



Case Reference / Description	1259 no. residential units (55 no. houses and 1204 no. apartments), creche and associated site works. Central Mental Hospital, Dundrum Road, Dundrum, Dublin 14.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	Friday 1 st October 2021	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	12.30 pm
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Daire McDevitt, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Fiona Little, Land Development Agency
Ciara Slattery, Land Development Agency
Dearbhla Lawson, Land Development Agency
John Gannon, Tom Phillips + Associates
Lizzie Donnelly, Tom Phillips + Associates
Rob Keane, Reddy Architecture + Urbanism
Paul Carey, Reddy Architecture + Urbanism
Tony Reddy, Reddy Architecture + Urbanism
Gareth Maguire, Reddy Architecture + Urbanism
Christy O'Sullivan, ILTP
John Considine, BMCE
Alastair Coey, Alastair Coey Architects

Eimear McDonnell, Aecom

Representing Planning Authority

Ger Ryan, Senior Planner
Shane Sheehy, Senior Executive Planner
Miguel Sarabia, Executive Planner
Sean Mcgrath, Senior Engineer (Traffic)
John Keating, Senior Executive Planner (Traffic)
Tom Kilbride, Executive Engineer (Traffic)
Elaine Carroll, Senior Executive Engineer (Drainage)
Julie Craig, Conservation Officer
Dara O'Daly, Executive Parks Superintendent

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 22nd 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 25th June 2021 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, as amended, 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.
2. Architectural Heritage and issues raised by Conservation Division.
3. Residential Amenities.
4. Issues raised by Transportation Planning Section. With particular reference to access arrangements, permeability, connectivity and parking provision.
5. Issues raised by Drainage Planning Section & Irish Water. With particular reference to network upgrades.
6. Issues raised by Parks and Landscape Services.
7. Any Other Matters.

Item No. 1 and 2 taken together for the meeting.

1. Development Strategy

ABP Comments:

- The prospective applicant is to provide the rationale for excluding the main hospital building from the proposed SHD application.
- Clarify the planning strategy to be pursued.
- Provide clarity on the boundaries of the proposed development.
- If pursuing dual applications, site boundary lines need to be clear.
- Provide clarity on the timelines of the applications.
- Clarify if either application could be developed independently or are the mutually dependent.

Prospective Applicant's Comments:

- The overriding imperative for the Land Development Agency (LDA) is for the delivery of housing. The inclusion of the former hospital building in this proposed development would take it out of the SHD process due to limits on 'other uses' under the 2016 Act.
- The LDA is seeking an integrated approach with the masterplan as the driver.
- There has been much engagement with the PA.
- The hospital building is proposed to be an innovation and enterprise centre. There is a lack of meeting spaces in the local area.
- The comprehensive masterplan is prepared and includes the proposed use of the existing hospital building.
- The SHD application will be accompanied by an EIAR.
- The LDA is a state body and is committed to the delivery of housing and the delivery of the hospital building with a new use.
- Part of the main hospital building is to be demolished as part of the SHD application, but this is not a part of the protected structure (it is a modern addition to the original structure that is protected). It is challenging to carry out surveys at the moment as it is still an active medical facility.
- All of the structures are of equal importance. The prospective applicant continues to assess all the structures.
- The SHD and section 34 applications can be developed independently but will have the same context. Both are to be lodged as close as possible to one another. Both applications will have the same access road.

- The uses and impacts are well understood.
- Consultations have been carried out with the local community and third parties.
- The access road to the hospital would be submitted as part of the section 34 application.

Planning Authority's Comments:

- The PA has concerns in relation to the site not being developed in its entirety.
- Has concerns in relation to how the applications can be assessed if there are two different planning authorities assessing applications on the same holding. There are a lot of moving parts to the application, and it is not an integrated approach.
- Do not have an issue with the proposed use.

Further ABP comments:

- Concerns regarding the proposed Planning Strategy and potential overlaps.
- Clarify the redline boundary and if parts of the Main Hospital Building (subject of section 34 application) are proposed to be demolished under the SHD application.
- Note structures that are proposed protected structures in the Draft County Development Plan have protected status.
- Highlighted that it would involve two separate planning authorities and 2 Competent Authorities for the purposes of AA and EIA.
- Concerns that there are overlapping elements in the two applications.
- Need to be very clear moving forward what strategy will be pursued. Different timelines and potential appeal of s.34 application.
- Need to clarify if overlapping boundaries (access/parking. etc)
- If dual application strategy is to be pursued, it may be prudent to allow one application run its full course before the other is lodged.
- Notwithstanding the concerns of the PA in relation to the dual application strategy, it appears there is no legal imposition prohibiting such a strategy should the applicant choose such a route.
- Note issues raised by PA and Conservation Officer, need further consideration by the applicant.

2. Architectural Heritage & issues raised by Conservation Division.

ABP Comments:

- Need to address issues raised by the Conservation Officer.
- Interface of new building with proposed protected structures on site.
- Treatment of boundary wall.
- Phasing and works to proposed protected structure and where do works to the Main Hospital building come in the proposed phasing.

Prospective Applicant's Comments:

- The process of accessing and assessing/surveying the buildings is ongoing.
- The prospective applicant is budgeting for the maintenance of the hospital building.

- The LDA is working in the public interest.
- The application for the hospital building will be lodged with the consent of the PA.
- The prospective applicant seeks to reassure the PA that the hospital building is central to the regeneration of the proposed development site.
- Will further consider the dual applications.
- The hospital building will be in phase four of five phases.
- Have had many meetings with residents, webinars and leaflet drops.
- The applicant notes the PA reference to the Connolly Station application and HC judgement. The Connolly Station application differs to this proposed development. The subsequent HC judgement in that case did not centre on the dual application strategy.

- **Planning Authority's Comments:**

- There has been extensive engagement with the prospective applicant.
- As the LDA is the prospective applicant, the PA is confident that the proposed development will be delivered.
- Some of the buildings that are to be demolished have not been assessed yet due to the medical facility being still active.
- The PA has no concern in the principle of the proposed development.
- The draft county development plan states that the hospital building is a proposed protected structure.
- The proposed date for the adoption of the county development plan is March 2022.
- The PA is concerned that there may be a deterioration of the main protected structures if their development is left to the end of the scheme.
- The PA has concerns in relation to the possibility of unintended consequences if proceeding with two applications with two different PAs. A solution may be to proceed with one section 34 application for the entire development.
- The boundary wall gives a sense of enclosure and protection.
- The proposed development site is unique.
- The PA's report proposes a change in the footprint of the development site.
- Have concerns in relation to the removal of the chapel pews but it is difficult to judge the proposed development as all the information is not yet available.
- Have concerns in relation to Block 11 and 12.
- The prospective applicant is advised to have consideration for the recent Connolly Station judgement.
- Have consideration for the architectural heritage, character and setting of the protected structure.

3. Residential Amenities

- **ABP Comments:**

- Potential impact on adjoining properties
- Have consideration for potential daylight and sunlight impacts.
- Have consideration for adjoining properties.
- Open spaces

- Address any pinch points within the development regarding potential overlooking or overshadowing.
- The proposed development should have a good unit mix.

- **Prospective Applicant's Comments:**

- Will reassess daylight and sunlight.
- There will be more detail on the above in the application.
- The area is overwhelmingly two-storey, semi-detached family units.
- The LDA has carried out an analysis of the unit mix of the proposed development.

- **Planning Authority's Comments:**

- Does not see any insurmountable issues in relation to residential amenity.
- There are only minor aspects to be addressed.
- The daylight and sunlight can be improved upon, but it is a good scheme that performs very well on many aspects.
- The proposed development can set an example that apartment living can be suitable for families.
- The life cycle should be considered in relation to the unit mix.
- The PA would like to see some larger units.

4. Issues raised by Transportation Planning Section. With particular reference to access arrangements, permeability, connectivity and parking provision.

- **ABP Comments:**

- Clarification regarding access arrangements
- Referred to how traffic and access issues were dealt with in recent SHD applications on the Dundrum Road.
- Clarify linkages (pedestrian and cyclist), ensure all documentation correlates.
- Clarify nature of link to the south (DLRCC Public Open Space -Rosemount Green)
- Provide clarity on the pedestrian/cycle connectivity at application stage.

- **Prospective Applicant's Comments:**

- Seeks to be compliant with national policy to reduce car dependency.
- Dundrum Road is the only road frontage on the proposed development.
- There are significant benefits in terms of permeability.
- Have provided a cycle route inside the wall parallel to Dundrum Road.
- There is very little on-street parking in the proposed developed.
- The proposed developed is people orientated.
- There are many large developments with only one single access.
- Have consulted with specialist fire consultants.
- An access to Rosemount Green will be provided.

- **Planning Authority's Comments:**

- Have consideration for permeability for sustainable active modes.
- Have consideration for accessibility to public transport.
- Dundrum Road cyclability is particularly poor.

- Greater clarity on what is proposed is needed.
- Have consideration for the downstream impacts.
- Accessibility to public transport is a concern.
- Two independent accesses onto the Dundrum Road are required.
- Have concerns in relation to the reliance on Dundrum Road.
- Connectivity across and through the site is important.
- Prioritise the design of the internal facilities.
- The connectivity issues need to be addressed.
- The area-based transport assessment is due to go on public display in the second quarter of 2022.

5. Issues raised by Drainage Planning Section & Irish Water. With particular reference to network upgrades.

- **ABP Comments:**

- Issues raised in the IW submission.
- Clarify if third party consents are required.
- Outstanding matters need to be addressed as there is no recourse for further information at application stage.
- Issues raised by DLR Drainage section.

- **Prospective Applicant's Comments:**

- Have received an updated letter from Irish Water.
- The upgrade and the water main will form part of the application.
- No third-party consents are required.
- The wastewater pumping station will be on the site.
- Will have further discussions with the PA.

- **Planning Authority's Comments:**

- The PA would like to see the solution for wastewater and how it will interact with the rest of the site.
- Would like further discussions with the prospective applicant on the wastewater pumping station.
- The proposed system is complicated. The prospective applicant is to ensure that there are no irregularities in the drawings and reports.

6. Issues raised by Parks and Landscape Services.

- **ABP Comments:**

- Clarify removal of category A trees.

- **Prospective Applicant's Comments:**

- Will take ABP's comments into consideration.

- **Planning Authority's Comments:**

- Is satisfied with the trees that are being retained.

- Positive aspects of the proposed development include the landscaping strategy and the proposed functions of the spaces.

7. Any other matters

• **ABP Comments:**

- The prospective applicant is to ensure that any Material Contraventions, if they arise, are addressed.
- Ensure that the application documentation correlates and dovetails.
- There is no recourse for further information at application stage.
- Note timelines for the adoption of the Draft Development Plan and if this will have implications for any potential application in the context of which plan the material contravention statement refers to (if applicable).

• **Prospective Applicant's Comments:**

- Intends to lodge the application by the end of the year.
- Will take the Board's comments into consideration.

• **Planning Authority's Comments:**

- There has been extensive engagement by the prospective 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.
- A Schedule of Documents and Drawings should be submitted with the Application.
- 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