



Case Reference / Description	273 no. Build to Rent apartments, childcare facility and associated site works. 3 chapelizord Hill Road, 'Clarevill', 4 Chapelizod Road, Midgard House, Chapelizod Hill Road and Former Faulkner's Industry site, Chapelizod Hill Road, Chapelizod, Dublin 20.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	12th November 2020	Start Time	9.30 am
Location	Remotely via Microsoft Teams	End Time	11.00 am
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Rachel Gleave O'Connor, Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Dan Ryan, Midgard Construction Limited
John Downey, Downey Planning
Donal Duffy, Downey Planning
Zubi Efobi, Downey Planning & Architecture
Gordon Poyntz, Lohan and Donnelly Consulting Engineers
Ciaran McKeon, Transport Insights Limited

Representing Planning Authority

Alison Scott, Senior Planner
Rhona Naughton, Senior Planner
David Conway, Executive Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) 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 24th September 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 28th August 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. Design Strategy, Height and Density
2. Layout, Separation Distances and Overlooking
3. Daylight, Sunlight and Overshadowing
4. Ecology / Biodiversity / Trees
5. Material Contravention
6. Any Other Matters

1. Design Strategy, Height and Density

ABP Comments:

- Prospective applicant to provide photomontages of views of proposed development from surrounding areas, particularly sensitive areas such as the Chapelizod ACA
- Provide rationale for 10 storey height on proposed site
- It is noted that the precedent schemes referenced in Landscape Rational report are all located on busy major roads
- Provide rationale for linking of block and consequential arrangement of development in two blocks rather than the three blocks detailed in the previous approval scheme
- Address design rationale of facade treatment for 10 storey block

Planning Authority's Comments:

- Concerns regarding height and additional storeys
- Proposed development surrounded on three sides by residential properties
- Elevated site located in an outer suburban area
- Visibility of 10 storey block from Chapelizod village a concern
- Further photomontages required of proposed development on the east side if 10 story block is visible from Chapelizod village and Pheonix Park
- Provide more information on transport links/capacity and if they will accommodate proposed population increase as a result of the development

Prospective Applicant's Comments:

- Proposed site is existing brownfield site and is outside the Architectural Conservation Area
- Site is not outer suburban site, the PA reference the location as inner suburban in their opinion
- Baseline survey photos are not currently available, but will be at application stage
- Multitude of transport links serving the site
- The proposed development includes higher quality robust facade treatment that is more suited to the area than the previous scheme detailed
- A mature treeline screens the surrounding housing from the proposed development
- Motorway is clear break between Architectural Conservation Area and proposed development
- BusConnects will enhance accessibility with high frequency routes
- The number of residents in the area currently using public transport is moderate
- The break in form to blocks in the previous approval scheme (creating three blocks), was as a result of the proximity of the development at that time to an existing dwelling which is now within the site redline. Therefore this arrangement is no longer required
- Childcare facility to be provide on site
- Seeks to avoid elevation with monotonous appearance
- Proposed development density is based upon existing transport services and not reliant upon future transport improvements

2. Layout, Separation Distances and Overlooking

ABP Comments:

- Clarify and justify the differences between the proposed development and the approved scheme, particularly in relation to distance to boundaries
- Regard should be had to the Inspector's assessment of the approved scheme and comments in relation to the 3 block arrangement
- Provide assessment of potential impact from overlooking
- Provide rationale for the design changes made compared to the approval scheme

Planning Authority's Comments:

- Concern regarding proximity of blocks and rear gardens on Convent Lawns
- Concern regarding proximity to boundary especially to south and east of site

Prospective Applicant's Comments:

- Roof terraces to have quality screening and be slightly set back to avoid overlooking
- Winter gardens to protect residential amenity of existing housing
- Will consider block with 8 metre distance

3. Daylight, Sunlight and Overshadowing

ABP Comments:

- Analysis of the average daylight factor levels on each floor should be provided in the proposed development, until recommended levels can be demonstrated across a floor in its entirety
- Where target BRE levels are not achieved, further justification / clarification or amendment may be required
- Overshadowing in courtyard area requires consideration
- Overshadowing of gardens to the east of the site requires consideration
- PA and prospective applicant to agree on financial contribution (if any) in lieu of open space, before an application is submitted

Planning Authority's Comments:

- Concern regarding BRE and courtyard
- Concern regarding the quality and daylight of central courtyard area

Prospective Applicant's Comments:

- Proposed ground floor units in the front block are internal amenity spaces / facilities therefore BRE daylight levels not applicable
- Courtyard meets standard for public open space with reconfiguration for level of sunlight
- Realignment of landscape is required for fire tender route
- All residents will have access to roof terraces in proposed development
- Will consider reconfiguration of central courtyard to improve sunlight

4. Ecology / Biodiversity / Trees

ABP Comments:

- An overlay of proposed site plan with the tree survey is required
- Clarify retention of trees at the front of site

Planning Authority's Comments:

- Address concerns regarding tree surveys
- Refer to policies in Development Plan regarding trees from an urban perspective
- Ecological value of hedgerows should be considered
- Proximity to Phoenix Park is of huge importance to bats
- Repeat surveys for bats needed
- Have regard to the carbon storage functions of mature trees on the site

Prospective Applicant's Comments:

- Correct bat surveys have been carried out to date and will form part of the application.
- No bat roosts found on site, no concerns raised and minimum bat activity found
- The trees at the front are to be removed
- Will consider tree retention and carbon consideration of mature trees on site

5. Material Contravention

ABP Comments:

- Applicant should satisfy themselves as to whether a Material Contravention Statement is required
- Clarify with the PA whether the site is considered outer or inner suburban area

Planning Authority's Comments:

- Material Contravention statement needed regarding height

Prospective Applicant's Comments:

- Will include Material Contravention statement at application stage

6. Any Other Matters

ABP Comments:

- Have regard to bin storage at basement level and access to bin store
- Have regard to external amenity and recreation spaces
- Drainage section and flood risk assessment
- Irish Water considerations
- Ensure no conflicts between drawings at application stage

Planning Authority's Comments:

- Consider communal laundry facilities
- Concerns regarding access arrangements for pedestrians and cyclists in relation to the two entrances that operate one-way system

Prospective Applicant's Comments:

- Awaiting response regarding drainage
- Awaiting response from Irish Water regarding design acceptance
- No additional risk regarding access but will review further options

- **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
, 2020