



Case Reference / Description	Demolition and removal of all existing buildings and associated structures, construction of 112 no. apartments and associated site works. Maxol Petrol Filling Station and a vacant motor sales/service garage (formerly Michael Grant Motors), Beach Road, Dublin 4.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	16 th December 2020	Start Time	9.30 am
Location	Remotely via Microsoft Teams	End Time	10.30 am
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Planning Authority

Claire Sheehan, Executive Planner, Planning Department
David Conway, Executive Engineer, Roads Planning

Representing Prospective Applicant:

John Kennedy, Maxol Limited
John Fleming, John Fleming Architects
Ines Carvalho, John Fleming Architects
Paul Casey, Punch Consulting Engineers
Gavin Foy, Ait Urbanism + Landscape Limited
Tom Phillips, Tom Phillips + Associates
Julie Costelloe, Tom Phillips + Associates

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 once the Opinion has issued,
- ABP received a submission from the PA on 1st October 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 4th September 2020 formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 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. Visual and Residential Amenity**
- 2. Public Realm/Public open space**
- 3. Transportation matters**
- 4. Drainage and Flood Risk**
- 5. Any other matters**

1. Visual and Residential Amenity

ABP Comments:

- Submit photomontages of visual impact on area at application stage
- Explore near and far views of St. Matthew's Church
- Clarify if the proposed development is going to have any greater impact on amenity than what was previously granted regarding overlooking, overshadowing, loss of daylight
- Have regard to future residents, submit schedule of floor areas
- Address matter of aspect and dual aspect at application stage
- Planning authority has raised issue of corner windows
- Address if dependence of dual aspect apartments meets minimum requirements
- Refer to guidelines on dual aspect, draft London plan gives definition and guidance on dual aspect
- Seeking a high quality development
- Clarify dual aspect in previously permitted scheme and if there is an increase in the proposed development
- Clarify if proposed development site is considered a central accessible site- percentage of dual aspect required will be determined by location
- Daylight and sunlight analysis required

Planning Authority's comments:

- Have regard to issues raised in planning authority report
- Consider impact on views of church and conservation area to the north and south of the site
- Concern regarding corner units
- Submit further detail on what is calculated as being dual aspect unit
- Consider the quality of the development for residents

Prospective Applicant's Comments:

- Will expand on visual impacts and conservation areas at application stage
- Will submit photomontages at application stage to further explore church vistas
- Have commissioned report on daylight and sunlight, with positive conclusions
- Compensating factors such as sea views for apartments with dual aspect
- Main change from previously permitted scheme, 50/50 mix of 1- and 2-bedroom apartments
- Targeted to have 50% dual aspect in proposed development
- Had 54% aspect on previously granted scheme but this could also be inclusive of bay windows, proposed development has improved on this, will not be reliant on bay windows to make up part of percentage
- Will provide further information on dual aspect at application stage

2. Public Realm/Public open space

ABP Comments:

- Provide further information on planning gain of proposed development for community in terms of public realm improvements
- Address concerns of PA in terms of public open space and wayfinding
- Clarify if any greater impacts on proposed open space in terms of overshadowing than what was previously permitted
- Provide further details showing that the quality of the proposed development will not be diminished
- Ensure quality environment in public realm and public open space
- Address the quality and finishes of the public realm
- Liaise with PA with regards all matters raised

Planning Authority's comments:

- Ensure public open space has signage to indicate to members of the public that they are welcome
- Highlight possibility to improve pedestrian environment at Strand Road and widening of the path, would welcome further discussions on this

Prospective Applicant's Comments:

- Will consider signage for public open space
- Will submit photomontages at application stage on quality and finishes of the public realm
- Open to liaising with planning authority on the widening of the path
- Intend to put low wall, railing and laurel hedge between amenity space and public space, hedging to be well-managed
- Will liaise with planning authority regarding upgrade works and consent

3. Transportation matters

ABP Comments:

- Highlight what was previously permitted and any new proposals in this regard
- Liaise with planning authority on servicing
- Parking ratios in previously permitted scheme compared to current one

Planning Authority's comments:

- Future engagement on Beach Road
- Clarify number of visitor carparking spaces
- Concern regarding servicing in terms of future projects, exact location and time of servicing (re: waste collection), can have further discussions with prospective applicant
- Clarify breakdown of car sharing provision
- Indicate type of carparking management
- Clarify breakdown of parking

Prospective Applicant's Comments:

- Can liaise with planning authority on servicing
- Will update car management plan

- There will not be reliance on parking on Beach Road
- Entirety of Beach Road is subject to waste collections

4. Drainage and Flood Risk

ABP Comments:

- Irish Water have no objections regarding drainage and have issued a Confirmation of Feasibility
- Ensure all documentation relating to previous scheme is updated for the proposed development at application stage
- Address matters raised in Appendix B of PA Opinion-liaise with PA in this regard, if possible

Planning Authority's comments:

- Seeking further clarification on flood risk management and surface water

Prospective Applicant's Comments:

- Will liaise with planning authority on flood risk management and surface water
- Opening of the ESB substation

5. Any other matters

ABP Comments:

- Submit documentation on quality of scheme and materials/finishes/detailing at application stage
- Include building life cycle report at application stage
- Address rationale for mix of units proposed

Planning Authority's comments:

- Address rationale for mix of units at application stage

6. Any other matters

ABP Comments with regard to application:

- Indicate main differences between proposed development and previously permitted scheme as well as main additional impacts, if any, in relation to matters such as overshadowing and residential amenity
- Compliance with City development plan
- Consider if there are any Material Contraventions and submit in Material Contravention Statement, if necessary
- Liaise with PA in relation matters raised, prior to lodging 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
, 2020