



An
Bord
Pleanála

Record of Meeting ABP-310800-21

Case Reference / Description	131 no. apartments and associated site works. Quadrant House, Chapelizod Road, Chapelizod, Dublin 20.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	20 th September 2021	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	11:40 am
Chairperson	Rachel Kenny	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Rachel Gleave O'Connor, Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Pat Linders, prospective applicant
Declan Brassil, Declan Brassil & Co. Ltd
Hennie Kallmeyer, Declan Brassil & Co. Ltd
Bill Hastings, ARC
Rory Walsh, BPG3,
Lucy Carey, Cunnane Stratton Reynolds
Derek Murphy, O'Mahony Pike Architects
Finnian O'Neill, O'Mahony Pike Architects
Sarah Curran, DBFL Engineers
Thomas Jennings, DBFL Engineers

Representing Planning Authority

Liam Currie, Executive Planner, Planning Department
Heidi Thoradalen, Senior Executive Planner, Roads Planning
Kieran O'Neil, Parks 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 6th August 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 12th July 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. Height / design and associated potential impact upon the area;
2. Daylight and sunlight both within the proposed development and impact upon surrounding areas;
3. Impact upon amenity of adjacent residents, including separation distances;
4. Open space and private amenity space provision;
5. Potential impact on Deerpark wall; and
6. Any Other Matters

1. Height / design and associated potential impact upon on the area

• **ABP Comments:**

- The PA have raised a number of issues.
- The prospective applicant is to provide further detail on what has influenced the arrangement of height across the site.
- Address if a potential route through the park is realistic in relation to the removal of trees and the boundary wall.
- Address the 8-storey pop up design and location.
- Address the amenity impact on surrounding areas.
- Provide further clarity at application stage.

• **Prospective Applicant's Comments:**

- The scale is appropriate given the screening and landscaping available in Phoenix Park.
- The change in scale does not affect the park.
- The scheme is modulated throughout the proposed development site.
- The prospective applicant is not seeking to create a landmark building. The 8-storey pop up is not visible on approach into Chapelizod.
- The location has been taken into account.
- The prospective applicant seeks to allow for future potential regarding an opening into the park similar to have how other developments have.

• **Planning Authority's Comments:**

- The PA has concerns in relation to the 8-storey pop up element and the height.
- The juxtaposition of the site relative to the surroundings does not lend itself to a landmark position.
- The PA has concerns that the proposed development would result in an abrupt position in scale.

2. Daylight and sunlight both within the proposed development and impact upon surrounding areas

• **ABP Comments:**

- The prospective applicant is to provide further details on daylight, sunlight and overshadowing within the proposed development and the impact on surrounding areas.
- The daylight and sunlight assessments should indicate where there is non-compliance of the Building Research Establishment (BRE) guidelines.
- The report submitted should be entirely transparent on non-compliance.
- There may be issues in relying on planning register drawings for indications of current layouts to existing neighbouring properties.
- The report submitted is comprehensive. However, assessments should accurately reflect the methodology of the BRE guidelines.

- The prospective applicant is to provide further clarity at application stage on the extent of impact to existing property.
 - Have consideration of whether the desire to retain potential for a future route into the park is dictating a layout that does not mitigate impact on existing properties.
 - Any impacts identified are to be justified and compensatory measures described where relevant.
 - If the Average Daylight Factor test is used, for existing dwellings, this is to be justified with reference to methodology in BRE guidelines Appendix F.
 - There are incomplete results for the proposed development in the report with no results for the second floor.
- **Prospective Applicant's Comments:**
 - The impact of the 8-storey element on daylight and sunlight conditions has been assessed.
 - There is a recognised shortcoming on the BRE guidance in relation to VSC testing and the position of balconies. The test points are located under deep external walkways. Average Daylight Factor (ADF) is most sophisticated assessment available.
 - The BRE guidelines were developed in the late 1980s. It is justifiable to not be entirely fettered by them.
 - Will take ABP and the PA's comments into consideration.
 - The report provided at pre-application stage is a preliminary report. This will be fully comprehensive at application stage.
- **Planning Authority's Comments:**
 - The prospective applicant is to address the impacts as a result of the pop-up element.
 - Have consideration for a reduced pop-up.

3. Impact upon amenity of adjacent residents, including separation distances

- **ABP Comments:**
 - The prospective applicant is to have consideration for proximity to the boundary and related amenity impacts.
 - Consideration of proximity of boundary to the Springvale development is required in recognition of associated amenity impacts.
 - Separation distances should be clearly annotated on drawings at application stage.
- **Prospective Applicant's Comments:**
 - Most of the units in Block B are dual aspect.
 - A series of testing is to be carried out.
- **Planning Authority's Comments:**
 - The PA has concerns in relation to the impact of the proposed development on Mullingar Terrace.

4. Open space and private amenity space provision

- **ABP Comments:**

- The prospective applicant is to address the 'semi-private' amenity space provision in Block A and whether this accords with standards in the apartment guidelines.
- Consideration is required of whether the 'semi-private' provision is suitable, in recognition of the role that private amenity fulfils for door-step play for young children.
- Provide clarity on land ownership of the urban plaza.
- Provide clarity on the function and the use envisaged for the urban plaza.
- Provide further detail on the urban plaza at application stage.

- **Prospective Applicant's Comments:**

- The urban plaza has been designed to create a space for civic use, where residents and people in the area can meet and gather.
- The prospective applicant will take on the PA comments regarding the bicycle parking on board and material finishes.
- There will be seating in the urban plaza.
- Will provide further detail on the urban plaza at application stage.
- Will expand on and improve the provision of semi-private amenity to block A.
- Will take the amenity value of ground floor residents into consideration.
- Each unit is designed to the same standard and quality.

- **Planning Authority's Comments:**

- The bicycle parking on the urban plaza would discourage people from using the urban plaza.
- There is a potential conflict on the communal steps to the north of the site, the prospective applicant is to provide further detail at application stage.
- The PA highlights the importance of the quality of materials and that a strong sense of identity is created. The PA seeks a space that is usable.
- The urban plaza is also to be used for service vehicles.

5. Potential impact on Deerpark wall

- **ABP Comments:**

- The PA have concerns in relation to the potential impact in Deerpark wall.

- **Prospective Applicant's Comments:**

- Will undertake further discussion with the PA.
- There is an idea around creating openings to facilitate future proofing permeability of the proposed development but this is not currently proposed.
- Recognise that Deerpark wall is a protected structure in Phoenix Park and any potential opening is up to the Development Applications Unit.

- **Planning Authority's Comments:**
- The construction management plan is to be discussed further with the prospective applicant.
- Can facilitate further discussions on potential impact on the Deerpark wall.

6. Any other matters

- **ABP Comments:**
- The prospective applicant is to provide justification for the approach to childcare provision.
- There is an existing creche on the site, which the childcare report appears to take into account in terms of capacity, however this would be demolished as part of the development.
- Consideration is required of the loss of this childcare provision and how the proposal accounts for this.
- The prospective applicant is to have consideration for the ecology of adjacent areas particularly given the proximity to Phoenix Park.
- The prospective applicant is to have consideration for 299B requirements on the EIAR.
- **Prospective Applicant's Comments:**
- The proposed development is low on car storage.
- **Planning Authority's Comments:**
- Will engage further with the planning authority.

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