



An
Bord
Pleanála

Record of Meeting ABP-310833-21

Case Reference / Description	134 no. Build To Rent apartments and associated site works. Site bound by Newmarket to the North, Ardee Street to the West and Mill Street to the South, Newmarket, Dublin 8 (including City House and Unit 3, Newmarket, Dublin 8).		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	14 th October 2021	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	11:10 am
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Rachel Gleave O'Connor, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Planning Authority:

Liam Currie, Executive Planner, Planning Department
David Conway, Executive Engineer, Roads Planning
Kieran O'Neill, Park Services

Representing Prospective Applicant:

Declan Brassil, Declan Brassil + Company
Mark O'Brien, Prospective Applicant
Rob Keane, Reddy A+U
Eoghan O'Brien, Reddy A + U
Michael Hughes, Barrett Mahon Consulting Engineers

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 13th 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 14th 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. Build-to-Rent Tenure**
- 2. Height and Design Strategy**
- 3. Residential Amenity**
- 4. Ecology**
- 5. Construction Stage**
- 6. Any Other Matters**

1. Build-to-Rent Tenure

• ABP Comments:

- The prospective applicant is to have consideration for issues that may be raised in submissions at application stage in relation to Build to Rent.
- Refer to the planning policy basis.
- Provide a data breakdown for the area.
- Provide detail on the Build to Rent management measures and tenancies if possible.

• Planning Authority's Comments:

- The prospective applicant is to have consideration for the number of Build to Rent, SHD developments in the area.
- Have consideration for potential submissions in relation this.

• Prospective Applicant's Comments:

- National policy promotes Build to Rent.
- The prospective applicant will provide further detail and justification for Build to Rent.
- There is localised provision of Build to Rent but there is a significant rental deficit in the wider area.

2. Height and Design Strategy

• ABP Comments:

- The prospective applicant is to provide further detail on the elevation treatment and activation at ground floor level.
- Have consideration for refining the material palette and treatment to the top of the building.
- Explain the overall vision for Newmarket and how the proposed development will contribute to same.

• Prospective Applicant's Comments:

- A step back of 2.5 metres is provided in order to address the PA's comments.
- Use of brick in the design, which is durable.
- A large commercial unit will be at ground floor level.
- The prospective applicant seeks to create a vibrant, active, public realm.
- It may be difficult to achieve the 10% public open space on the constrained site.
- Will have further discussions with the PA.

• Planning Authority's Comments:

- The PA agrees with the marked entrance design strategy.
- Have consideration for the pinch point on Newmarket Square and the excessive height on Ardee Street.
- The PA seeks the provision of the required 10% public open space.
- There is great potential to enhance the public realm.
- The PA would like to see the public realm of the proposed development as an enhancement of the square.

- There needs to be a quality to the space.
- Can facilitate further discussions with the prospective applicant.

3. Residential Amenity

- **ABP Comments:**

- The daylight/sunlight report is comprehensive but further explanation in some areas would be beneficial.
- The prospective applicant is to provide a rationale if not testing the area to the east of the proposed development for overshadowing.
- Have consideration for the provision of ground floor internal communal amenity areas for BTR use.
- Consideration of the amenity levels and quality of accommodation for ground floor units.
- Provide further detail on the edge treatment of the residential courtyard where it bounds the adjacent site.
- Address any compensatory measures for units as necessary.
- Detail the distances between windows and balconies.

- **Prospective Applicant's Comments:**

- The views from the apartments over Newmarket Square is a compensatory measure.
- The prospective applicant seeks to ensure that the amenity space provided is meaningful.
- Will provide further detail on the edge treatment at application stage.

- **Planning Authority's Comments:**

- The prospective applicant is to have further consideration for the café and working area to be provided and if a dual space is suitable.
- Address if there will be a concierge or management facilities in the foyer.
- The overall quantum is on the low side.

4. Ecology

- **ABP Comments:**

- ABP notes that an NIS was submitted in the pre-application documentation. (AA is not carried out at pre-application stage.)

- **Prospective Applicant's Comments:**

- Further consideration of ecology and AA screening before submitting an application.

- **Planning Authority's Comments:**

- Query if a Stage 2 will be required at application stage.

5. Construction Stage

• **ABP Comments:**

- More detail is required in the construction management plan at application stage particularly in relation to the construction traffic movements.
- Address cumulative impacts.

• **Prospective Applicant's Comments:**

- The prospective applicant will have consideration for ABP's comments.
- Will have further discussions with the PA.

• **Planning Authority's Comments:**

- The PA has concerns in relation to the construction traffic given the number of developments in the area.
- The PA welcomes further discussions in relation to the above.

6. Any other matters

• **ABP Comments:**

- Provide further detail on the place of worship currently on the proposed site having regard to policy and potential observations regarding the same.

• **Prospective Applicant's Comments:**

- The prospective applicant is facilitating the relocation of the place of worship.

• **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 **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