



|                                     |  |                          |               |
|-------------------------------------|--|--------------------------|---------------|
| <b>Case Reference / Description</b> | 590 no. apartments, creche and associated site works. Charlestown Place, St. Margaret's Road, Charlestown, Co. Dublin. |                          |               |
| <b>Case Type</b>                    | Section 5 Pre-Application Consultation Request   |                          |               |
| <b>Date:</b>                        | 18 <sup>th</sup> November, 2020  | <b>Start Time</b>        | 09:30 am      |
| <b>Location</b>                     | Via Microsoft Teams  | <b>End Time</b>          | 12:00 pm      |
| <b>Chairperson</b>                  | Tom Rabbette   | <b>Executive Officer</b> | Hannah Cullen |

**Representing An Bord Pleanála:**

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

**Representing Prospective Applicant:**

|  |
|--|
| Ronan Barrett, Puddenhill Property Limited                 |
| Michael Bailey, Puddenhill Property Limited                |
| Shane Walsh, McCrossan O'Rourke Manning Architects         |
| David Ledwith, McCrossan O'Rourke Manning Architects       |
| Paul Moran, Pat O'Gorman & Associates Consulting Engineers |
| Ronan MacDiarmada, Ronan MacDiarmada Landscape Architects  |
| Chris Fay, Atkins Consulting Engineers                     |
| John Murphy, BMA Planning                                  |

**Representing Planning Authority**

|  |
|--|
| Deirdre Fallon, Senior Executive Planner               |
| Yolande McMahon, Executive Planner                     |
| Gemma Carr, Senior Executive Parks & Landscape Officer |
| Damien Cox, Executive Engineer                         |

## 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 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 **25<sup>th</sup> 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 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 **29<sup>th</sup> 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. Principle of Development: (TC: Zoning)
2. Design rationale, Housing Quality Assessment and detailed floor plans for the apartments. Residential Amenity in the context of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', March 2018. (Internal and external) open space provision, aspect of units and access to daylight and sunlight.
3. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; car dominance, pedestrian connectivity, boundary treatments and interaction with the Charlestown Shopping Centre, Charlestown Place and Saint Margaret's Road (public streets). Contribution to the character and identity of the neighbourhood.
4. Visual Impact Analysis, use of materials and variety in design.
5. Site Services, Surface Water Attenuation and Irish Water issues.

6. Southern Site Boundary and Wayleave.
7. Taking in charge.
8. Issues raised by the planning authority in their report dated 26<sup>th</sup> June 2020.
9. Any other matters.

## **1. Principle of Development**

### **ABP Comments:**

- Further elaboration on how the proposed scheme ties in with the expansion of the existing Charlestown Shopping Centre.
- Are the PA satisfied with the unit mix proposed and that the proposed, in the main, residential development complies with the TC zoning objective?
- Further consideration of live-work units at ground level.
- Consideration for the use for units along the central spine area to activate the proposed pedestrian street and provide facilities for the future residential population.

### **Prospective Applicant's Comments:**

- It is considered appropriate that district centre uses should be concentrated around the existing Charlestown Centre (located to the north of the proposed development) to ensure a critical mass of retail and commercial activity and complementary land uses at this location. For this reason, only a limited amount of additional retail/ commercial floorspace is proposed within the current application.
- Phase 1 and 2 of the Charlestown District Centre development included a wide mix of retail and commercial
- The proposed retail/ commercial floorspace within Blocks 1 and 2 is considered sufficient to animate and active the proposed pedestrian boulevard.
- The applicants, Pudden Hill Property, own and operate the shopping centre there is a vacancy rate of 12%. Phase 2b switched from retail to residential.
- There are medical and dental provision within the shopping centre
- Discussions were had with respect to a provision of Primary Care Centre within the development but these discussions with medical operators did not progress.
- The market does not demand further retail and office units at this location (within Phase 3) and there is a fear of vacancy.
- The inclusion of live-work units and connectivity to the street will be looked at in greater detail. 3 bed duplex units could be exchanged to include these units.
- There is a restrictive covenant from Dunnes Stores which has been placed on the proposed site lands.
- Dealing with four lane traffic at Charlestown Place, applicant proposing a new pedestrian crossing which can connect block 1, 2 and the public open space.
- The proposed Blocks 1, 2 and 3 create strong urban edges to St. Margaret's Road and Charlestown Place following the building lines and urban edges created by the Charlestown Centre to the north. These edges will be activated by a mix of retail/ commercial uses in Blocks 1 and 2 and own-door housing within Blocks 1, 2 and 3. A north-south pedestrian street is proposed linking the proposed central open space within the development with the Charlestown Centre. This pedestrian route will encourage

movement between the current application site and the Charlestown Centre, creating a new public realm element and active and passive amenity spaces within Charlestown.

- Central spine area contains many uses and will be a very active space, mandate for proposed new credit union and food services in this area.
- Discussions and consultation will be held with the PA to decide the best end users, community use possibility of a library.

**Planning Authority's Comments:**

- Emphasis on need for community and universal social needs.
- Concern lies with the dominant nature of the scheme.
- Scope to include live-work units which could provide a synergy to the streetscape.
- Proposed development needs to be viewed in a broader context, cannot say whether it is contravening the development plan yet.
- There is a percentage of community services that must be delivered due to zoning of town centre lands.
- Management of community facilities must be fully detailed and supplied at application stage.

**Further ABP Comments:**

- At application stage ensure documents lodged outline discussions with the PA regarding community services / uses / library.
- Further consideration as to whether the proposed development materially contravenes the Development Plan in relation to the zoning of the land.

**2. Design Rationale**

**ABP Comments:**

- Further details required in relation to residential amenity, internal and external.
- There is a need to demonstrate that all units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.
- It needs to be demonstrated that the open spaces are receiving sufficient light throughout the year.
- The quality of the landscaping in the pedestrian boulevard is important and will determine its success in encouraging the use of the area.
- There is a need to demonstrate the quality of sun light / day light to the pedestrian boulevard area.
- Justification is required of the dual aspect figure and colour coded plans should be submitted with any application detailing single and dual aspect units.
- Plans and drawings to detail location of own door units.
- Privacy between opposing units / blocks and screening or measures proposed to mitigate overlooking and ensure privacy for future occupants and existing residents to the south of the scheme.

**Prospective Applicant's Comments:**

- Importance of the linkage of phase 1 and phase 2 is acknowledged.

- Good integration and connectivity is required along Charlestown Place through the building form.
- The proposed Blocks 1 and 2 form the eastern and western edges to the pedestrian street and animation to the street level is provided by retail/ commercial, creche and community uses within the ground floor levels of Blocks 1 and 2.
- A new east west route is also proposed from St. Margaret's Road to connect to the lands to the west of the current application site. Combined the proposed north-south and east-west routes enhance permeability through the site and between Charlestown Place and St. Margaret's Road while creating a sense of place within the Charlestown area
- The residential element will augment the established Charlestown Centre.
- There is clear adequate separation between blocks demonstrated in the site plan.
- 2 storey element is located at the southern edge of blocks providing frontage however it will allow light to penetrate into the development.
- The applicant is satisfied the dual aspect percentage is being met.
- All balconies proposed in the scheme will be compliant.
- Apartments are generous in size and above minimum standards within the apartment guidelines.
- At a 96% compliance rate with sunlight/daylight.
- Blocks were specifically orientated and broken up to address the sunlight/daylight within the scheme.
- Just over 50% dual aspect, satisfied it will reflect a true dual aspect figure.
- The own door units are down at the southern area of the site and to the front of Charlestown Place.
- The Preliminary Daylight and Sunlight Assessment will be updated and a final Daylight and Sunlight Assessment will be submitted with the Stage 3 planning application.

**Planning Authority's Comments:**

- While the minimum BRE standards are being met in terms of sunlight / daylight to open space areas it does appear there may be a large amount of overshadowing throughout the day affecting the level of amenity.
- Own door units welcomed.
- The compensatory measures for units not meeting BRE standards will need to be detailed in any application.

**3. Development strategy for the site**

**ABP Comments:**

- The site represents an expansion of the existing Charlestown development on the northern side of Charlestown Place. It is important that the proposed scheme is visually and functionally connected to the town centre.
- There needs to strong permeability, good street frontage, pedestrian friendly links to create permeable and connected areas.
- Further consideration of building height and the bulk, scale and mass of blocks
- Architectural treatment is important.

- Number of surface car parking proposed is unclear in the documentation submitted, ensure clarity at application stage.
- Existing car parking ratio in the area queried
- The junction and pedestrian crossing, proposed at Charlestown Place, is constrained by roads/lanes. Proposals for enhancing the crossing needs to be further looked at.
- Greater pedestrian connectivity, boundary treatments and interaction with the Charlestown Shopping Centre, Charlestown Place and Saint Margaret's Road (public streets).
- The proposal needs to contribute to and enhance the character and identity of the neighbourhood.

#### **Prospective Applicant's Comments:**

- The scale and massing of the proposed development is derived from the higher density development of the Charlestown Centre to the north while acknowledging the need to step down to the lower density developments to the south and east.
- The scale of the proposed development is also influenced by the need to provide continuity of building line along St. Margaret's Road while framing Charlestown Place and providing an appropriate scale of development to the proposed internal streets.
- Building heights range from a series of 7 and 10 storey blocks (Blocks 1 to 3) along the urban edges to Charlestown Place and St. Margaret's Road.
- A 10-storey element is proposed within Block 1 at the corner of Charlestown Place and St. Margaret's Road to create a gateway effect with the established 12 storey tower to the north.
- Block 4 comprises a lower 2 to 6 storey block with the 2 storey element along the southern elevation to safeguard existing residential amenity within the established 2 storey housing at McKelvey Avenue.
- Parking allocated for creche would be of no benefit if it were to be located at basement level.
- The parking ratio proposed aligns with the intermediate location, CSO and car ownership data was viewed to assist in calculating a parking ratio figure.
- 502no. car parking spaces are proposed to serve the residential units within Blocks 1 to 4 and are provided within basement levels of Blocks 1, 2 and 4, some parking also at surface level.
- An additional 14no. spaces are provided at surface level to serve the proposed retail/commercial, creche and community units.
- Residential car parking is provided at a ratio of 0.85 which is considered to be appropriate at this Intermediate Urban Location
- The applicant will liaise further with the PA on the scope for an improved junction and pedestrian crossing.

#### **Planning Authority Comments:**

- Happy with the development strategy and the strong building line created along the main street frontages.
- Currently in favour of the parking level proposed by the applicant.
- Layout of the development has been improved however details still need to be worked out in relation to taken in charge.

#### **4. Visual Impact Analysis, use of materials and variety in design**

##### **ABP Comments:**

- Further consideration for the integration of the blocks into the area.
- Photomontages and CGI's to be provided from a longer range view.
- Use of materials and variety in design are key components to be considered.

##### **Prospective Applicant's Comments:**

- The blocks have been orientated to face the open space rather than into surrounding McKelvey housing and apartments.
- Full Landscape Visual Impact Assessment (LVIA) will be provided and a design statement will be amended.

##### **Planning Authority's Comments:**

- Scope to drop height of block 4 due to the housing located to its south.
- Durability of the units, finishes and materials chosen should be demonstrated clearly in documentation provided with any application.
- Provide rationale for inclusion of attenuation tanks previously sought for and granted under a previous application.

#### **5. Site Services, Surface Water Attenuation and Irish Water issues.**

##### **ABP Comments:**

- Issues raised with open drain along the south east boundary.
- Underground storage tanks not accepted by the PA so the applicant will need to liaise further to come to an acceptable arrangement.
- The issues with respect to open space and attenuation tanks needs to be resolved. Clear breakdown in provision of open space and the location and size of attenuation tanks.
- A Flood Risk Assessment needs to be carried out.
- If the PA is looking for a contribution from the applicant, please ensure all details are supplied at application stage and that the applicant is aware of what is expected in advance of an application.

##### **Prospective Applicant's Comments:**

- Satisfied with the drain in the site boundary, just needs to be maintained, propose to leave in an open natural state.
- Public open space over tank is to serve phase 1 and 2b which is currently under construction.
- In excess of the quantum of open space by 10%.
- Tank does not detract from providing amenity in the space, it will not be taken in charge, will be maintained as part of the overall development.
- The applicant is legally obliged to deliver this tank due to previous scheme phasing.
- Root interference has been taken into consideration, trees and planting have been designed/considered in such a way that they can be included above the tank.
- Satisfied to liaise further with the PA to discuss any technical details.

- Roughly 250 square meters of playground provided for older children, will develop more details for the application.
- Of the opinion there is no material contravention of the open space.
- Do not foresee issues with being able to provide for the Irish Water upgrades.

**Planning Authority's Comments:**

- Public open space appears compromised as the tank take up (some 84%) limits its developability for open space.
- Scope to locate tank under central plaza or hard surface area.
- Only 10% of SuDS features will be considered as open space.
- Tree roots affecting underground structures.
- Contribution for the proposed development can be discussed further with the applicant.
- More detail to be provided on break down of the play provision being proposed.
- Essential planting is feasible and implementable.
- Play provision for open space to be detailed.
- The subject site is beside all weather playing pitches, cognisance needs to be had to car parking strategy in light of parking for matches, training etc.
- Happy that drainage attenuation tank linked to other phases of development is included in this application.
- Does not appear to be an issue with flooding.

**6. Southern Site Boundary and Wayleave**

**ABP Comments:**

- Concern with the boundary treatment to the south flagged by the PA.
- Distance of proposed blocks from the southern boundary to be detailed.

**Prospective Applicant's Comments:**

- There is a 1.2 meter fence as a habitat preserve and to retain the trees at the south of the site, tree line also acts as a screening mechanism.
- There will be surveillance on to the back land area, ideally it will be tidied up so it will remain clear and will be overlooked with passive surveillance.
- There is a 10.4 meter separation from the boundary to the proposed development.

**Planning Authority's Comments:**

- Back land area should not contain heavy planting, this location was previously subject to rubbish dumping therefore it needs to remain visible.

**7. Taking in charge**

**ABP Comments:**

- Will a taking in charge drawing be supplied at application stage?



- A building life cycle report should be submitted with any application. There is a need to consider maintenance and development costs of tanks, open drains, open space, costs to future residents. This (annual maintenance fees for owners) is an area of growing concern generally.
- Is the proposal a build to rent or build to sell scheme?

**Prospective Applicant's Comments:**

- The scheme will be build to sell.
- A taking in charge drawing will be supplied.
- Maintenance cost of the attenuation tank is projected to be low as it will be spread across 4 schemes and the shopping centre.
- Do not want to impose unreasonable costs on residents/owners.
- Building materials will be considered in terms of low maintenance costs. Internal communal areas will be taken into consideration.
- Basement level proposed would run below the pedestrian boulevard however it will not be taken in charge.

**Planning Authority's Comments:**

- Residents may request of the PA to take an area in charge.
- No structures to be located below road to be taken in charge.
- Boundary treatment to facilitate connections through phases of development, residents need to be aware that there is potential for future connectivity.
- Clarity required on materials proposed for the road area which will be taken in charge.
- Colour coded tarmac for roads to be taken in charge.
- Potential for future connectivity to Phase 4 – boundary treatment needs to facilitate this.
- The route / connection to Phase 4 land parcel and all future pedestrian and vehicular connections to adjoining lands needs to clearly identified for future residents of the scheme.
- Future residents to be clearly aware of potential for connection to adjoining lands.

**8. Issues raised by the Planning Authority in their report dated 26<sup>th</sup> June, 2020.**

**ABP Comments:**

- PA wish to add anything further to their report.

**Prospective Applicant's Comments:**

- Nothing to add, further details will be provided on any of the items raised within the application.

**Planning Authority Comments:**

- Issues raised in the report have been covered, nothing additional to add.

## 9. Any other matters

### ABP Comments:

- Are there policies in the statutory plan for the area regarding the proposed LUAS extension?
- Have route options been published by TII (Transport Infrastructure Ireland)?
- Additional car parking for Park and Ride purposes, such additional parking, if proposed, would not be considered to serve this residential development. Possible implications for meeting the definition of residential uses versus other uses under SHD legislation.
- DAA previously have raised potential impact on airport operations in relation to SuDS measures and associated bird activities arising.
- Refer to DAA (Dublin Airport Authority) due to birds and operation of the airport given the proximity of the site.
- Improvement of the environmental public realm in collaboration with the PA.
- Application will need to be referred to Dublin City Council (DCC) as it lies on the boundary.

### Prospective Applicant's Comments:

- TII published an outline document in July 2020, shows terminus to the east of the site
- LUAS Terminus at East of Saint Margaret's Road indicated by TII close to Century Business Park. There is an indicative proposal for a park and ride at this location / in Charlestown area.
- Supportive of bringing the Luas to Finglas and supportive of a stop.
- Park and ride mentioned by TII, however of the opinion it would not be the most suitable for this site but it can be looked at.
- There is an indicative requirement for 600 spaces for park and ride. The applicant has looked at the feasibility of including a basement car park, level 2, to accommodate the additional spaces and to provide for park and ride.
- 5-7 years before the LUAS could be delivered, no certainty at this stage.
- It is the applicant's opinion the proposal to provide the park and ride on this site would not make monetary financial sense for TII.
- Over 500 units proposed so EIAR required.

### Planning Authority's Comments:

- Briefings have only started regarding the LUAS, not as advanced into the polices as of yet.
- Route options have not yet been discussed within FCC
- Development Plan refers to Metro West and no mention of Luas line to Finglas.
- There has been interaction with DCC on Junction 13 outside of the site, to the west. It is subject of an upgrade on foot of Phase 2 b
- Highlight to the applicant traffic and transport assessment survey is around 4 years old, scope to update.

## 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](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](mailto:spatialplanning@water.ie)

---

Tom Rabbette  
Assistant Director of Planning  
December, 2020