



Case Reference / Description	142 no. apartments and all associated site works. Walled Garden, Gort Mhuire, Dundrum, Dublin 14.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	11 th May, 2020	Start Time	9.30 am
Location	Remotely Via Microsoft Teams	End Time	10.30 am
Chairperson	Tom Rabbette	Senior Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Karen Kenny, Senior Planning Inspector
Cora Cunningham, Senior Executive Officer

Representing Prospective Applicant:

Shaun Thorpe, Marlet
Des Twomey, Plus Architecture
Vincent Barrett, Barrett Mahoney Consulting Engineers
Brenda Butterly, McGill Planning Limited

Representing Planning Authority

Marguerite Cahill, Case Officer
Ger Ryan, Senior Planner
Shane Sheedy, Senior Executive Planner
Claire Casey, Transportation
Bernard Egan, Drainage
Lorraine O'Hara, Parks

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) via Microsoft Teams having regard to the Covid-19 virus.

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 12th March, 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 14th February, 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. Car Parking**
- 2. Issues raised by Irish Water in relation to water and wastewater and by the PA in relation to surface water drainage**
- 3. Any other matters**

1. Car Parking

ABP sought further elaboration/discussion on:

- Rate of car parking provision. Noted that the proposed development would reduce the car parking ratio from 0.3 spaces per unit under the approved scheme to 0.17 no. spaces per unit.

Prospective Applicant's Comments:

- Inspectors Report under ABP-304590-19 stated that it would be preferable if wall garden area could be kept free of car parking. The report also stated that there is a need to balance car parking and the protection of architectural and historic character.
- The prospective applicant proposes to eliminate most of the car parking in the courtyard area in response to issues raised in the Inspectors Report.
- National policy encourages a reduction in car parking. The site is in an accessible urban location and could be considered for near zero car parking provision.
- A higher car parking ratio would impact on the courtyard area, while the reduced provision would support a move to more sustainable modes.
- Provision of surface and underground carparking has been assessed, but issues arose in relation to the stability of the wall.
- Can provide further justification in relation to the rate of car parking.

Planning Authority's Comments:

- The conservation considerations are valid, but this does not offset the need for car parking.
- The approved ratio of 0.3 spaces per unit is one of the lowest approved in DLR. The proposed scheme would reduce this further to 0.17 spaces per unit.
- The site is well located but is not a central site or suitable for zero provision. The PA would have concerns in relation to the resulting demand for car parking and the potential for overspill onto surrounding roads.
- The submitted documents do not show how carparking will be managed.
- There is concern, given the constraints in relation to car parking, that the proposal may represent an over development of the site.

ABP Comments:

- The site is not considered a central site in the context of the car parking standards set out in the Apartment Guidelines.
- There is a need to address the level of car parking proposed in the context of a proposal to increase unit numbers.
- The Board accepted a low level of provision under the previous application and in doing so appeared mindful of the conservation status of the site. The proposed scheme would further reduce the rate of provision.

2. Issues raised by Irish Water in relation to water and wastewater and by the PA in relation to surface water drainage

ABP sought further elaboration/discussion on:

- Matters raised in the submission received from IW dated 19th March 2020, in relation to the capacity of the water supply and wastewater networks; and matters raised by the PA in relation to surface water drainage.

Prospective Applicant's Comments:

- IW issued letter in 2019 indicating no objection to the proposed development. The prospective applicant has since received a letter of Design Acceptance from Irish Water.
- The issues raised in the submission received by the Board are noted and the prospective applicant will liaise with Irish Water to ensure all issues are resolved prior to lodging an application.
- IW officials may have issued letter without knowing the history of the site and that there is an extant permission.
- In relation to surface water, the prospective applicant is addressing issues raised by the PA and will discuss with the PA.

Planning Authority's Comments:

- The perspective applicant should liaise with PA and agree surface water details prior to lodging application.

ABP Comments:

- Prospective applicant should liaise with Irish Water and the PA and resolve outstanding issues prior to lodging an application
- Should IW raise similar issues at application stage, ABP would have to be guided by the advice and may need to refuse permission on grounds of prematurity.

3. Any other matters

ABP Comments:

- PA Report refers to issues in relation to the Part V proposal – number of units and unit costs.
- PA's Conservation Officer indicates concerns in relation to aspects of the development.
- PA seek further detail in relation to the proposed pedestrian connections to adjoining lands.

Prospective Applicant's Comments:

- Will liaise with PA in relation to Part V.
- On foot of discussions at Section 247 meeting the perspective applicant has been liaising with the Department of Education and Skills in relation to the provision of pedestrian connections to the adjoining school lands. Positive engagement to date.

Planning Authority's Comments:

- In relation to Part V there appears to be an error on the drawings.

- Welcome proposed pedestrian connections. Need to address the nature of the openings and connections from Wyckham Way to schools and onto Slang and Luas in the application.
- Issues raised by the Conservation Officer have been largely considered by the Board under the previous application.

Conclusion

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
May, 2020