



An  
Bord  
Pleanála

## Record of Meeting ABP-308984-20

<b>Case Reference / Description</b>	227 no. Build to Rent apartments and associated site works. Nos. 31-34 Abbey Street Upper, 42-51 Great Strand Street and bounded by Byrnes Lane, Dublin 1.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	8 <sup>th</sup> April 2021	<b>Start Time</b>	02:00 pm
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	04:15 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Hannah Cullen

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Hannah Cullen, Executive Officer

### Representing Prospective Applicant:

Stephen Barrett, Tom Philips + Associates
Sam Wallace, Tom Philips + Associates
Niall O'Byrne, Marlet Property Group
Rory O'Brien, Marlet Property Group
Gerry Murphy, MCA Architecture
Brian Hutchinson, MCA Architecture
Liam McCarthy, Barrett Mahony Consultant Engineers
Richard Barker, Macro Works Landscape and Visual
Simon Ronan, NMP Landscape Architects
William O'Donnell, IN2 Engineering

### Representing Planning Authority

Audrey Taylor, Assistant Planner
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## **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 **1<sup>st</sup> February, 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 **21<sup>st</sup> December, 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. Height Strategy.
2. Impact on Residential Amenity, *inter alia*, sunlight/daylight, communal facilities.
3. Development Strategy, *inter alia*, layout, balconies.
4. Park and Landscaping.
5. Transportation Matters.
6. Any Other Business.

## **1. Height Strategy**

### **ABP Comments:**

- Townscape and photomontage documentation should be integrated in any justification for a material contravention relating to heights.
- The impacts of overshadowing/overbearing on those existing buildings along Great Strand Street.
- Provide justification/rationale for increased heights having regard to any permitted development for taller buildings in the vicinity.

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

- Visual impacts from the site is a concern due to the possible impacts on the existing skyline.
- The proposed development perches significantly above the current buildings which can be identified in CGI proposed view no. 7.
- The original hotel proposal was more mannerly in height.
- The day/sunlight assessment does not consider the surrounding streetscape.

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

- The design engages with the streetscape.
- The height of the proposed development is suitable for the area, the height strategy can be viewed in the design statement.
- The building does not overshadow Great Strand Street, there are winter gardens proposed on this corner.
- A blank gable (adjacent commercial building) will be facing onto the proposed development, scope to incorporate a green wall at this location.
- The finishes proposed at the higher levels are no different to what was originally proposed to the PA which was deemed acceptable.
- Cognisant to ensure the building skyline does not overcrowd the Liffey façade, the proposal will contribute to the diversity and vibrancy of the area.

## **2. Impact on Residential Amenity, *inter alia*, sunlight/daylight, communal facilities**

### **ABP Comments:**

- The level of sunlight/daylight into the proposed units,
- The sunlight/daylight assessment submitted and integration of updated guidance
- The location of the communal facilities and the provision of amenities and services

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

- Concerns with the ADF results within the documentation particularly at the lower level units.
- Compensate the unfavourable building aspect for larger unit proposals.
- 70% of the units are 1/ studio bed, long-term this may not satisfy the consumer demand.

**Prospective Applicant's Comments:**

- The amenity space at ground floor and basement level will be addressed fully at application stage.
- Aware of the concerns surrounding the apartment aspects, this is currently being looked into.
- The unit mix is in response to the rental market demand.
- Trying to maximise dual aspect units within Block A, there are very few north facing units in Block B.
- Additional areas of open space have been proposed to achieve a higher level of sunlight.
- In error the balconies have been included within the figure for total open space, this will be amended.
- Block A contains the communal amenity space such as coworking and meeting spaces, at basement level facilities such as a laundry room, gym and cinema room are proposed.
- BS and BRE guidance are being adhered to within the development proposals.

**3. Development Strategy, *inter alia*, layout, balconies****ABP Comments:**

- Clarity to be provided which units do not providing balconies, how many apartments are planned to exclude balconies and where does the development provide compensatory areas?

**Planning Authority's Comments:**

- There is high level of concern as expressed in the PA report submitted in relation to the balconies such as, maintenance, treatments and omittance all together from some of the proposed units.

**Prospective Applicant's Comments:**

- Integrated set back balconies are proposed for the units facing onto Abbey Street, facing on Great Strand Street the building edge has been pushed back where overhanging balconies are proposed, their maintenance should not be an issue, however, the PA comments are noted.
- Integrated/recessed balconies can affect units by decreasing the level of light into the units living space.
- The final figure of units without balconies is not certain however it could be around 10/15, this figure will be given at application stage.
- Greater clarity is required in relation to the day/sunlight into the communal open spaces and uses of the proposed facilities.
- Scope to omit balconies from particular units if the apartment sizes are increased, additional space would be provided in areas such as winter gardens, communal open space and roof gardens.
- There are no direct overlooking windows where the separation distances may be tighter between blocks.

#### **Further ABP Comments**

- There have been SHD's with and without balconies, every application is judged on a case by case basis. The applicant should seek to justify at application stage.

#### **4. Park and Landscaping**

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

- The access of the public plaza from Byrnes Lane should be further clarified.
- 3rd party consent may be required in relation to proposals for the greening of the blank façade. Clarity required at application stage.
- Compliance with provision for the child play areas to be detailed.

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

- Anything to be taken in charge by the PA must be up to DCC standards.
- Potential for access through to Abbey Street cottages.

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

- Opening up of the public plaza adjacent to the building would be of benefit to Great Strand Street to activate the space, management of the space is open for discussion with the PA, preferably it would stay as a public open space.
- Boston Ivy is proposed to be used for the green wall on the current blank façade due to easier maintenance, taking in charge is up for discussion with the PA.
- Currently, there is no access available into the Abbey Street Cottages, there is a substation at this location prohibiting such a connection.

#### **5. Transportation Matters**

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

- Any concerns raised in the PA report submitted to the Board should be addressed, if there is any clarity required the applicant should liaise directly with the transportation department.
- Justification should be provided in relation to lower figure proposed of bike parking spaces.
- The proposed development should be cognisant of the LUAS line and the pedestrian level of service frontage along Abbey Street.

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

- The auto tracking movement details are available in the traffic report.
- The movement of the Dublin bike spaces is to be discussed further with the PA.

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

- Take the PA report as read, the applicant can seek further engagement with the relevant department.

## 6. Any Other Business

### ABP Comments:

- Ensure the flood risk assessment is compliant.

### Prospective Applicant's Comments:

- Comments by the Board and the PA are noted, requested documentation will be supplied at application stage.

### Planning Authority's Comments:

- 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 [cgsdesignqa@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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Tom Rabbette  
Assistant Director of Planning  
April, 2021