



Case Reference / Description	Demolition of structures, construction of 107 no. apartments, creche and associated site works. Tinnahinch and Larch Grove, Plunkett Avenue, Westminster Road, Foxrock, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	2 nd March 2021	Start Time	02:00 pm
Location	Via Microsoft Teams	End Time	03:35 pm
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Elaine Power, Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

John Walsh, Prospective Applicant
Brian Rainsford, Horan Rainsford Architects
Irene Crespo Pérez, Horan Rainsford Architects
Marie-Claire Daly, PUNCH Consulting Engineers
Colum Sheanon, Murphy + Sheanon Horticulture and Landscape Architecture
Andy Worsnop, The Tree File Limited
John Spain, John Spain & Associates
Mary MacMahon, John Spain & Associates
Pádraic Fogarty, Open Field Ecological Services
Richard Dalton, 3D Design Bureau

Representing Planning Authority

Ger Ryan, Senior Planner

Gormla O'Corrain, Senior Executive Planner
Catherine Hanly, Assistant Planner
Bernard Egan, Senior Executive Engineer
Johanne Codd, Executive Engineer
Dermot Fennell, Executive Engineer
Donal Kearney, Assistant Parks Superintendent

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 **2nd 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 **22nd 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. Development Strategy – height, design and layout, materiality
2. Residential Amenity
3. Open Space and Tree Retention
4. Access / Permeability
5. Water Services
6. Any Other Business.

1. Development Strategy – height, design and layout, materiality

ABP Comments:

- The applicant should provide a justification for the proposed design and layout of the scheme.
- Any material contraventions should be fully addressed.
- Materials provided should be high quality and robust.
- The relationship to the Weavers Hall site and adjoining residential properties should be addressed.

Prospective Applicant's Comments:

- The site is well set back from Westminster Road, the visibility of the proposed development from this road and the surrounding will be negligible.
- The site is viewed in the context of the Weavers Hall development site, which is located to the south of the subject site. Permission was granted for a 4-storey apartment development.
- Blocks have been split into 3 consisting of A, B and C.
- The concerns regarding the impact on the adjoining dwelling 'Four Seasons' are fully addressed and there would be no impact.
- The trees separating the site from adjoining properties would be retained and would create a buffer area.
- There is a distance of 21 meters minimum from the corner of the proposed development to the Four Seasons.
- A muted light coloured platted using colour brick and cladding are the proposed materials to be used. All materials would be high quality.
- The open space between blocks A and B is to provided on a split level to create a interesting and lively area and would allow for an information play space for children.
- Examples of approved developments which demonstrate proximity between blocks similar to the proposals are The Grange in Stillorgan and Abingdon in Shankill.

Planning Authority's Comments:

- The proposals are deemed a contravention of the Building Height Strategy of the development plan as downward modifiers are appropriate due to the proximity to the Architectural Conservation Area.
- The high quality of building materials has been demonstrated by the applicant and is welcomed.

2. Residential Amenity

ABP Comments:

- Confirmation of the separation distance between block A and B
- There are potential concerns in relation to the separation distances between the blocks and to adjoining properties, in terms of negative impact on residential amenities from overlooking, overshadowing and overbearing impact. This will need to be fully addressed and a rationale / justification for the proximity to be provided.
- The 2008 daylight / sunlight guidelines have been superseded by the BSEN17037 guidelines. While these documents are not statutory the update should be noted.
- Clarification as to whether the trees to be retained were included when assessing for daylight and sunlight. Concerns regarding potential overshadowing of ground and first floor units.

Prospective Applicant's Comments:

- It is considered that the proposed development would not unduly overshadow the adjoining dwelling 'Four Seasons'. Detailed assessment of the dwelling has been provided, including the internal layout of the dwelling and the rooms potential affected.
- Only evergreen trees have been included in the daylight / sunlight assessment, deciduous trees have not been included.
- There is a 16-metre separation distance between Blocks A and B and the windows are staggered.

Planning Authority's Comments:

- The impacts of Block A on the adjoining dwelling 'Four Seasons' needs to be further investigated.
- The scheme appears to be heavily reliant on the retention of the trees between the proposed development and Four Seasons.

3. Open Space and Tree Retention

ABP Comments:

- The trees onsite heavily inform the overall design and layout, as they provide screening for the development. Clarify if there is a possibility that trees could be lost during the construction phase, due to the proximity of the footprint of the development to the trees. Clarification as to how the trees can be secured, protected and retained would need to be provided.
- Clarification required in relation to quantity of trees to be removed. Clarification is required regarding the location of the category B trees to be removed.
- Clarification regarding the usability of the proposed open space due to the retention of a significant number of trees, the proximity to the road and to the existing private dwelling. Consideration of a financial contribution in lieu of public open space.
- The boundary treatments between Plunkett Avenue and the open space should be further addressed.
- Consideration of the landscaping at the boundary with Westminster Road, having regard to the location within an Architectural Conservation Area and the comments of the Planning Authority's Conservation Officer.
- Consideration of layout of communal open spaces and how they are separated from public open spaces.

- Consideration of safety concerns adjacent to the proposed water course within the site.

Prospective Applicant's Comments:

- The open space proposed is in excess of the minimum requirements, the final quantum will be included with the application.
- Trees that are coloured in blue on the Tree Impact Plan are category B trees. A trees will be removed along Plunkett Avenue.
- Advice from a hydrologist present that in the preliminary results there are negligible impacts to the trees.
- Comments made by the PA's conservation officer have been noted and additional planting can be explored upon further meeting with the PA for discussion.
- The comments in relation to play spaces have also been noted and is being relooked at in relation to more natural play spaces and areas for older children.

Planning Authority's Comments:

- It is not clear from the documentation supplied how the tree's will be retained. Construction impacts will need to be addressed in further detail at application stage.
- Consideration of engaging a hydrologist to work alongside the applicant's arborist.
- Consideration of retention of trees along Plunkett's Avenue.
- A risk analysis should be carried out in relation to tree retention and the footprint of the development.
- Any proposals for new planting and hedging should be cognisant of the ACA.
- The PA would be open to discussing a contribution in lieu of public open space.
- Further consideration of the layout of the communal open space areas.
- Possible safety issues may rise with regard to the open water area within the site which will need to be addressed.

4. Access/ Permeability

ABP Comments:

- Clarify if Plunkett Avenue would be taken in charge. Final details to be agreed with the Planning Authority.
- Clarify how the road / public space would be separated from the communal open space.
- Consideration of engagement with the adjoining landowner of the Weavers Site to providing permeability between the two sites.
- Details of access onto Westminster Road to be agreed with the Planning Authority.

Prospective Applicant's Comments:

- Subject to agreement with adjoining landowner it is proposed to provide permeability between the Weavers Hall site.
- All access to private spaces will be controlled.
- It is proposed to retain Plunkett Avenue in private ownership. The applicant will engage with the Planning Authority regarding the final design of the access onto Westminster Road.

Planning Authority's Comments:

- The PA do not intend to take the private road in charge.

- The applicant is encouraged to engage further with the adjoining landowners with regard to improved permeability within and through the site.

5. Water Services

ABP Comments:

- Irish Water (IW) have flagged an issue regarding the capacity of the foul sewer network, any issues will need to be resolved and IW should be satisfied with the proposals prior to lodging any application to the Board.
- The applicant should liaise further with the drainage department of the PA.
- Consideration of the issues raised by the Planning Authority regarding the drainage proposals on site and any potential impacts downstream.

Prospective Applicant's Comments:

- On-going engagement with Irish Water to address capacity issues downstream.
- Continued engagement with the Planning Authority regarding surface water proposal for the site.

Planning Authority's Comments:

- Basis of the calculations to be submitted to the drainage department for further discussions. Concerns regarding calculations, as site is significantly landscaped and not hardstanding.
- Further details are required in relation to Sustainable Drainage Systems (SuDS) proposals and green roofs.
- No significant flooding has been flagged as a result of the stream onsite, however, further details should be provided relating to the watercourse on site to ensure no impact downstream.
- The applicant should ensure an up to date IW letter is supplied at application stage.

6. Any Other Business

ABP Comments:

- Any material contravention of the statutory plans should be fully addressed in the documentation submitted with any application.
- The internal road network and one-way ramp access should be fully justified. Further engagement with the Planning Authority to ascertain their requirements.

Prospective Applicant's Comments:

- There is a precedent set by other areas of a one-way ramp system, further discussions will be organised with the traffic and transportation department.
- A DMURS compliant statement will be included at application stage.
- The applicant has been in contact with Inland Fisheries Ireland regarding the proposed development and the impact on the watercourse.
- Clarification regarding Material Contravention of policy LHB25 – relating to watercourses.

Planning Authority's Comments:

- The PA would not be in favour of a one-way ramp system due to maintenance and operational reasons, a two-way system would be more favourable.

- Detailed design of the junction with Westminster Road is required. Pedestrian priority is to be maintained across of Plunkett Avenue.
- Planning Authority generally welcome the proposed development and acknowledge the level of detail submitted to date and high quality of the scheme.

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

Tom Rabbette
Assistant Director of Planning
April, 2021