



Case Reference / Description	Demolition of existing Motor Showroom, construction of 241 no. Build to Rent apartments, creche and associated site works. Agneli Motors Site, Greenhills Road, Tallaght, Dublin 24.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	12 th November, 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	11:30 am
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Eoin Conway, Weir Conway
John Spain, John Spain Associates
Meadhbh Nolan, John Spain Associates
Caitlin O'Shea, John Spain Associates
Bjorn Rosaeg, Henry J Lyons
Ben Conway, Henry J Lyons
Clara Seeballuck, Henry J Lyons
Fionnan De Burca, CS Consulting Group
Andrew Annett, Parkhood Landscape Architecture
Richard Coleman, City Designer
Rory Walsh, BPG3
Darren Carroll, City Designer

Representing Planning Authority

Jim Johnston, Senior Executive Planner
Eoin Burke, Senior Planner
Brian Harkin, Senior Executive Engineer
Graham Murphy, Senior Executive Engineer

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 **3rd September, 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 **6th August, 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. Compliance with CDP Policy and the Tallaght LAP 2020.

- Density/ Unit Mix/ Tenure
- Plot Ratio and Height Strategy,
- Mat Con Issues

2. Architectural Design Approach:

- Integration with the wider area,
- Layout, height, scale, massing, separation distances, materials and visual impact.

3. Residential Amenity

- Overlooking
- Separation distances & set back from boundaries.
- Daylight and Sunlight
- Overshadowing (both to proposed open space and neighbouring properties)
- Quantum and quality of outdoor amenity space
- Resident support services & facilities

4. Issues Raised in the CE Report

5. Any Other Business

1. Compliance with CPD Policy and the Tallaght LAP 2020.

ABP Comments:

- The applicant should be cognisant of, inter alia, other SHD decisions within the area.
- Strong justifications will need to be submitted at application stage to address PA concerns raised within the report submitted to the Board in areas of non-compliance with the newly adopted TTCLAP 2020 – 2026.
- Further consideration and or justification of the proposed development regard being had to Policy H10 Mix of Dwelling Types of the CDP which seeks to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.
- Further consideration and/or justification of the proposed development regard being had to unit mix proposed, which would consist of one and two bed apartments, which would be contrary to Objective RE2 of the LAP and policy H8 of the CDP. Objective RE 2 within section 5.2 of the LAP states that it is policy of the Council to ensure an appropriate housing mix is provided within the LAP lands, therefore a minimum of 30% of units within any new residential development (in the form of either apartments or houses but excluding student accommodation schemes) shall have a minimum of 3 bedrooms.
- Further consideration and or justification of the tenure mix being proposed (that being 100% build-to-rent with no build-to-sell units), and the plot ratio in conjunction with the building height proposed, given the provisions of the Tallaght Town Centre Local Area Plan (TTCLAP) 2020-2026 in relation to tenure mix and intensity of development.
- Further consideration that a material contravention of the Tallaght Town Centre LAP 2020 – 2026 has been justified in this instance (height, plot ratio, unit mix, set back from existing dwellings) regard being had to recent similar BTR precedent cases in the Tallaght area, since the adoption of the TTCLAP 2020 – 2026.

Prospective Applicant's Comments:

- The site is located on a high frequency bus route (no. 27 bus) and there is a proposed Bus Connects route nearby, it is also located within a high employment area.
- The LAP allocates a low plot ratio/ density to this area.
- SPPR8 does not impose restrictions in terms of unit mix or tenure as it is a BTR scheme.
- A number of SHD applications for similar density BTR schemes have been permitted by the Board since the adoption of the TTCLAP 2020 - 2026
- It is proposed there will be a number of communal spaces at ground floor level.

Planning Authority's Comments:

- Important to note the site is zoned regeneration, however, in the Tallaght LAP it is detailed lands should be predominantly business, employment and enterprise areas.
- Strategic overview – while residential is permitted, qualifications as set out in pages 65 section 3.6 of the TTCLAP re Greenhills land use mix and urban employment should be taken account of.
- Need to demonstrate how the proposed use is justified at this location.
- The TTCLAP is new and building height guidelines was in place prior to its adoption.
- The urban framework of the LAP needs to be taken into account.
- Context of this site is different to other SHD applications within Tallaght as it is located on the periphery of an industrial area. Cookstown area is different.
- TTCLAP Objectives for Greenhills needs to be taken into account.

2. Architectural Design Approach.**ABP Comments:**

- Further justification required at application stage in relation to the scale, massing and possible impacts on the adjoining existing buildings.
- Further consideration for height and bulk of the building given the location of the lands on the periphery of the TTCLAP lands and justification as to how the proposal complies with the urban function set out in the LAP.
- Justification of the height, architectural design / treatment given the sites context to surrounding lands and the modest scale and character of existing development, in particular, interface with Greenhills Road, Tymonville Court, Tymonville Road and adjoining public streets.
- Further consideration of visual impact in terms of views from the immediate surrounding streets.
- Greater detail required of how the development addresses Greenhills Road, incl. landscaping, direct access to non-residential uses, active streetscape and the number of entrances proposed at the ground floor of the scheme. It is of paramount importance as the first major redevelopment in this regeneration area that the new streetscape and public realm is to a very high standard in relation to layout, design, materials and finishes and a sense of place is created. In this context a greater level of detail is required for the new streetscape along the public roads.
- There is a need for submission of a detailed Urban Design Statement and an Architectural Design Statement, detailing finishes, use of materials and variety in design.

Prospective Applicant's Comments:

- An extensive screening belt is proposed to be introduced to the northern boundary.
- A set back and landscape buffer is proposed to Tymonville Court to the north.
- Use of selected brick, commercial element at ground floor and active street frontage is proposed.
- This is a transitional site, largely industrial, context to the north will remain.
- It is acknowledged there are a number of areas of public open space which are overshadowed, explore financial contribution in lieu of same with the PA.

- The principle of stepped terraces is fundamental to the scheme design. Strength of verticality, use of balconies, vertical form highly articulates the design.
- Clear that there will be a significant change, but impact is not always a negative impact.
- Improved frontage along the Greenhills road.

Planning Authority's Comments:

- There is a degree of uniformity in the character of the area, the proposals deviate from this. The area is not city centre, its context is industrial with low rise residential to its northern boundary.
- Concern of a diversion from existing juxtaposition. When viewed from surrounding streets travelling from Tallaght Village there is nothing to modify the building.
- No improvement of public realm.
- The strip of open space proposed along the eastern boundary is not deemed adequate.
- Overall, the development does not sit well in its context, significant modifications to the design to be made.
- Scope for contribution in lieu of open space, details to be further discussed with the applicant.

3. Residential Amenity

ABP Comments:

- Further consideration of potential for overbearance, overshadowing and overlooking or perceived issues around these matters.
- Justification for reliance on tree planting and landscaping as a form of mitigation for overlooking, overbearing, overshadowing.
- There is a requirement to carry out a daylight and sunlight assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Further consideration of overshadowing to amenity spaces within the development and to adjoining properties and their amenity spaces.
- Further consideration and justification of useability, location and layout of open space and public realm strategy. A breakdown on the quantum of public open space versus private space should be submitted as part of any application. Contribution in lieu of any shortfall to be considered and discussed with the PA.
- An overshadowing assessment, daylight / sunlight assessment of the proposed development without proposed and existing landscaping and trees. Worst case scenario.
- Further consideration to be taken for tree roots at podium level and what affects they may have.
- Clarification required with regard to % and detail of dual and single aspect units proposed within the development.
- Further justification is required of (internal) open space provision, aspect of units, access to daylight and sunlight and mix proposed. In the context of the 'Sustainable

Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', March 2020.

- Detailed analysis of impact of the development on surrounding residential amenity, perceived overshadowing, overlooking, overbearing impacts.
- Concern of potential over-development of the site. Not meeting standards on a number of levels/metrics, this is a cause of concern. Emphasis appears to be on quantity, rather than quality, of development sought on the site.
- Seeking to get a lot onto this site, cascading effect arising on the long elevations as height drops from south to north, the many (5/6) different roof levels across the proposed development are noted.
- Scale of the development on this site would set a precedent.
- Images of the northern elevation would give rise to concerns of potential over-bearing impacts on existing residential to the north, need to be addressed/responded to at application stage.
- Simplification of design would be beneficial

Prospective Applicant's Comments:

- In the north-west corner the apartments are designed to be 18m away from the opposing gable walls which avoid overlooking of neighbouring properties.
- Seek to improve and increase the residential facilities within the development, different spaces will be clearly indicated at application stage along with their function.
- Small number / % of non-conformity with properties to the north in terms of loss of sunlight.
- 71% of proposed rooms meet ADF criteria.
- K/L/D have been accessed for 1.5% ADF standard – 87% are achieving required standard.
- Sunlight to amenity spaces needs to be revised.
- 25m separation distances between Blocks and windows are off set.

Planning Authority's Comments:

- The most sensitive location is located in the north east corner, in particular the balconies proposed in this area and their use in the summer months.
- Every effort should be made to ensure future proofing of the proposed facilities and their management.
- The proposal is unjustified in terms of meeting standards. There is a need to create an attractive residential development. The overall proposal does not stack up and fails to meet qualitative and quantitative standards on a number of levels.
- There is a need to consider the longevity of the proposal, creating sustainable communities and placemaking, building residential communities where people have quality amenity.
- Need to relook at the reality of balconies, not just about overlooking, general impact upon amenity.
- 19 – 20 m set back does not comply with 22m for opposing rear standard.
- BTR is a new phenomenon need to ensure that the creche will remain as a creche and is not converted to residential units down the road.

4. Issued raised in the CE Report

ABP Comments:

- Further consideration and clarity in respect of issues pertaining to drainage connections, flood risk and agreements with IW and the Drainage Department of South Dublin Council (wastewater upgrade is required).
- Further consideration of access and parking arrangements proposed, and the observations contained within the Roads Department Report.
- Further consideration, with respect to issues raised by Public Realm & Parks Division.
- Further consideration, with respect to issues raised by the housing department with respect to Part V.
- Consideration that any arguments made by the applicant in relation to layout and design, visual impact and open space quantum, ecology, bats and birds will need to be justified at application stage.
- Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.

Prospective Applicant's Comments:

- Further discussion will be sought with the PA on items requiring clarification/further information.

Planning Authority's Comments:

- Difference flagged in relation to the site area and catchment area figures submitted.
- Maintenance of the surface water pump, further details required.
- The development will be in private ownership, not to be taken in charge.
- The footprint of the site location should be superimposed onto OPW CFRAM flood risk map for clarity at application stage.
- Use of Suds, green roofs, pits, filtration, green walls should be considered. Need to use suitable attenuation system.

5. Any Other Business

ABP Comments:

- Ensure all provisions of art.299B are addressed within EIA Screening.
- Need to have cognisance to Part V changes.
- Further clarity and specification of materials, treatments and finishes proposed.
- Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be accurate and legible.
- Clarification and determination of matters raised within the PA Opinion and Appended South Dublin County Council Department reports submitted to ABP on the 03rd September 2021 in advance of any application.

Prospective Applicant's Comments:

- Previous 3 decisions in the area will be carefully reviewed.
- A Screening Statement will be submitted at application stage to address 299B.

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.

Tom Rabbette
Assistant Director of Planning
November, 2021