



Case Reference / Description	Demolition of all existing structures on site and construction of 183 no. Build to Rent apartments and associated site works. No. 148 Richmond Road, Fairview, Dublin 3.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	15 th September, 2021	Start Time	4:00 pm
Location	Via Microsoft Teams	End Time	5:35 pm
Chairperson	Rachel Kenny	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Conor McGrath, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Jack O'Beirne, Hollybrook Homes
Harry Browne, RKD Architects
Alicia Molina, RKD Architects
Thomas Jennings, DBFL Consulting Engineers
Kevin Sturgeon, DBFL Consulting Engineers
Axel Hens, Mitchell + Associates Landscape Architects and Urban Designers
Andy Worsnoop, The Tree File Ltd
Elaine Hudson, Thornton O'Connor Town Planning
Patricia Thornton, Thornton O'Connor Town Planning

Representing Planning Authority

Shane Healy, Executive Planner
Roisin Ni Dhubhda, Executive Planner
Kieran O'Neill, Senior Executive Landscape Architect

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made via Microsoft Teams having regard to the COVID-19 restrictions.

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 **26th 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 **28th 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. Access, parking and service arrangements

3. Open space – communal and public open space

4. Residential Amenity

5. River Tolka:

- Flooding
- Pedestrian / Cycle route
- Impacts of trees

6. Any Other Business

1. Development Strategy

ABP Comments:

- The applicant should demonstrate compliance with the Z10 land use zoning objective and its objectives relating to the mix of uses on the site.
- Rationale for the mass and height of buildings proposed should be further detailed.
- Greater imagery should be submitted showing the development in the wider context.
- The relationship between the proposed scheme and the adjoining lands to the north, Laydens, should be addressed.

Prospective Applicant's Comments:

- Richmond Road is a challenging area for the provision of successful commercial activity and uses.
- This was recognised in the planning authority planners report under PA ref. 2556/18 at 144 Richmond Road.
- In similar marginal commercial locations in the city, a mix of uses similar to that currently proposed has been accepted.
- The context for the development site is mainly set by the river and surrounding trees. The scheme would also provide passive overlooking across the river to the Belvedere playing pitches / park.
- The higher elements are set-back from the street and the design approach breaks up the mass of the blocks. The design seeks to avoid tiered set-backs.
- The prospective applicants have since acquired ownership of the adjacent Laydens site to the northeast.
- A masterplan including these phase two lands can be supplied at application stage.
- The development will relate to development on Holy Cross lands to the southwest.

Planning Authority's Comments:

- A substantial area of Richmond Road is located in Z10 lands, where there is a persistent issue with the take up of ground floor commercial units.
- This is not a mixed-use area and is now predominantly residential.
- 7-8 storeys would be the appropriate scale of buildings on this site.
- The current transition to its surroundings is too abrupt and the development is overwhelming in its context.
- The site is separate from the Holy Cross lands and will stand along as an isolated backland site.

2. Access, parking and service arrangements

ABP Comments:

- Clarification regarding DCC proposals for the widening and improvement of Richmond Road.
- Access arrangements require further discussion between the applicant and the planning authority.

- The site location map does not appear to reflect the site layout plans (red line boundary error) which the applicant should review prior to lodgement of any application.
- Parking management along frontage of Richmond Road should be reviewed.
- Documentation submitted as part of any application should provide a rationale for the extent of car parking proposed in the context of SPPR8 which relates to BTR development.
- A DMURS compliance statement was submitted as part of the pre-application request. The viability of this statement is queried due to the concerns raised by the PA. Quality audits should be submitted as part of any application.

Prospective Applicant's Comments:

- Further design work has been undertaken in relation to the access arrangements and to address the issues raised by the PA.
- Further discussion will be undertaken with the PA to try resolve access arrangements, parking and set down area and the setback proposed.
- Welcome the potential to reduce parking numbers on the site.
- The allocation of resident, visitor and commercial parking spaces can be highlighted at application stage.
- The DMURS documentation will be updated in line with the concerns flagged within the PA report.

Planning Authority's Comments:

- There has been no progress in relation to proposed widening or upgrades to Richmond Road and there is no timeframe proposed at this time.
- Such works are an objective of the current Development Plan which will be carried into the next Development Plan.
- Further information is required in relation to boundary treatments proposed.
- Can discuss the entrance design with the prospective applicants.
- The parking ratio works out to be 0.4 spaces per unit however the breakdown of spaces is unclear between residents, visitor and commercial spaces. These details should be provided within the application to the Board.
- To further reduce car parking provision, a very strong justification would be required along with additional compensatory measures to support the development.
- A robust mobility management plan should be submitted.
- Scope to explore car sharing and the provision of such spaces within the scheme.

3. Open Space – communal and public open space

ABP Comments:

- Clarification with regard to the design of the north western public access route from Richmond Road is required, having particular regard to issues of quality, safety, surveillance and overall attractiveness.

- Clarification is required regarding the distinction between public open space / accessible areas and communal residential amenity and how they achieve their design function.
- Vehicular access areas should not form part of open space calculations.
- Application documentation should address these matters clearly.

Prospective Applicant's Comments:

- The north western cycle/pedestrian route is proposed to be a minimum of 3 metres in width with a view through to the River. This will be a high-quality connection to the River walkway.
- Can explore additional measures such as additional lighting, surveillance cameras, greenery/planting, boundary treatments and green walls to address concerns. The design of the gable wall could also be reviewed.
- Proposals for the delineation of the public and communal open spaces do not include railings, instead a buffer would be created with landscaping and levels to create a subtle transition from the communal and public open spaces.
- Comments raised by the PA in their report will be addressed at application stage.

Planning Authority's Comments:

- Site sections through open spaces areas should be included as part of the application documentation.
- There should be clear definition between communal and public open space.

4. Residential Amenity

ABP Comments:

- Regard should be had to the detailed comments of the PA in relation to internal overlooking and residential amenity.
- The relationship with Deakins Court should be described in terms of the protection of adjoining residential amenities.
- The assessment of daylight impacts on properties to the north should include further elaboration and commentary on the results. Where identifiable, room uses in assessed properties should be identified.
- Any impacts or shortfalls in terms of daylight and sunlight should be clearly identified at application stage.
- In terms of the assessment of daylight to proposed residential units, further analysis is required to establish overall levels of compliance.
- Provide justification for any identified non-compliance and identify appropriate compensatory measures.
- The relationship with the Leydens site to the northeast and its development potential should be examined in terms of daylight, sunlight and residential amenities within this development.
- The microclimatic assessment should consider the comfort and use of roof terraces and upper floor balconies.

Prospective Applicant's Comments:

- Proposed units face northwest onto shared / communal open space in Deakins Court.
- Adequate separation from the boundary is provided to balance privacy and daylighting requirements.
- Actively working on details in relation to the current and possible future developments on the adjoining Leydens lands, including daylight and sunlight assessments, which will be provided at application stage.

Planning Authority's Comments:

- Any compensatory measures proposed by the applicant should be fully outlined within the application documentation.

5. River Tolka (flooding, cycle and pedestrian route and impacts of trees)**ABP Comments:**

- Clarity required in relation to landownership at the riverbank.
- Clarification regarding the requirements of the planning authority in relation to the proposed pedestrian / cycle route.
- A distinction should be made between the biodiversity function and the quality of the existing trees on the site.
- PA concerns regarding use of the greenway for emergency services might be addressed by a report from the fire consultant acting on behalf of the applicant.
- Will the pedestrian / cycle link be taken in charge and how will it connect to adjoining lands?

Prospective Applicant's Comments:

- The ownership of an area of land on the riverbank is unclear and is being actively investigated. It is either in the ownership of the Applicant or the OPW, and a letter of consent will be sought from the OPW if required.
- There is a conflict between the requirement to provide a flood wall and also retain the trees on the site.
- A new flood wall is proposed c.1m behind the existing masonry river wall, which is in poor condition. Repair of this river wall would necessitate loss of trees in any case.
- Surveying is taking place in relation to resolve this matter.
- Flood works have been the subject of discussions with DCC flood management section and will comprise part of the River Tolka Flood Relief Scheme which previously approved.
- Building layout and relationship with alternative flood solutions can be reviewed
- No discussion has taken place as yet with the National Transport Authority (NTA) in relation to the proposed greenway.

Planning Authority's Comments:

- There is a conservation area along the River corridor and a suitable set back should be provided to protect the area prior to development.
- The high loss of trees proposed within the development proposals is noted.

- Building layout appears to be creating pinch point adjoining the greenway corridor and further flexibility in layout should be considered to address this issue.
- Alternative flood relief design proposals should be considered, similar to the layout at Deakins Court, which would retain existing riverbank vegetation and trees.
- The cycle/pedestrian access route should be entirely separate from the emergency access route.
- The cycle link is part of the Greenway cycle proposed by the NTA and it is understood that the NTA will take this into their control.
- Potential alternative public connections to the greenway from Richmond Road, via the Leydens could be examined, in lieu of the difficult northwestern passage.

6. Any Other Business

ABP Comments:

- Reminder to ensure consistency between drawings and the redline boundary provided as part of the application pack, and to ensure any necessary letter of consents are also included with any subsequent application.

Prospective Applicant's Comments:

- Nothing further to add

Planning Authority's Comments:

- Nothing further to add.

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.

Rachel Kenny
Director of Planning

October, 2021