



An
Bord
Pleanála

Record of Meeting ABP-310042-21

Case Reference / Description	426 no. Build to Rent units (7 no. houses, 419 no. apartments), creche and associated site works. Old Bray Road, Cornelscourt, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th July 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	11:25 am
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Steve Cassidy, Ardstone Homes
Mark Forrest, Ardstone Homes
Graham O'Sullivan, Henry J Lyons
Finghín Curraoin, Henry J Lyons
Breffi Green, Henry J Lyons
Mike Martyn, Cameo Landscape Architects
Brendan Keogh, DBFL Consulting Engineers
Declan Brassil, Declan Brassil and Company Ltd
Robert Kelly DBFL Consulting Engineers

Representing Planning Authority

Michelle Breslin, Senior Executive Planner
Elaine Carroll, 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 **28th May, 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 **26th April, 2021** 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. Previous reasons for refusal ABP-306225-19**
- 2. Matters raised in PA Opinion- density, height, scale/massing, unit mix, car parking**
- 3. Residential Amenity**
- 4. Other drainage matters**
- 5. Any other matters**

1. Previous reasons for refusal ABP-306225-19

ABP Comments:

- Clearly address previous reasons for refusal in any subsequent application- those being - proportion of single aspect apartments in the proposed development would contravene SPPR 4; the level of communal open space provision is below the minimum standard set out in Appendix 1 of the Apartment Guidelines resulting in proposed development failing to provide an adequate level of residential amenity for future occupants of the scheme and deficiencies in wastewater sewerage network
- Clearly highlight the aspect of each unit in schedule of accommodation and demarcate on submitted drawings; alterations noted from previous refusal, for example in current proposal, there are no north facing units and no second aspect to internal balcony space proposed
- Highlight areas of open space; highlight usage of each area (active, passive); hierarchy of spaces; landscaping proposals; additional cross-section showing podium levels of open space; need to demonstrate that proposal will provide a high level of amenity while complying with relevant standards
- Need to address matters relating to deficiencies in wastewater sewerage system; address matters raised in Irish Water report to ABP (dated 31st May 2021) and report of Drainage Division of PA as contained in their Opinion (dated 7th May 2021); need to demonstrate that proposal is not premature pending proposed upgrade works; need to demonstrate infrastructural constraints; solutions proposed; timelines involved and whether any third party consents are required. Further discussions should take place between the three parties- IW, the PA and the applicant- to come up with the most agreeable solution, if possible.

Prospective Applicant's Comments:

- All units have private open space.
- Dual aspect was a key driver in the design of this scheme, every unit will be detailed at application stage.
- The scheme will meet qualitative standards which will be demonstrated at application stage.
- In terms of drainage matters, substantial progress has been made with IW since the previous refusal, all technical details will be detailed and provided at application stage.
- Will liaise with PA and Irish Water in this regard

Planning Authority's Comments:

- In terms of dual aspect units, concern expressed with regards Block E as it is a corner unit facing east at a 45 degree angle not a 90 degree angle.
- The layout proposed does not comply with standards/best practice, however acknowledged the works employed to improve the scheme. Justification to be put forward by the applicant.
- In terms of open space provision, amenity value of some of the open spaces to be relooked at, particularly in relation to daylight/sunlight.
- In terms of drainage matters, storm and foul sewer items have not been bottomed out with IW, the PA have had no involvement in relation to the solution provided in the documentation, the solution is not an acceptable proposal.

- Overflows are preferred not to be used and are not normally accepted in relation to foul and surface water systems.
- Can facilitate further meetings with the applicant and IW to discuss the matter offline.

2. Matters raised in PA Opinion- density, height, scale/massing, unit mix, car parking

ABP Comments:

- The revisions made to the scheme since the previous refusal acknowledged in terms of addressing the concerns expressed in Inspector's Report of ABP-306225-19.
- Locational context of the site noted in context of local and national policy; CGI's, cross sections and any other further visualisations should be submitted at application stage to demonstrate this.
- Address the PA concerns in relation to the unit mix in particular the high number of one-bed units; acknowledged BTR nature of development and SPPR8 in this regard, together with extent of traditional dwellings within wider area
- Address PA concerns with regards to car parking provision, provide car parking strategy and other analysis to include detailed alternative modes of transport; examine car parking ratio permitted in the area in other similar SHD BTR schemes; SPPR8 noted in terms of flexibility in BTR schemes
- Any matters of material contravention of County Development Plan to be addressed at application stage

Prospective Applicant's Comments:

- The comments made by the Board and the PA are noted, a material contravention statement will be included at application stage.

Planning Authority's Comments:

- Local SHD's within the area have been reviewed, there is a concern in relation to the height in terms of its locational context. Further rationale will need to be provided for the height proposed.
- In terms of car parking provision, PA have carried out some analysis of SHD's within the area; a figure of 0.7 being the average ratio permitted; not necessarily the most acceptable figure, however it does give some guidance, but case-by-case/need for site-specific assessment also acknowledged.

3. Residential Amenity

ABP Comments:

- Examine any potential impacts on nearby residential properties; may be scope to relook at the absence of windows at 1st floor level to proposed houses; advised to explore elements like high level and/or obscured glazing features.
- Detailed cross-sections should be provided to demonstrate how overlooking is being avoided/mitigated.
- In terms daylight/sunlight, any shortcomings should be clearly identified; further clarity should be provided on what standards are being applied.

- In terms of future residents, compliance with Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020); microclimate, noise impacts
- A school demand and lifecycle report should be provided at application stage.

Prospective Applicant's Comments:

- Point in relation to the absent windows are noted.
- Currently preparing EIAR detailing all microclimate details.
- Will address Block D as raised by the PA in their report to the Board.

Planning Authority's Comments:

- Additional fenestration on rear elevation could be explored and details provided at application stage.
- Environmental issues will need to be addressed including air and noise.

4. Other Drainage Matters

ABP Comments:

- See above

Prospective Applicant's Comments:

- See above

Planning Authority's Comments:

- See above

5. Any Other Matters

ABP Comments:

- There should be consistency between all documentation submitted at application stage, all figures given should be accurate.
- Details to be submitted in relation to – building lifecycle report, waste management details; additional CGIS/visualisations/cross-sections, construction/haulage routes

Prospective Applicant's Comments:

- Nothing further to add.
- EIAR will be submitted at application stage

Planning Authority's Comments:

- In relation to open space and landscape factors, the usability of the area should be emphasised.
- Taking in charge details to be submitted at application stage

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
August, 2021