



<b>Case Reference / Description</b>	Demolition of existing structures on site, construction of 181 no. apartments and associated site works. Balscadden Road and 66 Main Street, Howth, Co. Dublin.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	4 <sup>th</sup> November 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:15 am
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Helen Keane

**Representing An Bord Pleanála:**

Tom Rabbette, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Helen Keane, Executive Officer

**Representing Prospective Applicant:**

Shaun Thorpe, Marlet (Applicant)
Pauline Byrne, Brady Shipman Planning
Joe Gibbons, Waterman Moylan Engineers
Des Twomey, Plus Architects
Rachel Byrne, Plus Architects
Rob Goodbody, Historic Building Consultants
Jim Dowdall, Enviroguide Consulting
Sorcha Turnbull, Brady Shipman Planning

**Representing Planning Authority**

Sean Walsh, Senior Executive Planner
Kathy Tuck, Assistant Planner

Helena Bergin, Senior Exec Arch Conservation Officer
Hans Visser, Biodiversity Officer
Phillip Grobler, Senior Executive Engineer
Mark Finnegan, Executive Parks Superintendant
Niall Thornton, Executive Engineer
Patrick Callan, Transport Planning

## 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 16<sup>th</sup> October 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 20<sup>th</sup> 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. **Conservation Impact Assessment, *inter alia*, height of Block B and alterations from previous proposals**
2. **Impact on Visual amenity, *inter alia*, design and layout of Block D**
3. **Impact on Residential Amenity, *inter alia*, daylight & sunlight, design, and layout, open space provision**
4. **Traffic & Transport**
5. **Any Other Matters.**

**1. Conservation Impact Assessment, *inter alia*, height of Block B and alterations from previous proposals**

**• ABP Comments:**

- The ABP representatives acknowledge the planning history on the proposed development site although the proposed development is a standalone application.
- Block B is greater in scale than what was proposed on the previous application.
- The prospective applicant is to provide clarity on the extra height and the impact on Martello Tower.
- Provide a detailed Conservation Impact Assessment which has consideration for the additional units proposed.
- Provide further detail on the sections, views and photomontages based on the Conservation Impact Assessment.
- Provide further detail on the ground levels and link this back to the Conservation Impact Assessment.
- Ensure the application at documentation stage correlates.

**• Planning Authority's Comments:**

- This is the third time that the PA is assessing an application for the proposed development site and there are still concerns.
- The PA has consistently asked that the height of Block B does not exceed three storeys.
- The eastern elevation of Block B is monolithic in design.
- The Martello Tower is a landmark building in Howth.
- An updated assessment of the Baily Court Hotel is required.
- The prospective applicant is to refer to the PA's submitted opinion in relation to the inclusion of framed canopies which has raised major concerns. The submitted photomontages were difficult to assess.
- The proposed development should not exceed three storeys in height.

**• Prospective Applicant's Comments:**

- The proposed development is a completely new, independent application for SHD.
- The prospective applicant is not transgressing the previous application.
- The prospective applicant acknowledges the comments in relation to linking the photomontages back to the Conservation Impact Assessment.
- The proposed development is now further back from the Martello Tower.
- The Martello Tower is still the dominant feature in the landscape.
- The prospective applicant is proposing a quality, useable rooftop space and can reconsider the inclusion of framed canopies.

**2. Impact on Visual amenity, *inter alia*, design and layout of Block D**

**• ABP Comments:**

- The prospective applicant is to include short-range photomontages that break down the visual impact of the proposed development.
- Address issues raised by the PA in relation to external materials and design of Block B.

- **Planning Authority's Comments:**
- The height of the proposed development is higher than the permission granted by the PA in 2013.
- The proposed development must not be overly dominant or compete with the church.
- The surrounding Architectural Conservation Area is to be assessed.
- The sketches submitted in the pre-application documentation indicate that the proposed development is three storeys, but it is four storeys.
  
- **Prospective Applicant's Comments:**
- A prominent building is appropriate where the proposed development faces onto Abbey Street.
- The proposed development is stepped down as it heads north.
- The proposed development has a contemporised design with slate roof and simple fenestration, similar materials can be seen locally.
- The prospective applicant will have consideration for the Architectural Conservation Area and the Conservation Impact Assessment.
- Will respond to the PA's concerns.
  
- 3. Impact on Residential Amenity, inter alia, daylight & sunlight, design, and layout, open space provision**
  
- **ABP Comments:**
- The prospective applicant is to provide further clarity on retaining walls and the impact on the residential amenity, the height and scale of the proposed development and how it relates to the existing dwellings.
- Provide further detail on the daylight and sunlight.
  
- **Planning Authority's Comments:**
- The prospective applicant is to address issues of overlooking in relation to the rear of Block D and adjacent proposed development which is subject to an ABP appeal.
- Provide further detail on the proximity of the western elevation of Block E on the existing dwellings.
- The existing amenity spaces are not great due to the level changes.
- Provide a road network audit and school capacity audit as required.
- The open space is adequate, but it is reliant on good planting as it is a civic plaza.
- Further clarity is required on the photomontages in relation to the public open space and the carparking.
- The PA does not have any big concerns in relation to the landscape plan.
- A tree survey is required on the northern boundary.
  
- **Prospective Applicant's Comments:**
- The prospective applicant will address the issues in relation to private amenity space and public open space.
- Will have further consideration for the overlooking at the rear of Block D.

- The prospective applicant is keen to adhere to the PA's views on the trees and will seek to address any concerns.

#### 4. Traffic & Transport

- **ABP Comments:**

- The prospective applicant is to address the issues raised by the PA.
- The Material Contravention is to address the carparking at application stage.

- **Planning Authority's Comments:**

- The carparking quantum is on the lower side.
- Pay and display carparking in the harbour area is proposed.
- The PA acknowledges the capacity issues at Sutton Cross.
- The prospective applicant is to provide further detail on the parking area in front of the existing Baily Court Hotel.
- Provide further detail on the access ramp at the vehicle entrance. Proper clearance is required for bicycle access.
- Parking provision is in line with guidelines and policy.
- Construction access has been agreed with the prospective applicant.
- The PA welcomes the use of car-sharing schemes which help to mitigate the reliance on car ownership, but these schemes are separate to residential carparking, and they are reliant on commercial ventures.

- **Prospective Applicant's Comments:**

- The carparking provision is guided by the apartment guidelines. The prospective applicant will provide a strong justification for same at application stage.
- The Dart is within a 10-minute walking distance to the proposed development.
- The proposed development slightly overprovides on bicycle parking.
- The proposed parking provision is higher than other SHDs in the area.
- The prospective applicant will provide further clarity on the carparking at Baily Court.
- Will provide further detail on the access ramps.
- The prospective applicant notes the PA's desire for electric vehicle parking and will review and address this at application stage.
- Construction access has been agreed with the PA
- The prospective applicant will address all issues raised in the PA's submitted opinion.

#### 5. Any Other Matters

- **ABP Comments:**

- The prospective applicant is to have consideration for the Part V requirement.

- **Planning Authority's Comments:**

- The prospective applicant is to have consideration for the significant increase in double yellow lines in the area.

- The PA has concerns in relation to any ecological assessment. There may be a potential impact on the heathland.
- The latest study on the heathland is included in a report dated April 2020. Refer to Howth SAAO.
- The PA can engage further with the prospective applicant.
- **Prospective Applicant's Comments:**
- The prospective applicant will have consideration for the number of people visiting Howth headland.
- Will provide an assessment of the damage of additional people at Howth headland.
- The additional number of people arising from the proposed development is not significant. The prospective applicant has referred to the local authority bylaws. An impact was identified but it is not deemed to be significant.
- Enviroguide were not involved in the previous application.
- The prospective applicant can engage further with the PA.

## 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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Tom Rabbette  
Assistant Director of Planning  
December, 2021