



An  
Bord  
Pleanála

## Record of Meeting ABP-310668-21

<b>Case Reference / Description</b>	112 no. apartments and associated site works. Balnagowan House, St. Mobhi Boithirin, Glasnevin, Dublin 9.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	16 <sup>th</sup> September 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:30 am
<b>Chairperson</b>	Rachel Kenny	<b>Executive Officer</b>	Helen Keane

### Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Conor McGrath, Senior Planning Inspector
Helen Keane, Executive Officer

### Representing Prospective Applicant:

Charles O'Callaghan, Applicant
Pierce Maloney, Applicant
Jim Keogan, McCutcheon Halley Planning
Martina Keenan Rivero, McCutcheon Halley Planning
Barry Macken, KMD Architecture
James Slattery, David Slattery Conservation Architects
Scott Caldwell, Metec Consulting Engineers

### Representing Planning Authority

Natalie deRoiste, Executive Planner, Planning Department
Niamh Kiernan, Assistant Conservation Officer, Conservation Office
Siobhan O'Connor, Senior Executive 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 26<sup>th</sup> 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 29<sup>th</sup> 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**
  - a. Building heights and scale.**
  - b. Protection of the character and setting of the protected structure.**
- 2. Relationship with adjoining lands.**
- 3. Landscaping and open space**
- 4. Residential Amenity, incl. daylighting**
  - a. Adjoining residential amenity**
  - b. Proposed residential amenity**
- 5. Any Other Matters**

## 1. Development Strategy

### a) Building heights and scale

#### **ABP Comments:**

- Having regard to the constraints on the site, outline the design rationale and address the PA's concerns in relation to height.
- Further justification for the design approach needs to be submitted at application stage.

#### **Prospective Applicant's Comments:**

- The proposed development site is an underutilised, accessible site near employment hubs such as DCU and the Bon Secours hospital.
- It is also in close proximity to Mobhi Road which has bus connections and the proposed metro and national policy supports development of the nature proposed.
- The design has been revised in response to S.247 consultations with the PA.
- The proposed is efficient, effective and responsive to the location, it is conscious of the adjoining houses and gardens on Mobhi Road.
- Block 3 is well separated from the Bon Secours hospital with dense planting proposed.
- There has been engagement with the Bon Secours hospital and they are aware of the proposed development.
- Precedent for the proposed height exists locally in existing and approved developments.
- The proposed density and height is considered appropriate for this location.
- The street frontage to St Mobhi Boithrin is enhanced and improved by the proposed development. Separation from the protected structure has been increased.
- Public open space could possibly be provided within the site to west and south of the protected structure, if required.

#### **Planning Authority's Comments:**

- The PA's report contains details on height.
- The is suitable in principle for higher density and height. The cited precedents in the area are different in nature, however.
- The primary concerns for the PA are the protected structure and protection of residential amenity of the houses along Mobhi Road.
- There have not been any changes to the height since the section 247 meeting was held.

### b) Protection of the character and setting of the protected structure.

#### **ABP Comments:**

- The prospective applicant can refer and respond to the detailed reports of the PA as the basis for their development rationale and documentation at application stage in this regard.

#### **Prospective Applicant's Comments:**

- The prospective applicant seeks to repurpose the protected structure, which is currently in bad condition and a haven for anti-social activity.

- The entire concept of the proposed development is driven by the scale and setting of the protected structure.
- The prospective applicant seeks to retain the frontage walls and gate, and the setting to the front of the protected structure is fully retained.
- The views to and from the protected structure are retained.
- The development will include reference to the garden barbeque pit.
- The open space is proposed as communal open space.
- The prospective applicant has responded to the planning authority's comments and fully intends to retain the important features of the protected structure.
- The apartments reference the art deco style of the protected structure in a high-quality, contemporary scheme, which includes strong horizontal emphasis.
- The protected structure is significant because it is the first of its type rather than its architectural quality. It does not have significant architectural features.
- The prospective applicant does not agree that the protected structure is on a par with the GPO as a structure of national significance.

**Planning Authority's Comments:**

- The National Inventory of Architectural Heritage have designated the protected structure on the proposed development site as a structure of national significance, which puts it on a par with the GPO.
- Concerns are outlined in the submitted report.
- The PA is satisfied with the proposed buffer zone. The development incorporates a lot of positive elements.
- The art deco style of the protected structure is very important to reference in the new architectural style.
- Further reference to the protected structure within the new blocks is required.
- The PA would like to see more of the boundary retained.

**2. Relationship with adjoining lands**

**ABP Comments:**

- Respond to concerns regarding the relationship of the scheme with the hospital lands to the west and impacts on the development potential of those lands.
- Confirm whether revisions to the development to increase separation from the protected structure have resulted in proposed development moving closer to the western site boundary.
- Provide clarity on the impact on trees and the site boundary and whether any trees in the Bon Secours lands are affected.

**Prospective Applicant's Comments:**

- The isolated northwestern triangular section of the development site can support a small apartment block. This block provides only opaque glazing facing only the hospital site, which could be omitted if required.
- The Bon Secours hospital have raised no objection to the proposed development to date that the applicant is aware of. Discussions are on-going with the hospital authorities.

- The layout has been informed by the protected structure and adjacencies
- There is no direct overlooking from the apartment blocks to the Bon Secours, with limited apartment balconies facing that site.
- These hospital lands are currently in use for car parking and plant.
- Orientation of blocks provides an attractive southwest facing open space.
- There is a precedent in the area for similar separation from site boundaries for 6+1-storey development, at Beechview.
- There is a generous separation distance of 14 metres from Balnagowan House along St. Mobhi Boithrin.
- Compensatory planting is to be carried in lieu of existing trees to be removed, which are in poor condition. Trees to be removed occur within the applicant site.
- Some redesign of Block 2 could reduce potential overlooking.
- The existing wayleave running through the hospital lands reduces its development potential and facilitates the proposed development arrangement.

**Planning Authority's Comments:**

- Advises the prospective applicant to submit a masterplan as part of the application documentation to allow assessment of the relationship with adjoining lands.
- Improved separation from the boundary could be achieved without encroaching on the protected structure by reducing the footprint of development.

**3. Landscaping and open space**

**ABP Comments:**

- Discussions regarding the payment of a financial contribution and / or the design of public and communal open space can be facilitated between the planning authority and the prospective applicant.
- What consideration was given to alternative cycle parking access arrangements closer to the public road via ramp or stair / lift?
- Have regard to potential conflicts in the function and design of the pathway to the east of Block 3, as both an amenity space and a cycle access route.
- Give consideration to the importance of the rear landscape of the protected structure.

**Prospective Applicant's Comments:**

- The prospective applicant has a preference to keep the area to the east of Block 3 as communal open space. If required, this could be designed as public open space but the payment of a financial contribution in lieu thereof is proposed.
- The design seeks to separate cyclists from vehicles on the basement ramp.
- A ramp at the northern end of the site would be too demanding of space.
- The proposed cycle access route is attractive and will not add significantly to journeys.
- There are 240 secure carparking spaces in the basement and 12 secure carparking spaces on the ground floor.

**Planning Authority's Comments:**

- The planning authority preference is on-site provision of 10% public open space, subject to design.

- The planning authority is seeking the restoration and conservation of the curtilage, and reinstatement / reconstruction of the front courtyard fountain and other features.
- Have further regard to, and undertake further assessment of, the historic rear landscape and curtilage of the protected structure.
- Cycle access route should be excluded from calculation of amenity spaces.

#### 4. Residential amenity

##### a. Adjoining residential amenity

##### b. Proposed residential amenity

##### **ABP Comments:**

- Address concerns raised regarding the relationship with adjoining houses on Mobhi Road and houses to the north on St Mobhi Boithirin.
- Provide further detail at application stage on how the impact of Block 1 and 2 on the adjoining residential amenity is addressed.
- Provide the Vertical Sky Component (VSC) values at application stage for the terrace to the north of Block 1 and undertake an assessment of Annual Probable Sunlight Hours (APSH) if necessary.
- Provide further detail in terms of overlooking and overbearing impacts on adjoining properties at application stage.

##### **Prospective Applicant's Comments:**

- There is no overlooking from Blocks 1 and 2. Windows are designed to address potential impacts, with fritted, opaque glazing.
- Existing trees on St. Mobhi Boithirin impact on daylight to properties to the north.
- The Vertical Sky Component (VSC) values for adjoining properties will be provided at application stage.
- The plans assessed in the Daylight Sunlight report have been superceded.
- Exclusively north facing apartments are not proposed in the development.
- The proposed northerly window design will still provide for adequate daylight, while further revisions to the building will deliver improved daylighting to proposed apartments.
- The proposed development is predominantly south west facing.
- There is some degree of overlooking to the rear of Mobhi Road houses but it is mitigated by separation distances, building design and landscaping proposals.

##### **Planning Authority's Comments:**

- Only use fritted window design where necessary and provide detail on any impact on daylight and sunlight into these units arising from such use.
- Potential overlooking of the rear of houses on Mobhi Road should be addressed at application stage.

## 5. Any Other Matters

### ABP Comments:

- The prospective applicant to ensure that all issues of potential Material Contravention of the development plan are addressed at application stage.
- The prospective applicant should ensure that a full set of elevations and drawings for each block is provided at application stage.

### 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.
- 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](mailto: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](mailto:spatialplanning@water.ie).

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Rachel Kenny  
Director of Planning  
October, 2021