



Case Reference / Description	402 no. Build to Rent apartments and associated site works. Heuston South Quarter, St. John's Road West/Military Road, Kilmainham, Dublin 8.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	23 rd March 2021	Start Time	14:40 p.m.
Location	Ms Teams	End Time	16:27 p.m.
Chairperson	Rachel Kenny	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Conor McGrath, Senior Planning Inspector
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

Roger Semple, Applicant representative
Paul Culhae, Applicant Representative
Declan Brassil, Principal of Declan Brassil & Co. Ltd. Planning Consultants
Rory Murphy, Director of RAU Architects
Tony Reddy, Principal RAU Architects
Rob Keane, Director of RAU Architects
James Howley, Director Howley Hayes, Conservation Architects
David Rehill, Director CS Consulting Engineers
Daithi O'Troithigh, Director Doyle O'Troithigh Landscape Architects
Ivor O' Brien, RAU Architects
Eoghan O' Brien, RAU Architects

Representing Planning Authority

Liam Currie, Executive Planner, Planning Department
Heidi Thorsdalen, Senior Executive Planner, Transport Planning
Kieran O'Neill, Senior Executive Landscape Architect, Parks & Biodiversity Department
Rhona Nughton, Senior Planner, Planning Department

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 3rd 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 23rd December 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. Overall development strategy – relationship with Heuston South Quarter
2. Relationship with Royal Hospital Kilmainham
 - Cone of Vision
 - Formal gardens
3. Residential Amenity
 - Proposed residential amenity (SPPR8)
 - Existing residential amenity
4. Access and Parking
5. Drainage and Water
6. AOB

1. Overall development strategy – relationship with Heuston South Quarter

• **ABP Comments:**

- Provide clarity on the relationship between the proposed development and the remainder of the Heuston South Quarter (HSQ) urban block.
- Explain how the proposed development relates to the original Masterplan and design principles for the block.
- Ensure that there is no compromise of the design or amenities of constructed elements.
- Have regard to the previously permitted development and to the proposed hotel site to the north.
- The visual assessment should have regard to permitted developments in the area.
- Show the animation and activation of the central square

Prospective Applicant's Comments:

- The overall block was subject to a Masterplan.
- Masterplan principles influencing this development include the east-west axis, completion of the central public square and identified views from the Royal Hospital.
- A link to the city is being created through the site.
- The ground floor contains mixed uses. The east facing element has residential amenities and a concierge providing active use on the square.
- North of the site and public square will be a hotel and office space.
- A 60% commercial and 40% residential mix is proposed for the overall urban block.
- Development permitted on the site in 2008 did not adopt the Cone of Vision as defined in the current development plan.
- Where relevant permitted development will be considered in views.

Planning Authority's Comments:

- Future information is needed on the relationship with the proposed hotel / office development to the north of the site.
- There needs to be a holistic approach to design across the site.

2. Relationship with Royal Hospital Kilmainham

- **Cone of Vision**
- **Formal gardens**

ABP Comments:

- Regard should be had to the relationship with the cone of vision as defined in the current development plan.
- Consider whether the scheme complies with the objectives of the plan in relation to this view.
- In relation to the defined cone of vision, justify that this is the correct design solution.
- Any EIAR submitted should consider the alternative design approaches assessed in the context of impacts on cultural heritage, the Royal Hospital.
- Visual assessment should show the different times of year.

- Address the planning authorities' comments regarding the arch and provide a robust analysis and justification therefor, including the consideration of alternatives.
- Elaborate on the proposed connection from the site through to the formal gardens and detail the treatments of the breakthrough to the wall.
- What is the status of consent from the OPW for this connection?
- Show views to the development on the approach from the west.

Prospective Applicant's Comments:

- The cone of vision is one element in the conservation of the setting of the Royal Hospital.
- The relevant test in the development plan is to not "adversely" affect the view.
- There will an improvement on the cone of vision.
- The defined Cone of Vision was amended post-2008. The current view is not considered to be the most appropriate.
- OPW consented to access through the site in respect of the previous scheme, on condition that they controlled the gate, (opening times etc.)
- Confirmation from the OPW with regard to consent is awaited.
- The boundary wall of the formal gardens was reconstructed in the 1990's.

Planning Authority's Comments:

- The cone of vision needs a detailed landscape visual impact assessment.
- Winter views should be included.
- The documentation challenges the merits of cone of vision as defined in the development plan.
- The scheme should respect the Royal Hospital and Gardens and it should be demonstrated that there is no interference with the cone of vision.
- Location for the arch is not the ideal and it will obscure / distort an established view corridor.
- The massing and visual impact of the arch are excessive and some break-up of the blocks on the development site would be appropriate.
- Consider the proposed development without an arch.
- In overall terms the scheme is an improvement on the previous scheme on the site.
- More detail is required regarding potential overshadowing to the formal gardens
- Greening of adjacent blocks is welcome
- More CGI's/visuals are needed for the retaining wall to the western side of the site and details of how this wall will be treated / landscaped.

3. Residential Amenity

- **Proposed residential amenity (SPPR8)**
- **Existing residential amenity**

ABP Comments:

- Have regard to the provisions of SPPR8 and justify the quality of residential amenities being provided.
- Flexibility in private amenity space provision requires compensatory provision.
- Outline the MUGA proposal and its relationship with adjoining residential units, commercial units and open spaces.

- Have regard to potential overshadowing and daylight impacts on existing residential units and amenities.
- Submit a microclimate analysis and identify any required mitigation measures.

Prospective Applicant's Comments:

- 4020 sq. meters of communal space and 261 sq. meters of private space is provided. The quantitative standard is being met.
- Internal amenity spaces are provided at podium and lower ground floor levels.
- Communal courtyards have seating, active and passive recreation areas.
- The podium level plaza will remain multi-functional and accessible to all.
- There is a consistency of materials and treatment with the completed development which is being extended through the site.
- The roof terraces are communal with subdivide spaces.
- Planting will be subject to further consideration in terms of suitability / viability for the locations proposed and daylight / sunlight character.
- The southern side of the podium has active open space with a secure MUGA.
- Sections will show existing and proposed development.
- Treatment of the western boundary wall requires detailed examination.
- Planting on the east-west axis will be designed to provide connectivity with the RHK.
- Daylighting for courtyards and the plaza is above the guideline standards.
- All apartment units meet the BRE daylighting standards.
- Further analysis of sunlighting, daylighting and overshadowing, and additional wind / microclimate assessment, will be undertaken.

Planning Authority's Comments:

- The open space design approach is reasonable. The public square / plaza should be finished off in line with the original design proposals.
- Consistency in landscape design is important.
- Only 26 units will have balconies. This is low and should be increased.
- Justification in respect of SPPR8 should be provided.
- Ensure that historical areas are not overlooked by balconies.

4. Access and Parking

ABP Comments:

- The application should be clear with regard to the relationship with the existing permitted development in HSQ in terms of access, parking etc.
- Drawings should clearly identify and differentiate between existing and permitted development and proposed development works.
- Clarify what works will take place within the red line boundary.
- Any proposed amendment to the permitted development / car park layout should be identified.
- Bicycle parking is not provided in accordance with the Apartment Design Guidelines and a justification will be needed in this regard.
- May consider a shared bicycle policy.

- Examine the quality and distribution of bicycle parking. The proposed location is not easily accessible for residents.

Prospective Applicant's Comments:

- No works are proposed for the -2 level. All works occur at -1 level.
- There is level pedestrian and cycle access from Military Road to the central plaza.
- There is vehicle and bicycle ramp access from Military Road to the -1 level.
- Improved cycle access from Military Road could be examined.
- Bicycle access at St John's Road West could be examined
- Blocks are accessed at the podium level.
- An operational management plan and car management plan will be submitted.
- The footpath at St John's Road West will be examined in further detail.
- Improvement works will form part of the application and will be included in the red-line boundary.
- Further discussion with the planning authority will be undertaken in this regard.
- Junctions are being assessed but were originally designed to cater for the overall HSQ development. A TIA will be submitted.
- Ownership of the site has been divided since the original application.

Planning Authority's Comments:

- In relation to cycle access, it would be beneficial to improve other options.
- Concerned with footpath provision on St John's Road West.
- Some concern that some sections of this footpath are not taken in charge.
- Car parking could impact on the existing development.
- Residential and visitor cycle parking should meet the guidelines standards.
- Outline the construction impact on existing units and consider the cumulative construction impacts / traffic impacts with the adjoining sites to the north.
- Consider any displacement effects.

5. Drainage and Water

ABP Comments:

- Outline drainage, water and sewerage services and relationship with completed elements of HSQ.
- Confirm whether consent of any 3rd party is required for service connections.

Prospective Applicant's Comments:

- Services were installed to serve the entire HSQ urban block.
- An existing attenuation tank in the northwestern corner of the block is currently not in use and this will be re-examined.
- There will be a new, separate water main connection to Military Road.
- Any required consents will be addressed in the application.

Planning Authority's Comments:

- No further comments

6. Any other matters

- **ABP Comments with regard to application:**

- No further comments

- **Prospective Applicant's Comments:**

- No further comments

- **Planning Authority's Comments:**

- No further comments

- **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 **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

Rachel Kenny
Director of Planning
April, 2021