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| Case Reference / Description | Demolition of existing buildings on site excluding Small Hall, construction of 240 no. apartments, childcare facility and associated site works. Mount St. Mary's, Dundrum Road, Milltown, Dublin 14. | | |
| Case Type | Section 5 Pre-Application Consultation Request | | |
| Date: | 7 th December, 2020 | Start Time | 02:30 pm |
| Location | Via Microsoft Teams | End Time | 04:30 pm |
| Chairperson | Stephen O'Sullivan | Executive Officer | Hannah Cullen |

Representing An Bord Pleanála:

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| Stephen O'Sullivan, Assistant Director of Planning |
| Daire McDevitt, Planning Inspector |
| Hannah Cullen, Executive Officer |

Representing Prospective Applicant:

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| Conor Rhatigan, Winterbrook Homes (MSM) Ltd. |
| Frances Rhatigan, Winterbrook homes (MSM) Ltd. |
| Anne Marie Drohan, Winterbrook Homes (MSM) Ltd. |
| Laura Brock, Brock McClure Planning |
| Caitlin O'Shea, Brock McClure Planning |
| Mike Freaney, Reddy Architecture + Urbanism Architecture |
| Aiden O'Donovan, Reddy Architecture + Urbanism Architecture |
| Rob Keane, Reddy Architecture + Urbanism Architecture |
| Tony Reddy, Reddy Architecture + Urbanism Architecture |
| Stephen O'Connor, Barrett Mahony Consulting Engineers |
| Feargus McGarvey, Mitchell & Associates Landscape Architecture |
| Richard Butler, Model Works Visual Impact |
| Chris Ryan, Chris Ryan Architects & Designers |

Representing Planning Authority

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| Marguerite Cahill, Executive Planner |
| Ger Ryan, Senior Planner |
| Shane Sheehy, Senior Executive Planner |
| Claire Casey, Senior Executive Engineer |
| Bernard Egan, Senior 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 restrictions 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 once the Opinion has issued,
- ABP received a submission from the PA on **21st August, 2020** providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000 as amended 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 July, 2020** formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with definition of SHD as set out in the (Housing) and Residential Tenancies Act 2016, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

1. Compliance with local planning policy- RES5 'Institutional Lands' designation.
2. Development Strategy, including inter alia density, building height, unit mix, open space, connectivity and permeability and architectural response to the site context.
3. Architectural Conservation.
4. Services, facilities and amenity areas for future occupants.

5. Residential Amenities (impact on adjoining properties and within the scheme)
6. Car Parking Strategy
7. Any Other Business.

1. Compliance with local planning policy

ABP Comments:

- Compliance with RES5 Institutional Lands.
- Further details to be provided regarding Emmett House in terms of ownership, use and how this ties in with the proposed SHD and RES5.
- Differentiate public and semi-private open space, need a clear Open Space Strategy and clearly demonstrate compliance with the 25% requirement.

Prospective Applicant's Comments:

- Emmett House was previously associated with the former use as a Montessori college.
- Emmett House is proposed to be used as offices by the Secondary Schools of Ireland.
- Planning gain for the area by opening up views of Emmett House to a population that currently do not have access.
- Open Space is currently at c.53-54% which is in excess of the 25% requirement for open space.
- There is a breakdown of c. 5,800 square meters of total open space, the semi-private space accounts for 2,900 square meters which lies between villa 1 and 2.
- Material contravention statement will be supplied when the application is submitted regarding density and RES5.

Planning Authority's Comments:

- Between 35-50 hectares is the density ideally sought to maintain the open character of the site.
- The development plan is under review for January.

2. Development Strategy

ABP Comments:

- Justification/rationale for proposed height strategy.
- Justification/rationale for density.
- Unit mix and RES7
- Permeability and connectivity within the site and with the wider area.
- Connection through adjoining residential estates and third party lands and relevant consents where required.
- Status of Hawthorn estate, is it in the charge of the council
- The applicant should liaise further with the PA on the most desirable connection routes.

Prospective Applicant's Comments:

- Study has been prepared of how the site is perceived from the surrounding area, the findings showed that the most sensitive area was to the north therefore, units in this area has been kept low in height.

- The opportunity to expose Emmett House is proposed.
- The height proposed is responsive to the context of the site.
- The material contravention statement will be updated and finalised for an application.
- A precedence study has been prepared and can be provided as part of the application documentation in support of the proposed development.
- The proposed development is a build to sell scheme made up of 50/50 1 and 2 bed units due to the majority of 3-4 bed units in the vicinity.
- Connectivity through the site is a key driver in this scheme and further discussion will be sought from the PA around the issue to come up with the best solution.

Planning Authority's Comments:

- Acknowledge this site could support 6 to 7 storeys however anything above appears abrupt in nature and would materially contravene the development plan.
- The transition from the F Zone lands to the scheme is abrupt and could unduly impact future development on these lands if they were to be rezoned.
- There is not an apparent contravention in regards to the unit mix proposed.
- There is a missing link between Hawthorn and the subject site, ideally a pedestrian/cycle link would be delivered as part of the proposed SHD application, this route is not taken in charge by the PA.
- Taken in charge drawing including access through the open space to be supplied for clarity.

3. Architectural Conservation

ABP Comments:

- Issues raised by the Conservation officer regarding the boundary wall along Dundrum Road.
- Status of the structures to be demolished on site and rationale/justification for their demolition.
- A detailed architectural conservation survey of all structures should be supplied as part of the application.

Prospective Applicant's Comments:

- A demolition statement will be included which will detail the units proposed to be removed are not for purpose or repurpose, this will be a more efficient use of the site density.
- The wall on at the boundary of the site currently blocks the view of the public open space, by retaining the wall to a certain point and removing rubble the acoustics are improved from the Dundrum Road.
- The trees behind the wall are a significant constraint.
- At application stage it will be fully addressed how the surrounding buildings link up to Emmett House.

Planning Authority's Comments:

- Generally satisfied with the proposed provision of open space provision and how the scheme addresses Emmett house.

- Concern with the use of railings as a treatment for the wall at the Dundrum Road, the opening up the views to the house does not result in public gain, scope to explore relooking at other treatments for example setting back of the wall to improve the public realm.

4. Services, facilities and amenity areas for the future occupants.

ABP Comments:

- Need to clarify of the gym and café/tea rooms are for residents use only or open to the general public,
- Access to communal amenity areas.
- clarify where Emmett House fits into the overall redevelopment of the site. Need to set out its relationship with the proposed scheme, as overlaps regarding parking etc.

Prospective Applicant's Comments:

- There is the opportunity for the café and gym to be commercially run.
- In block D at level 4 there is a proposed working space/lounge area this will be made more evident in the application documentation.
- There is no dedicated parking for the café it is hoped customers would walk to facility due to its accessibility.
- At Emmett House there is specifically designated parking spots that can be marked out for their attention.
- At application stage it will be clarified if the gym will be open to the public or for residents only.

Planning Authority's Comments:

- Management of the facilities within the proposed development should be further outlined within the application documentation supplied.
- Emmett House is not within the red line in the documentation supplied however the proposed car parking is in the red line, further clarification needed on this issue.

5. Residential Amenities

ABP Comments:

- Potential of overlooking will need to be fully addressed at application staged along with mitigation measures intended to combat this.
- Sunlight/Day light analysis.
- Further cross sections on the adjoining housing estates to the development should be submitted with the application.
- Include the adjoining lands to the south in any assessments

Prospective Applicant's Comments:

- Additional views can be prepared and provided at application stage.
- Any overlooking will be fully addressed in the application submitted.

Planning Authority's Comments:

- Separation distances proposed should not be dependent on mitigation measures.

6. Car Parking Strategy**ABP Comments:**

- 0.4 parking spaces per unit are proposed to serve the scheme, further rationale should be provided at application stage as regards to car parking ratio as the PA are seeking a figure of 1 space per unit.
- Requested that the PA clarify the rationale behind their requirements for parking and access via Churchfields.
- The management of the car parking spaces allocated for use by Emmett House need to be further detailed in a parking strategy at application stage.
- A clear Car Parking Strategy and Management Plan should be submitted.

Prospective Applicant's Comments:

- The comments made by the PA in their report have been noted however the proposal for 0.4 spaces per unit is justifiable within this development.
- The traffic flow associated with the existing and proposed development is calculated to be of a very low impact.
- GoCar and club car spaces are proposed to be included within the development further details will be supplied within the application.
- The parking spaces associated with Emmett House has been set down in that particular area as the goal is to keep the users close to that building.
- The recommendation suggested by the PA in their report providing a vehicular access to the rear of the development would lead to the intensification of the Churchfields Junction.

Planning Authority's Comments:

- As mentioned in the report submitted by the PA vehicular access to the rear of the development is recommended, the goal is to encourage sustainable transport and in turn discourage traffic movements to the surrounding area.

ABP Comments:

- Address the issues raised by the Transportation Division at application stage.
- provide justification/rationale for proposal to be pursued.

7. Any Other Business**Planning Authority's Comments:**

- There is a concern with the surface water outflow to the south east due to a protected tree at the attenuation tank.
- The figure of 'true' dual aspect units within the scheme is low, the quality of these units should be re-examined.
- The PA maintains that a development in this location should be hitting at least 50% dual aspect.

Prospective Applicant's Comments:

- A confirmation of feasibility letter has been received from IW.
- The comments made in the PA report submitted to the Board have been noted and the applicant is happy to liaise further and discuss any technical details.
- There is scope to re divert the outflow if discovered there is any potential impacts on the protected tree.
- The 2018 apartment guidelines have been followed in relation to the dual aspect within the scheme, the figure is currently at 58% dual aspect.

ABP Comments:

- Further discussions should be sought between the prospective applicant and Irish Water (IW) ensuring they are satisfied with the development proposals and upgrade works if required.
- Ensure all technical matters relating to drainage are addressed as no recourse for Further information under SHD.
- Ensure all documentation correlates and dovetails.
- If Material Contravention arises this should be addressed in the documentation submitted and advertised accordingly.

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

Stephen O'Sullivan
Assistant Director of Planning
December, 2020