:

- Clarification if Ballawley Park is public and the opening hours.
- Concerns with deliverability of access routes to the park. The delivery of a cycle route shown through the park connecting to the development on documentation submitted was queried.
- Area to be taken in charge between Wesley Lawns and Greenmount Lanes to St. Tiernan's School.
- Encourage further liaison between the planning authority and applicant. All issues arising with respect to connectivity to public park and public / private areas should be clarified at application stage.

PA comments:

- No cycle way in the park currently.
- Connections are welcomed, however there is a lack of detail with respect to how the entrance will fit into the park.
- Nature of the connection between Block D and the park needs to be clearly set out and agreed with the p.a.
- Park is open 24 hours.

- Cannot confirm who is in charge of Wesley Heights cul de sac connection currently.

Prospective Applicants response:

- Proposing to open the avenue to the north west of Ballawley Park, can coordinate and have further dialogue with the parks department of the council.
- Ongoing discussions currently with the parks department regarding accesses.
- No designated cycle route at present.
- There is a dead end at Greenmount Lane, however it is proposed that future accessibility can be provided.
- Proposed to create 1 connection to the school from the scheme and 2 to the areas taken in charge.

4. Residential Amenity: open space / play areas, aspect of units, access to daylight and sunlight, wind impacts, overlooking and impact on existing dwellings.

ABP sought further elaboration/discussion on:

- 40.7% of the net area is public open space.
- Justification that the open space provision accords with policy RES5: Institutional Lands of the Dun Laoghaire Rathdown County Development Plan 2016 – 2022.
- Have meetings occurred between the planning authority and the applicant regarding landscape and open space?
- Details of hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding.
- Further consideration/justification to be given in relation to the percentage of dual aspect units.

PA comments:

- Of the opinion subject site formed part of domain (institutional lands)
- Spaces allocated for Block A are not useable.
- Peripheral areas are a main concern in relation to open space provision.
- Further engagement is welcomed from the applicant.
- Clarity is needed with regard to landscape design, play rational and provision, the quantum and quality of the open space provided, accessibility.
- Clarity needed about dual aspect/single aspect units in Block B, as many dual aspect units to be included as possible, looking at a percentage of 50% realistically.
- Bay window not considered to count towards dual aspect in terms of the Guidelines.

Prospective Applicants response:

- Shared environment created for pedestrians and cyclist.
- Main Green area is usable for a kickabout area, 2 formal play areas have also been incorporated into the proposed development.
- Play strategies can be further illustrated, comment by planning authority is noted.
- Blocks E, F and G demonstrate communal open space by using blurred edges, no railing will be used.
- 36% dual aspect units without bay window currently.

- Submit that the proposal exceeds the minimum standard and will put forward the argument in relation to appropriateness of meeting the 50% dual aspect percentage.

Further ABP Comments:

- Further liaison is recommended between the planning authority and the applicant.

5. Architectural Heritage

ABP sought further elaboration/ discussion on:

- Impacts on protected structures around the proposed site.
- Architectural heritage report required.
- Visual Impact Assessment required.

PA comments:

- Request additional visual aids to be provided at application stage, along with details/imagery of mitigation measures proposed.

Prospective Applicants response:

- There will be a full architectural and cultural heritage report chapter provided in the EIAR at application stage.
- Blocks are 70m away from protected structure. The 1970s wing is poor quality and will provide a buffer. Walled Garden site is 45m from the Chapel.

6. Transportation & Carparking

ABP sought further elaboration/ discussion on:

- Proposed car parking should be set out clearly on drawings, also illustrating which are allocated for club-car and e-charging.
- Justification required for car parking quantum proposed in terms of connectivity to Dundrum Shopping Centre and the Luas.

PA comments:

- Targets not being reached in relation to car parking spaces per unit.
- Important to include a quality audit at application stage.
- Justification of car parking and management in order to deal with concern of overspill to adjoining streets.

Prospective Applicants response:

- Justification for the number of car parking spaces provided is due to promotion of sustainable modes of transport.
- Location is very well served with surrounding amenities and transport.
- 0.41 car parking spaces per unit for this scheme, with the inclusion of the shared go-car service this can bring the total up to 0.60 spaces per unit.
- 866 cycle parking included on site.
- National policy encourages reduced car parking for areas well-served by transport.

- Existing and proposed priority bus routes need to be taken into account, the site is in close proximity to Dundrum shopping centre and Ballawley Luas.
- There is scope to decrease the distance of 1km to 700m through the site to the Luas Green line, this will be explored further in any subsequent application.

7. Site Services:

ABP sought further elaboration/ discussion on:

- Agreement/clarity with Irish Water on the foul sewer should be provided, applicant to ensure all technical details are resolved prior to any application being submitted.

PA comments:

- Unclear of the details mentioned in Irish Water's submission.
- Further engagement needed between Irish Water and the applicant regarding the issues in their report.
- Water main is located under the attenuation tank, this needs to be resolved.

Prospective Applicants response:

- Discussion has taken place between the applicant and Irish Water, no upgrades are required, can include these details at application stage.
- A statement of design compliance from Irish Water will be supplied.
- Further information around the landscaping elements can be discussed with the planning authority.

8. Issues raised in the Planning Authority report dated 20.02.2020 submitted to the Board on the 20th February 2020.

ABP sought further elaboration/discussion on:

- Further comments of importance from the planning authority not mentioned in their report submitted?
- Landscape design and placemaking, existing flora and fauna
- The need to address ecology, biodiversity and wildlife.
- Tree protection and retention

PA comments:

- High number of units with individual en-suites and no main bathroom is of concern in terms of adaptability and quality of residential amenity.
- 88% of current trees to be removed, 30% category B, tree protection and retention on site is important.
- Very little use of native tree planting proposed on the site, possibility to relook at this.

Prospective Applicants response:

- Bathrooms have now been provided to all units.
- Full EIAR is being prepared to deal with any issued regarding ecology, biodiversity and wildlife.
- Tree lines and hedgerows of sensitivity surrounding the trees will be been taken into consideration.

- Tree removal of category U tree has been recommended.
- More realistic figure lies within the 50% mark of removal.
- Plan is to mitigate the removal of the trees by planting numerous others/repopulate.
- Badger set located in the north west to the site can be looked at in more detail.

9. Any other matters:

ABP sought further elaboration/discussion on:

- The importance of placemaking and integration of the proposal within the surrounding area.

Planning Authority comments:

- All serious concerns have been outlined along with issues included in our report submitted, nothing further to add.

Prospective Applicants response:

- Number of changes have been made to the proposed development since last pre-application meeting.
- Willing to discuss the extension of the red line boundary with Ballawley Park further with the planning authority, will seek a letter of consent if there is scope.

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 [cgsdesignqa@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

Tom Rabbette
Assistant Director of Planning
May, 2020