



An
Bord
Pleanála

Record of Meeting ABP-308940-20

Case Reference / Description	112. no Build to Rent apartments and associated site works. Rocklawn, Leopardstown Road, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	15 th March 2021	Start Time	10:00 a.m.
Location	Via Microsoft Teams	End Time	11:45 a.m.
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Ronan O'Connor, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Planning Authority

Gormla O'Corrain, Senior Executive Planner
Catherine Hanly, Assistant Planner
Claire Casey, Senior Executive Engineer
Donal Kearney, Assistant Parks Superintendent
Bernard Egan, Senior Executive Engineer
Sean Keane, Transportation Planning

Representing Prospective Applicant:

Gar Smyth, Bridgeclip (Developments) Limited, Applicant
David McDowell, Reddy Architecture + Urbanism
Seamus O'Rourke, Muir Associates
Julie Sammiller, Dermot Foley Landscape Architects
Bryan Deegan, Altemar Environmental Consultants
Tom Phillips, 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 29th January 2021 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 18th December 2021 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. Design and Layout including height/visual impact/impact on views
2. Residential Standards (amenity spaces/dual aspect/daylight/sunlight etc)/Mix
3. Surrounding Residential Amenity including daylight/sunlight/overshadowing
4. Transport
5. Site Services/Flood Risk
6. Trees/Ecology/Environmental Screening
7. Any Other Matters

1. Design and Layout including height/visual impact/impact on views

ABP Comments:

- Address visual impact and residential amenity issue in particular in Block A
- Address planning authority issues with changes in scale
- Have regard for potential overbearing impact of Block A, in particular Leopardstown view to the west
- Address question of function of communal courtyard area and provide justification
- Provide Material Contravention statement in relation to height if considered applicable
- Minimum amount of dual aspect apartments to be achieved is 33%
- Have regard to previous ABP decisions regarding dual aspect
- Additional views/photomontages required at application stage
- Issue regarding perceived/potential impacts on properties to the east and west of the proposed development such as overshadowing and overlooking
- Have regard to previous refusals on proposed development site
- Demonstrate that the orientation of the proposed development is the correct solution at application stage

Planning Authority's Comments:

- Draft Development Plan has a new definition for dual aspect
- Concerns regarding amenities for future residents
- Over 25% of units do not have a balcony, the compensatory features provided are not sufficient
- The kitchens should be included in Average Daylight Factor calculations at application stage
- Additional photomontages required for views from Woodside Road
- Policy context has changed since previous refusals

Prospective Applicant's Comments:

- Adequate setbacks from adjacent properties are provided
- Analysis has been carried out on why schemes have been previously refused on proposed development site e.g. landscaping issues
- A number of trees on the boundary will be removed and be replaced by new trees
- The total dual aspect apartments in proposed development is 55% (dual aspect with significant return)
- Definition of dual aspect is quite vague in draft Development Plan
- Proposed development achieves good daylight levels
- More outdoor space is provided to make up for removal of balconies from some units
- Each block has own residential amenity space
- Have considered the impact on properties to the east and west of the proposed development

2. Residential Standards (amenity spaces/dual aspect/daylight/sunlight etc)/Mix

ABP Comments:

- Address privacy concerns of ground floor units, especially western aspect units of Block A
- Provide Average Daylight Factor calculations for the kitchens

Planning Authority's Comments:

- Some additional planting would be helpful in order to address privacy issue
- Very supportive of connection into the park
- Planning authority seeks financial contribution if there are shortages in public open space
- Generally satisfied with the layout, but a connection is required into the park
- Ensure clarity is provided at application stage on what is being taken in charge

Prospective Applicant's Comments:

- Can carry out analysis of Average Daylight Factor for kitchens
- Unable to realign pedestrian link path connecting the proposed development to Leopardstown Road
- Can implement further planting to create further screening between Block A and the pedestrian link, not intending for it to be taken in charge
- Letter of consent is pending

3. Surrounding Residential Amenity including daylight/sunlight/overshadowing

ABP Comments:

- Potential overlooking from Block A
- Vertical Sky Component analysis is required at application stage
- Daylight/Sunlight assessment is quite unclear and not showing windows in diagrams - provide at application stage
- More clarity needed in shadow diagrams at application stage
- 21st of March is key date in BRE guidance
- Address the potential impact on neighbouring properties

Prospective Applicant's Comments:

- Will address above issues

4. Transport

ABP Comments:

- Address planning authority's concerns with regards to carparking, no visitor parking and the provision of a cycle path
- Provide justification for level of carparking proposed at application stage
- Have regard for Build to Rent schemes and section 28 guidelines
- Provide clarity in application documentation on transport links
- Pedestrian routes need to be included in red line boundary

Planning Authority's Comments:

- Have consideration for the carparking required in proposed development
- Provide path to the east of the site
- Have consideration of the potential impacts on adjoining neighbourhood arising in relation to carparking provision
- Planning Authority advises that a footpath should be provided on both sides of the Leopardstown Road entrance

Prospective Applicant's Comments:

- The carparking proposed is policy-based and meets requirements of accessible, urban location
- Currently considering provision of bikes for the use of residents
- Central courtyard has been assessed and it a safe environment for pedestrians
- Drop off points are provided, and accessibility has been considered
- Further detail on above will be provided at application stage
- Proposed development is closely located to two Luas stops
- Ground conditions (volume of rock) in proposed development site was a consideration in design process
- Providing an accessible footpath on Leopardstown Road very difficult due to the gradient of the site near proposed carpark

5. Site Services/Flood Risk**Planning Authority's Comments:**

- Issues exist but there is a lack of engagement in relation to surface water issues

Prospective Applicant's Comments:

- Have sought to engage with the planning authority
- Will provide all detail that the planning authority has requested regarding surface water
- Have liaised with Irish Water
- Upgrade is a minor issue that can be dealt with at connection stage

6. Trees/Ecology/Environmental Screening**ABP Comments:**

- Ensure clarity is provided on tree removal at application stage

Planning Authority's Comments:

- Have engaged with the landscape architect
- Existing trees to be protected
- Welcomes linkage into park
- Seeks larger provision of communal open space

7. Any other matters

ABP Comments:

- Ensure application includes details of special contribution for the upgrade of park facilities if planning authority deem it necessary

Planning Authority's Comments:

- No further comments

Prospective Applicant's Comments:

- The design process for proposed development is very thorough
- Will have consideration for all issues raised in meeting

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
July, 2020