



An  
Bord  
Pleanála

## Record of Meeting ABP-308723-20

<b>Case Reference / Description</b>	172 no. units (89 no. houses, 83 no. apartments), creche and associated site works. Lands at Edmondstown (west of Kilmashogue Bridge and Coil Avon), Whitechurch Road, Rathfarnham, Dublin 16.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	3 <sup>rd</sup> February 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	12:15 pm
<b>Chairperson</b>	Rachel Kenny	<b>Executive Officer</b>	Hannah Cullen

### Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Lorraine Dockery, Senior Planning Inspector
Hannah Cullen, Executive Officer

### Representing Prospective Applicant:

Jane Doyle, Doyle Kent Planning Consultants
Simon Clear, Simon Clear Planning Consultants
Nóra Shortall, JFOC Architects
Dominic Stevens, JFOC Architects
Owen Sullivan, CS Consulting Engineers
Eoin Reynolds, NRB Traffic Engineers
Luke Meehan, AIT Landscape Architect
Mike Simms, AWN Noise Consultant
Michael Whelan, Prospective Applicant
Tony Deane, Prospective Applicant
Eddie O'Connor, Prospective Applicant

## Representing Planning Authority

Jim Johnston, Senior Executive Planner, South Dublin County Council (SDCC)
Barry Henn, Executive Planner (SDCC)
Willie Purcell, Senior Engineer (SDCC)
John Hegarty, Senior Executive Engineer (SDCC)
Oisín Egan, Executive Parks Superintendent, (SDCC)
Brian Harkin, Senior Executive Engineer, (SDCC)
Ger Ryan, Senior Planner, Dun Laoghaire Rathdown County Council (DLRCC)
Shane Sheehy, Senior Executive Planner, (DLRCC)
Claire Casey, Senior Executive Engineer, (DLRCC)
Catherine Hanley, Assistant Planner, (DLRCC)

## 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's on **16<sup>th</sup> (DLRCC) and 17<sup>th</sup> (SDCC) of December, 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 **19<sup>th</sup> November, 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. H3 SLO 1 of South Dublin County Development Plan 2016 and accessibility.
2. Development Strategy to include: planning history, masterplan, height, layout, open space and elevational treatment.
3. Residential Amenity
4. Other Transport Matters
5. Drainage Matters
6. Any other matters

### **1. H3 SLO 1 of South Dublin County Development Plan 2016 and accessibility**

#### **ABP Comments:**

- Discussed planning history and previous reasons for refusal on site
- Noted locational context of site, including designation as 'Housing Capacity Site' within 'Consolidation Area' as set out in SDCC CDP
- Noted that SDCC CDP will be up for review in 2022, queried with PA if there any road objectives proposed in the draft plan in the vicinity of proposed site? Queried whether PA had any solution for development of the lands
- Queried whether there has been any contact between the applicant and NTA in relation to the extension along the link road.
- Accessibility/density/quantum of car parking provision will need to be addressed in context of H3 SLO1
- Masterplan proposed and comments of PA in relation to same

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

- There have been 2 full CDPs since the previous 2016 refusal decision. After the 2019 refusal the applicant has worked alongside the PA.
- Proposals to provide the initial part of the link road which could stretch into further development areas, however the responsibility should not be left with the developer to deliver further infrastructure.
- Whitechurch Road appears narrower than its width in reality, due to the walls and trees which act as a traffic calming measure.
- It is the responsibility of the PA to facilitate meeting between the parties

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

- Premature to say there will be any link roads included in the draft CDP.
- A transport assessment has been carried out and the figure proposed for car spaces by the applicant is correct. Proposed scheme will be very car dominant.
- It is clearly set out in the SLO1 the intention for the development of the site.

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

- The applicant must ensure all the concerns raised by the PA have been fully addressed at application stage.
- If a Statement of Material Contravention is proposed in the application, must include fully details of matters being materially contravened.

## **2. Development Strategy to include: planning history, masterplan, height, layout, open space and elevation treatment.**

### **ABP Comments:**

- The previous reasons for refusal should be fully detailed along with how refusal reasons are being overcome in the application.
- Height/form/massing/density of proposed development
- Given locational context, there may be scope to increase the building height subject to high quality design standards and finishes; suggest further examination at the height strategy. Reiterated that any matters of material contravention would need to be included in Material Contravention Statement. H9 Objective 4 of CDP noted in relation to building height
- Layout in context of DMURS- concern that a stronger edge along proposed link street may be more appropriate than area of open space.
- The open space layout should be further considered maximising the usability and functionality of these areas; some areas isolated with limited supervision; relationship of proposal with future development on adjoining lands.
- Elevational treatment in particular in duplex/apartment blocks; further refinement advised; materials/finishes; setting benchmark for wider development of these overall lands- needs to be of high quality
- Additional CGIs/visualisations required
- Further clarity will need to be required in relation to single/dual land ownership, compliance must be demonstrated at application stage as one legal entity holds responsibility in relation to matters such as phasing and management.

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

- It is not an objective of the CDP to provide a masterplan, do not want to prejudice future land development proposals.
- The building height strategy will be further considered, scope for the height to be spread throughout the site not solely at the boundaries.
- Welcome the idea to include a landmark building creating a positive visual impact from the M50.
- The area of open space that appears at the building edge acts as a noise barrier to the M50 however the layout of open spaces can be re-examined; there is a 10meter buffer zone for the stream acting as a riparian corridor.
- The public open space to the north of the site would mainly be used by the residents of the apartment block.
- The two sites have a different landowner however the infrastructure will be delivered in the first phase of development. The one legal entity process is currently being looked into with regards to management companies.

**Planning Authority's Comments:**

- The PA encourages the preparation of a masterplan.
- Usability and accessibility of the open spaces is a concern.
- There appears to be a distinct separation between the two sites, more consideration to be given to the phasing of the lands.

**3. Residential Amenity****ABP Comments:**

- Potential impacts on residential amenity of nearby properties
- Residential amenity for future occupants- noise impacts and ventilation at all levels of buildings must be considered; timing of surveys during peak times; daylight/sunlight
- The application should be cognisant to the 12 criteria of Urban Design Manual.
- Amenity for future and existing residents must be further addressed along with issues that may be raised in 3<sup>rd</sup> party submissions.
- Provide an outline drawing at application stage detailing aspect of units, dual, single or triple aspect.

**Prospective Applicant's Comments:**

- Mechanical ventilation is proposed to help mitigate noise from the M50 together with double glazing, studies are at the early stages in relation to noise and prevailing winds they will be fully documented at application stage.
- The site is proximate in location to Marlay Park and a number of golf courses.

**Planning Authority's Comments:**

- Noise coming from the M50 is to be heavily considered, use of double glaze solely will not be effective when residents open their windows.
- A balance of CGI's should be provided at application stage demonstrating imagery in the Winter and the Summer.
- Concern with the potential tree and hedgerow loss, an impact report will need to be supplied at application stage.
- Scope to look at providing an area of play provision to the north of the site.

**4. Other Transport Matters****ABP Comments:**

- Opportunity for the PA to elaborate further on the items raised within their report or provide further new comments in relation to transport matters.

**Prospective Applicant's Comments:**

- The applicant is satisfied with the width of the cycle way that has been proposed, no issue has been previously flagged by the PA.

**Planning Authority's Comments:**

- The College Road connection is a concern along with onward linkages to Sandyford being problematic.

- The proposed 2.5-meter cycle way is not meeting national standards.
- Offered to liaise with applicants to try and resolve matters raised

## **5. Drainage Matters**

### **ABP Comments:**

- Noted matters raised in PA opinion and IW report to ABP
- Further liaise with Irish Water (IW) and Drainage Division of PA to ensure no ambiguity prior to lodging an application.

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

- All the PA's comments have been noted and the applicant will further liaise with the drainage department to discuss any technical details.
- A report has been received from IW, they state there is capacity within the network to serve the development. The applicant will work alongside IW to provide a gravity system, satisfied the development can meet their requirements.

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

- SuDS features should be implemented within the proposed development and will need to be clearly identified at application stage.
- A biodiversity management plan and watercourse protection study should also be provided alongside any application.
- Scope for the prospective applicant to include a wildlife corridor along Whitechurch Road.
- Details in relation to attenuation volume require further demonstration in the drawings documentation as it is currently unclear from what has been provided.
- The PA is open to further liaise with the applicant on any further matters.

## **6. Any other matters**

### **ABP Comments:**

- The applicant should ensure corresponding information between all documentation provided at application stage.
- Liaise with PA in as far as possible to address matters raised; address areas of divergence within application documentation

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

- Nothing further to add.

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

- Take the PA report submitted as read, nothing further to add.

**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)

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Rachel Kenny  
Director of Planning  
March, 2021