



Case Reference / Description	Demolition of 5 no. houses and commercial unit, construction of 463 no. apartments, creche and associated site works. Sunnyhill Park, Loughlinstown, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	11 th November 2021	Start Time	10:00
Location	Remotely via Microsoft Teams	End Time	11:25
Chairperson	Stephen O'Sullivan	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Paddy Byrne, Applicant
Igmar Ferreira, Ferreira Architects
Patrycja Kochaniuk, Ferreira Architects
Trevor Sadler, McGill Planning
Saoirse Kavanagh, McGill Planning
Celia Harris, Landscape Architect
Paul Corrigan, Corrigan Hodnett Consulting
William O'Donnell, IN2 Engineering

Representing Planning Authority

Anne-Marie Wood Wolfe, Acting Senior Executive Planner
Dara Holohan, Executive Planner

Sean Keane, Senior Executive Engineer, Transportation Planning
Johanne Codd, Executive Engineer, Water and Drainage Section
Donal Kearney, Assistant Parks Superintendent, Parks & Landscape

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 9th 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 13th 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. Architectural Design Approach:
 - Layout, Height, scale, massing, materials and visual impact.
 - Photomontages and views within and across the site to the wider area.
2. Residential Amenity
 - Unit mix
 - Sunlight and daylight
 - Overshadowing
 - Proximity of blocks
3. Permeability and connectivity, linkages, open space and public realm.
4. Response to Issues raised in the CE Report. Including
 - Drainage Report
 - IW report (network upgrade required)

- Transportation Division Report
 - Parks and Landscape Services Report
 - Cherrywood DAPT report
 - Waste Management / Environment Report
5. Any Other Matters

1. Architectural Design Approach:

- **Layout, Height, scale, massing, materials and visual impact.**
- **Photomontages and views within and across the site to the wider area.**
- **ABP Comments:**
- Further consideration of the layout, height, scale, massing, materials and visual impact.
- Further photomontages depicting views within and across the site to the wider area. How the overall development relates to existing properties on the N11 and demonstrate the level changes on the site.
- The prospective applicant is to address all issues raised in the PA's report.
- The prospective applicant is to provide a justification at application stage for increased heights and higher densities at this location, the layout proposed, and the architectural design approach chosen.
- Further consideration of identifiable character areas and way finding through the site.
- **Prospective Applicant's Comments:**
- The existing context of the proposed development site is a cul-de-sac with large single dwellings.
- The N11 is now the main route from south Dublin into the city.
- The proposed development site benefits from accessibility to high quality public transport and has proximity to a significant employment centre.
- It is an accessible site and a higher density is appropriate.
- The height of the proposed development has regard to national policy.
- The proposed public and communal open space provision is appropriate.
- The overall layout of the blocks has regard to residential amenity including daylight and sunlight.
- Permeability and connectivity considerations are key to the proposed layout.
- There is a good variety of public open spaces.
- There is different materiality provided in the blocks and good separation distances.
- The design approach is conscious of avoiding overlooking.
- The layout of the public open spaces has consideration for optimisation of the natural features on the site such as the mature trees and riverside.
- The main public open space adjacent to the N11 contains mature trees and is ideal for parkland and public open space.
- The prospective applicant is to retain the trees to the rear of Blocks A1 and A2.
- The existing site has stepped typography.
- The prospective applicant will have further consideration for the proximity of the blocks.
- It is not proposed to cross the stream into the Cherrywood SDZ as part of this development. The landscape masterplan shows an indicative pedestrian bridge which

can be facilitated in the future when the development of the SDZ lands and Loughlinstown Valley is further advanced. As it stands, the Cherrywood Planning Scheme does not designate a pedestrian connection at this location.

- Photomontages have been prepared and have been submitted with the application.
- The proposal will be in keeping with the architecture, form, scale and contemporary style of developments in the locality (The Ramparts and Beechpark) and the extensive development across the Cherrywood development.
- Topography, vegetation and built form ensure many areas in the Loughlinstown / Cabinteely area will experience no or negligible effects due to the proposal being visually obscured or not being a significant factor in the enjoyment of any view or amenity provision. While recognising there are localised townscape and visual impacts the opinion is, on balance, the broad width of the N11 Road in conjunction with the scale of adjacent townscape and open spaces ensure that the development, while sizeable, can be accommodated and absorbed without detriment or adverse character effects.
- **Planning Authority's Comments:**
- The PA has serious concerns in relation to the cumulative impact of the proposed development.
- The PA has concerns in relation to issues of overbearing, separation distances, height, proximity, bulk and design and roof changes throughout each of the blocks.
- The different materials proposed impact negatively on the visual amenity of the area.
- Concern that the proposal does not make a positive contribution to the streetscape at present.
- More consideration is required to the topography of the site, with significant level changes and the relationship with the neighbouring single storey dwellings.
- Photomontages would be welcomed to highlight how the overall development relates to the existing properties in the street and demonstrate the level changes on the site.
- In general greater detailing of the architectural design and layout is required.

2. Residential Amenity

- **Unit mix**
- **Sunlight and daylight**
- **Overshadowing**
- **Proximity of blocks**

- **ABP Comments:**
- The prospective applicant is to address the above issues and to provide further detail on the unit mix and sunlight and daylight.
- The prospective applicant is to have consideration for the timelines of the PA's draft development plan.
- Address the potential impact on surrounding properties.
- Provide clarity on the daylight and sunlight.
- A clear set of documents are required, that are defensible and upon which the Board can rely to make a decision.
- **Prospective Applicant's Comments:**

- Unit breakdown of 37.5% one-bed, 59% two-bed and 3.5% three-bed.
- The unit mix is in accordance with the national policy.
- A Material Contravention statement will be submitted at application stage.
- A Daylight Sunlight Assessment has been completed by IN2. This assessment concludes the following:
 - 96% of the proposed Living/ Dining and Bedrooms assessed are compliant in terms of Average Daylight Factor.
 - 95% of the proposed amenity areas within the scheme will be compliant, receiving at least 2 hours of direct sunlight on 21st March as defined within the guidance.
 - The gardens of adjoining houses in the development under construction to the north will not be negatively impacted by the proposed development. 2 gardens which appear to be impacted have trees and hedgerows to their southern boundaries which will be assessed in greater detail at Stage 3 to determine the correct existing baseline.
 - VSC analysis to existing neighbouring dwellings to the north and south found that only 3 units at the Ramparts scheme are negatively impacted, and this can be attributed to the fact that the units in question are located at ground floor, north facing, with existing deep balconies cutting out light.
 - VSC impact to the ground floor rear windows of 2 houses in the under construction development to the north will be assessed in greater detail.

- **Planning Authority's Comments:**

- The unit mix is contravening the county development plan.
- The PA acknowledges that several of the 2-bed units are quite large in size.
- The draft development plan contains changes to the unit mix.
- A detailed shadow analysis report is required, for external amenity spaces within the scheme.
- The 2% value for Average Daylight Factor should apply to the living rooms of apartments with the shared use of a kitchen.

3. Permeability and connectivity, linkages, open space and public realm.

- **ABP Comments:**

- Further consideration of over shadowing to amenity spaces within the development and to adjoining properties and their amenity spaces.
- Residential amenity in the context of separation distances between proposed blocks.
- Connectivity to adjoining lands to facilitate access through neighbouring developments.
- Further consideration and justification of open space and public realm strategy.

- **Prospective Applicant's Comments:**

- A pedestrian path connecting with the permitted development to the northwest is provided through the public park alongside the eastern boundary.
- Further discussions and engagement will be on-going with the transportation department to seek to resolve outstanding concerns.
- Cognisance will be had to conditions attached to surrounding developments which require pedestrian and cycle links to be provided.

- **Planning Authority's Comments:**
- Connection to Beechpark to be further considered. A condition on the Beechpark development allows for the connection. The alignment of that connection to be had regard to.
- Traffic are happy with the connection to Willow Park. The alignment and gradient ties in with Willowpark.
- Same comments as above re pedestrian and cycle connections to the North, North West and South.

4. Response to Issues raised in the CE Report. Including

- **Drainage Report**
- **IW report (network upgrade required)**
- **Transportation Division Report**
- **Parks and Landscape Services Report**
- **Cherrywood DAPT report**
- **Waste Management / Environment Report**

- **ABP Comments:**

- Irish Water has stated in their report that a water main upgrade is required.
- 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.
- Consideration that any arguments made by the applicant in relation to layout and design, visual impact, loss of trees and open space quantum and ecology will need to be justified at application stage.
- Further consideration that all issues raised by the Cherrywood Development Agency Planning Team are addressed.
- Consideration that letters of consent from third parties are submitted for any infrastructure, services and or connections through third party lands.

- **Prospective Applicant's Comments:**

- There is ongoing conversation in relation to drainage.
- An independent stormwater audit will be carried out.
- The prospective applicant will be applying to Irish Water for a Statement of Design Acceptance prior to lodging an application.
- Will provide a letter of consent from the PA's property department at application stage.
- The prospective applicant has had in-depth discussions in relation to tree retention.
- A full EIAR will be submitted with any future application.
- Have coordinated services in plan form and will show distances between retained trees and buildings in the perspective future application.

- **Planning Authority's Comments:**

- Drainage issues are resolvable.
- Small area of the site has a potential for flooding. Attenuation in this area is possible.
- The prospective applicant is to refer to the comments set out in the PA's report in relation to the attenuation system.

- The prospective applicant is to provide a statement setting out how the proposed development will not conflict with conditions attached to permitted developments to the north and south.
- The PA has concerns in relation to the tree retention in terms of the footprint and notes that the prospective applicant's arborist also has concerns.
- Hydrological changes may impact retention of trees. This is a tight site. It is imperative that for completeness, seasonal ground investigation, esp. in winter, and an all year round evaluation is carried out to identify the real impact on tree retention.
- The prospective applicant has not yet fully completed an EIAR report, which is necessary for fairness and transparency to make a full assessment.
- PA open to further discussions to resolve any issues.

5. Any Other Matters

- **ABP Comments:**

- A phasing plan should be included in the application documentation.
- All documentation, plans and drawings should have cognisance to one another and any discrepancies removed.

- **Prospective Applicant's Comments:**

- The subject site adjoins SDZ lands to the west, there is an opportunity to provide linkages. As discussed above the bridge is indicative in the photomontages showing connection between these lands and the SDZ parklands on the western side.
- Pedestrian and cycle connectivity will be provided up to the boundary.
- When the park to the west within the SDZ is developed issues relating to medieval site, surface water and archaeological issues will be considered.
- Connectivity will be possible in the future when the open space is taken in charge.

- **Planning Authority's Comments:**

- The prospective applicant is to refer to the PA's public lighting report.
- A taken in charge drawing has not been submitted. The prospective applicant is to refer to the taken in charge standards from 2016.

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.

Stephen O'Sullivan
Assistant Director of Planning
January, 2022