



Case Reference / Description	Demolition of existing buildings, construction of 147 no. Build to Rent apartments and associated site works. Units 64 and 65, Cherry Orchard Industrial Estate, Palmerstown, Dublin 10.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	30 th September, 2021	Start Time	02:30 pm
Location	Via Microsoft Teams	End Time	03:40 pm
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Director of Planning
Rachel Gleave O'Connor, Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Glen Barry, ShipseyBarry Architects
Ilsa Rutgers, I Rutgers Landscape Design
Michael Moran, TPS Consulting Engineers
Craig Van Deventer, Dk Partnership
Louise Mahony, Hayes Higgins Partnership
Eric Smith, Applicant
Conor Frehill, HW Planning

Representing Planning Authority

Laurence Colleran, Senior Executive Parks Superintendent
Sarah Watson, Case Officer
Tracy McGibbon, Executive Planner
Padhraic McGillicuddy, Roads Department
Brian Harkin, Senior Executive Engineer

Fionnuala Collins, Assistant Parks Superintendent
Eoin Burke, Senior Planner
Graham Murphy, Senior Executive Engineer
Yasir Khan, Roads Department

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 **12th July, 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 **11th June, 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. Land use required on REGEN zoned lands;**
- 2. Design;**
- 3. Amenity both within the development and to surrounding areas;**
- 4. Public open space;**
- 5. Drainage; and**
- 6. Any Other Business**

1. Land use required on REGEN zoned lands

ABP Comments:

- Regeneration zoning allows for residential development.
- Section 11.2.4 will need to be addressed at application stage.

Prospective Applicant's Comments:

- It is noted enterprise or residential is allowed, will work alongside the PA and discuss further the scope to include live/work units.

Planning Authority's Comments:

- Policy ET2 objective 3 in place, importance of employment within this location therefore some form of live/work units are encouraged.

2. Design

ABP Comments:

- Further information is required in relation to the treatment of the podium edges and security of access to the communal courtyard.
- Long term maintenance of the lift and stairs will need to be detailed, scope for inclusion of a ramp as opposed to a lift.
- A study of key podium points as part of the application should be submitted.
- Exploration of alternative simpler building material palettes to be considered within the plans.
- The development proposed states build to rent, it will need to be clear at application stage if this is to be amended to build to sell units and compliance with relevant standards will apply. The advice issued under this pre-application consultation request relates to the proposals for build-to-rent units only.

Prospective Applicant's Comments:

- All comments raised are noted in relation to balconies addressing the road and building materiality.
- In previous schemes carried out, a management company has been used to maintain lifts/stairs.
- A complete redesign is proposed of the entrance and landscaping.
- It will be ensured that the internal spaces will be more secured, details will be provided at application stage.
- The proximity of blocks C and D will be addressed at application stage.
- The podiums are at two key points, confident the concerns flagged regarding the boundaries can also be addressed at application stage.
- Reluctant to include a ramp as it would partly remove amenity space, the proposed lift is a better design solution however we can relook at this and justify at application stage.
- The scheme applied for will be build to sell.

Planning Authority's Comments:

- The entrance proposed at Kennelsfort Road is not welcoming in nature, scope to relook/re-design to something more suitable to create a stronger space.

3. Amenity both within the development and to surrounding areas

ABP Comments:

- In relation to daylight/sunlight the samples taken in the report rely on the worst-case scenarios, the entire floor should be considered.
- Possible impacts to the school site to the north should be detailed and justified.
- Further consideration should be given in relation to the compatibility of the development proposals with adjacent industrial uses, and consideration of potential impacts alongside any proposed mitigation.

Prospective Applicant's Comments:

- Daylight/sunlight report will be re-examined to include the relevant information.
- There will be a focused report prepared in relation to the adjoining lands.
- Studies have been prepared in relation to the properties to the west showing no significant impacts in terms of overshadowing.

Planning Authority's Comments:

- Impacts to the residential amenity to the west overlooking of properties rear gardens, mitigation measures should be demonstrated.

4. Public Open Space

ABP Comments:

- The access, boundaries and security of the podiums require further information.

Prospective Applicant's Comments:

- The steps are wide in nature to create a south facing terraced amphitheatre area.
- Lime trees can be swapped to a tree of a more native species.
- Sections through the public open space can be submitted as part of the application documentation pack.

Planning Authority's Comments

- Scope to include native trees to replace the identified lower quality species within the proposals.
- Potential for the planting in the public realm to be in rain gardens.

5. Drainage

ABP Comments:

- The PA and applicant should further engage in relation to any technical drainage details prior to any application being submitted to the Board.

Prospective Applicant's Comments:

- Points raised by the PA are noted, a further meeting will be sought.

Planning Authority's Comments

- There is a lack of natural SuD'S within the proposals, expect to see the inclusion at application stage offering multifunctional benefits.
- Concrete tanks detailed in the proposals are not favourable, green infrastructure is the first method that should be considered in relation to surface water.
- Labelling of drawings in relation to the block names should be consistent.

6. Any Other Business

ABP Comments:

- The SDCC Development Plan has specific objectives that the applicant should ensure they have fully considered prior to lodgement of an application.
- In relation to EIA Screening article 299B of the Regs has not referenced within the documentation, all requirements should be fully addressed at application stage.
- Ensure all documentation submitted is in coordination and there are no contradictory drawings, maps, reports, figures etc.

Prospective Applicant's Comments:

- Comments raised are noted and will be addressed at application stage, nothing further to add.

Planning Authority's Comments

- Concerns raised within the PA report should be addressed fully by the applicant.

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
October, 2021