



An
Bord
Pleanála

Record of Meeting ABP-307227-20

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| Case Reference / Description | Amendments to a 341-no. student bed space accommodation previously permitted under 2628/17 and ABP-300241-17 to provide a 321-bed shared accommodation scheme with all associated site works. Phibsborough Shopping Centre and 345-349 North Circular Road, Dublin 7. | | |
| Case Type | Section 5 Pre-Application Consultation Request | | |
| Date: | 12 th October 2020 | Start Time | 14:08 p.m. |
| Location | Via Microsoft Teams | End Time | 15:30 p.m. |
| Chairperson | Tom Rabbette | Executive Officer | Ciaran Hand |

Representing An Bord Pleanála:

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| Tom Rabbette, Assistant Director of Planning |
| Daire McDevitt, Senior Planning Inspector |
| Ciaran Hand, Executive Officer |

Representing Prospective Applicant:

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| John Winslow, Director, Donnelly Turpin |
| Seamus Nolan, Director, NRB Consulting |
| Eddie Cassidy, Director of Construction, MM Capital |
| Derek Poppinga, Managing Director, MM Capital |
| Pauline Byrne, Partner & Head of Planning, Brady Shipman Martin |
| Sorcha Turnbull, Senior Planner, Brady Shipman Martin (Planning) |

Representing Planning Authority

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| Siobhan O'Connor, Senior Executive Planner, Planning Department |
| Ronan Murphy, Executive Planner, Planning Department |
| Gareth Hyland, Executive Planner |

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, the Local Authority (LA) 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 P.A on 22nd June 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 LA 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 26th May 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. Planning History (ABP 300241-17)**
- 2. Justification/Rationale for Co-Living Accommodation**
- 3. Residential Amenities (sunlight/daylight, noise)**
- 4. Communal Amenities/Facilities**
- 5. Traffic & Transportation (Parking & Bus Connects)**
- 6. Irish Water Submission**
- 7. Any Other Business.**

1. Planning History (ABP 300241-17)

ABP sought further elaboration/discussion on:

- Differences from the permitted scheme and what is proposed to be altered as part of the current proposal.
- Clarification of how the proposed alterations fall within the SHD remit.

Planning Authority's comments:

- Accept the additional height of 2 metres

Prospective Applicant's response:

- A shared co-living scheme is being proposed
- The retail area is slightly reduced
- Steps have been removed from the civic plaza as required by condition under ABP 300421
- The gable shop front line has been redrawn
- The service lane width has been increased
- The overall commercial floor area has been increased by 9% from the permitted application
- The restaurant/café area is the same size as previous
- This is an alteration to an existing section 34 permission
- No other uses are being proposed
- Levels have been changed
- The plaza has been opened up, universal access improved.
- The existing covenant (Tesco) has been respected.
- The rooms are 18 square metres
- There is a hub and amenity area connecting the two residential blocks
- Width of the blocks have been increased by 2.3 metres
- The building line for block C has been amended slightly
- The roof level has now become a roof terrace area with an outdoor communal amenity space
- The basement and lower ground floor has been omitted. This only served the student accommodation.
- The roof level has been raised by 2 metres. A statement of material contravention will be submitted relating to the proposed height.

Further ABP comments:

- Need to clearly detail in the documentation, and on plans to be submitted at application stage, the differences between what is being proposed in contrast to the permitted scheme
- Clarify what is being altered under the proposed SHD application and have regard to section 3 definitions/limitations of the 2016 Act
- Outline that permission is not being sought for other uses
- Ensure compliance with SHD definition
- Clarify that the basement to be removed only served student accommodation and clearly outline what will be impacted by its removal

2. Justification/Rationale for Co-Living Accommodation

ABP sought further elaboration/discussion on:

- Compliance with apartment guidelines concerning co-living
- Justification/rationale for co-living at this location

Planning Authority's response:

- Question the rationale for co-living at this location
- An evidence-based justification will be needed.

Prospective Applicant's response:

- The area contains extensive transport and employment links
- It is a short distance from Phoenix Park
- A co-living demand report will be submitted and a justification/rationale for its location.

Further ABP comments:

- Submit a rationale/justification for co-living accommodation at this location.

3. Residential Amenities (sunlight/daylight, noise)

ABP sought further elaboration/discussion on:

- Sunlight/daylight impacts
- Ratio of cook stations/living areas proposed
- Separation distances between blocks and impact on the amenity of rooms.
- Noise impacts

Planning Authority's response:

- Ensure a high standard for sunlight/daylight access
- Some residential areas are close to the cinema room, concerns around potential noise impacts arising
- Outline how residential amenities comply and if they exceed the standards

Prospective Applicant's response:

- There is a minor impact on the external amenities for the sunlight/daylight
- The courtyard to the south has a 42% level
- External terraces have been introduced as an offset
- There are two shared kitchen/ dining and living spaces in each of the two blocks
- There is an even distribution across each floor with an average of 3.7 square metres of shared amenity space per resident
- One kitchen per 5.2 residents is proposed which is similar to a house share
- The cinema has double lobbies to maintain sound and mitigate noise impact on rooms.
- An acoustic report will be submitted
- Potential noise from the service yard will be outlined
- There are mitigation elements for potential noise
- Separation distances are 10.5-17 meters between the two residential blocks

- Some windows are closer, while some are further away (compared to the previously granted student scheme)
- Closest window is 10.6 meters

Further ABP comments:

- Set out the quality and quantity of residential amenities
- Ensure sound proofing
- Submit a residential amenity report
- Show separation distances in the drawings

4. Communal Amenities/Facilities

ABP sought further elaboration/discussion on:

- Roof terraces
- Wind impact (terraces, civic plaza)
- Internal courtyard (daylight access)

Planning Authority's response:

- Consider additional amenity spaces at roof level
- Examine the use of outdoor pods

Prospective Applicant's response:

- Screening on the roof will be clarified
- Seating will have high backs
- Trying to introduce outdoor pods
- All relevant assessments/surveys to be prepared and submitted.

Further ABP comments:

- Address potential wind impacts (terraces, civic plaza)
- Communal amenities and facilitates
- Daylight/Sunlight assessments

5. Traffic & Transportation (Parking & Bus Connects)

ABP sought further elaboration/discussion on:

- Parking strategy
- Bus Connects
- Issues raised by the Transportation Planning Division

Planning Authority's response:

- Generally, accept the rationale of no car parking being provided
- Car club spaces could be introduced

Prospective Applicant's response:

- Site is well located with good transport links
- No car parking is proposed
- There are 'Go cars' in the wider area
- Attempting to get 'Go cars' for this development

- Proposed development is not relying on the bus connections or Connaught Street junction
- This will be explained at application stage.

Further ABP comments:

- Justification/Rationale for parking (or lack of) in the application
- Detail any implications on 'bus connects'
- Address 'bus connects' and Transportation Planning comments relating to the junction of Connaught Street
- There is no further information sought at application stage so issues need to be addressed in the documentation that is submitted with the application

6. Irish Water Submission

ABP sought further elaboration/discussion on:

- Irish Water required upgrades

Planning Authority's response:

- No comments

Prospective Applicant's response:

- Liaised with IW and have received design acceptance
- No outstanding issues

Further ABP comments:

- Need to address all drainage requirements and IW at application stage as there is no provision for further information under SHD.

7. Any Other Matters

- The prospective application sought clarity on whether the provision of hobs within rooms are an ABP requirements

ABP Comments:

- It was noted that the Board have in the past attached conditions requiring their provision where none were proposed.
- Submit a justification/rationale and set out your case for providing/not providing them as the case may be

Planning Authority's comments:

- No further comments

Prospective Applicant's response:

- A rationale will be provided in relation to the provision of hobs within individual rooms

Further ABP comments:

- Ensure all documents are up-to-date and correlate

- Need to be very clear on what the application is for and complies with SHD legislation.

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, 2020