



An
Bord
Pleanála

Record of Meeting ABP-311553-21

Case Reference / Description	884 no. apartments, creche and associated site works. Old Dundrum Shopping Centre and Other Properties, Main Street, Dundrum, Dublin 14.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	17 th December 2021	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	12:15 pm
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:

Ray Ryan, BMA Planning
Colin Veitch, GRID Architecture
Michael Hussey, O'Mahony Pike Architects
Thomas Griffin, TJ O'Connor & Associates Consulting Engineers
Diarmuid Cahalane, TJ O'Connor & Associates Consulting Engineers
John Montgomery, Niall Montgomery & Partners Landscape Architects
Glen Roche, Cogent Associates Project Management
Rob Bloomer, DRGP DAC (Applicant)
Cathal Cormican, DRGP DAC (Applicant)
Louise O'Leary, BMA Planning
Tony Mongey, Hammerson (Applicant)

Representing Planning Authority

Ger Ryan, Senior Planner
Shane Sheehy, Senior Executive Planner
Sean McGrath Senior Engineer
John Keating, Senior Executive Planner
Sean Keane, Senior Executive Engineer
Thiago Bodini, Executive Engineer
Elaine Carroll, Acting Senior Executive Engineer
Joe Craig, Senior Executive Engineer
Lorraine O'Hara, Parks Superintendent
Gary Loughlin, Senior Executive Architect
Miguel Sarabia, Executive Planner
Julie Craig, Conservation Officer

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 1st November 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 4th October 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. Policy Context - Compliance with MTC Zoning and Specific Local Objectives.**
- 2. Architectural Design Approach:**
 - **Height, Scale, Massing and Public Realm**
 - **Impact on Main Street**
 - **Material finishes and visual Impact.**
 - **Proximity to boundaries and between opposing blocks.**
- 3. Residential Amenity & Quality of Development.**
 - **Overlooking**
 - **Daylight / Sun Light / Overshadowing**
- 4. Green Infrastructure & Open Space**
- 5. Flood Risk Assessment & Surface Water**
- 6. Issues Raised in the CE Report, Incl. Transportation Report, Flood Alleviation and Drainage Planning Report, Parks Report, Architects Report and Housing Department Report.**
- 7. Any Other Matters**

1. Policy Context - Compliance with MTC Zoning and Specific Local Objectives.

• ABP Comments:

- There is a need to further address and justify the 'MTC' zoning objective, 'to protect, provide for and or improve major town centre facilities', in any application. The predominant use proposed in the scheme is residential, a town centre zoning would envisage a greater degree of mixed use and the site is located within the major town centre area for Dundrum.
- There is a need to further consider the nature and scale of non residential uses proposed, in particular SLO 149 – requirement for entertainment, leisure, cultural and civic uses.
- Further consideration and cognisance to the character of the Main St. and SLO 150 with respect to height and massing proposed.
- Clarity and further consideration in respect of material contravention of the Development Plan in terms of height, unit mix, internal storage and car parking. All material contravention issues to be advertised accordingly.
- Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be sufficiently detailed, accurate and legible.
- Consideration with respect to the timeline for adoption of new draft Dun Laoghaire Rathdown County Development Plan. Cognisance that the plan in place at the time of the decision is the statutory plan which will be taken into account by the Board.
- Further consideration of any material contravention issues in light of the deadline for the new draft Development Plan being adopted, prior to a decision being made on any future application. Consideration that any material contraventions of the new plan have been taken into account and advertised accordingly.

• Prospective Applicant's Comments:

- Residential development is permissible in the town centre zoning.
- The prospective applicant notes that the PA welcomes a residential scheme.
- The introduction of a residential development is to the advantage of the town centre.

- There are three Specific Local Objectives. The proposal development will enliven Main Street (in line with SLO 149). The development meets aspirations for Main Street in terms of scale and character (SLO 150)
- The prospective applicant is mindful of the future local area plan.
- There has been a range of uses proposed to enliven the main street.
- The prospective applicant believes that they are meeting the zoning objectives.
- The 4500 square metres is sufficient to provide for a food store/supermarket to animate the length of the main street.
- A range of uses can be appropriate for town centre. Applicant has engaged with PA with respect to the LRDF funded building to find a resolution. It is not a suitable use of the subject lands.
- Regard will be had to the Draft Plan and timelines for any application.
- **Planning Authority's Comments:**
- Zoning and mix of uses are important to get right. The proposed mix of uses is not appropriate for the site.
- From the previous application the non residential is down 10% and residential use is up 30%.
- The site is part of a zoned Major Town Centre, has a wider function within the region.
- The Specific Local Objective 149 is an obligation, not an aspiration.
- The new development plan will be ready in 2022.
- Evening time uses are needed, the mix of uses should respond to that and enliven Main Street
- These are undeveloped brownfield lands – higher order function. Uses other than traditional retail use should be explored
- Perhaps SHD is not the best vehicle for the proposed development.
- Parallel scheme for LRDF funding in Dundrum where is this building to be located.

2. **Architectural Design Approach:**

- **Height, Scale, Massing and Public Realm**
- **Impact on Main Street**
- **Material finishes and visual Impact.**
- **Proximity to boundaries and between opposing blocks.**
- **ABP Comments:**
- Justification of urban design considerations such as height/scale/density/massing of proposed apartment blocks in the context of the existing pattern of development in the area and in the context of existing Development Plan policy.
- Justification of the height, architectural design / treatment and interface with public streets, in particular, from Dundrum bypass and from Main Street.
- Further detailed streetscape elevations and cross sections showing the proposed development, including impact upon the setting of Holy Cross Church and Parochial House and surrounding existing development.
- Further consideration of visual impact in terms of views within and across the site and to the wider area.
- A detailed Urban Design Statement and an Architectural Statement, detailing finishes, use of materials and variety in design.

- Further consideration and justification of the separation distances between the blocks, overbearing and overshadowing, formation of character areas and way finding through the site.
 - Further elaboration on how the proposed scheme ties in with the expansion of the overall Dundrum town centre . It is important that the proposed scheme should be highly visually and functionally connected to the Main Street and to the town centre development to the south. There needs to be strong permeability within the scheme and into adjoining lands.
 - Further detail is required at application stage, the detail submitted at pre-application stage is not sufficient.
- **Prospective Applicant's Comments:**
 - The PA's comments in relation to the design approach have been positive in general.
 - The prospective applicant has had consideration for the building height and seeks to provide a good quality street.
 - Trying to achieve the right density for a site that is close to Luas in a town centre while being sensitive to relationship with church and Parochial House. There a wide separation distance across the Bypass, significant volume of space in the area.
 - The building height is at 4-5 storeys, it is stepped down to 3 storeys near the Parochial House.
 - The prospective applicant seeks to create a variety in the design approach in the texture and brickwork colour. Do not want pastiche but cognisant to existing finishes and patterns.
 - Main Street has a number of periods of development – piecemeal development. Not picturesque. The existing shopping centre is not complementary to Main Street.
 - Quantum and level of car parking is properly restricted.
 - The proposed development is an improvement to Main Street. Understanding the urban grain, looking at pattern of the blocks, split and gap in-between buildings addressing Main Street and on the opposite side of the street.
 - Trying to respond better to Main Street pulling facades back from the boundary providing more pavement, therefore, better pedestrian connectivity.
 - The land mark location was chosen for a number of reasons, including proximity to transport node, main street and food store location.
- **Planning Authority's Comments:**
 - The PA's main concerns are in relation to the Main Street.
 - The height and massing are connected to the layout and the form.
 - Massing and scale are a concern.
 - The proposed development is to respect the grain of the patterns of the street as it is.
 - 5 storeys are more of a challenge at this location.
 - Detail and massing can only work with what is there. The location is challenging, while a 5 storey apartment block is not a big deal, its location in a village and on Main Street is important in terms of transition in scale.
 - Constraints are well set out in the Development Plan policy.
 - Happy to hear that additional information will be submitted or Main Street. Need to look at the scale of Main Street for pedestrians and the pattern of buildings on the other side of Main Street.

- Concern with respect to the Bypass elevations, when viewed in perspective. Lack of variety homogenous.
- Important balance to be struck between variety and monotony.
- Need to look at the brickwork in the surrounding area, different quality of materials gives rise to different character.
- More information on why the location of the 16 storey landmark building was chosen. How it relates to Main Street.

3. Residential Amenity & Quality of Development.

- **Overlooking**
- **Daylight / Sun Light / Overshadowing**

- **ABP Comments:**

- Residential amenity in the context of possible/perceived impacts on existing residential properties, setbacks, site slope, landscaping and boundary treatments.
- 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 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.
- Elaboration and demonstrate clearly in any future application the % of dual aspect units proposed. The onus is on the application to demonstrate compliance with the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2020.

- **Prospective Applicant's Comments:**

- The prospective applicant agrees with many of the points raised by the PA.
- The prospective applicant is keen to meet the minimum requirements for the dwelling mix.
- The separation of blocks has been considered and further consideration will be given to mix and number of 3 bedroom units proposed.
- The housing quality is compliant with standards
- The sunlight/daylight provision is compliant with standards
- All apartments will be assessed and a full HQA report will be submitted with any application.
- All balconies will be off set and adequate separation distances incorporated.

- **Planning Authority's Comments:**

- There is limited information provided in the application documentation on the daylight/sunlight.
- The prospective applicant is to ensure that all apartments are assessed.
- Clarification on the information submitted is required.
- % of dual aspect and any north facing single aspect to be clarified.

4. Green Infrastructure & Open Space

- **ABP Comments:**

- Further consideration and justification of useability, location and layout of open space and public realm strategy.
- Further justification for the location of the public park to the south east, its useability and possible surveillance issues.

- **Prospective Applicant's Comments:**

- The prospective applicant will look at the communal open space and will ensure communal open space standards are met at application stage.
- A balance needs to be achieved between the density needed in a town centre location and the provision of public open space.
- The prospective applicant envisages that the open space to have a wide range of uses. There are level issues, the prospective applicant will provide a staircase and a lift.
- The prospective applicant accepts that the public space near the church has some challenges but is unsure if it can be moved elsewhere due to legal agreements with a neighbour of the proposed development.
- Cognisant that there should be no building on the lands behind the church, there is legal agreements on what can be built here and restrictions on height.
- The space proposed is successful, greener and softer, there are community rooms which open out onto this space. It works well and connects across the road to Dundrum Town Centre. Can be used to put on events. Less of an impact upon retailers, play equipment more flexible than OS located on Main Street or within the TC.
- Further details will be provided at application stage in relation to the bridge and connections to Sweetman Park. It is proposed to widen the bridge and the lighting plan has been reconsidered.
- The north-south route will not be trying to compete with the main street.
- There will not be a loss of footfall on the main street.
- There is a risk of putting a large POS on a site like this, can be unsuccessful, need to create harmony.

- **Planning Authority's Comments:**

- The design of the landscaping is as a result of the architectural layout.
- Most of the open space is communal, private space. Communal OS works quite well and is to a high standard the public OS does not.
- The PA has concerns that the open space does not meet required standard.
- The PA has concerns that the open space is located at the back end of the proposed development site. Its logic of the public OS behind the church needs to be explained, not in the heart of the scheme.
- It is important to have a truly public open space.
- More emphasis is to be placed on the east-west route.
- The PA has concerns in relation to the space beside the church, which has limited overlooking and access, dead frontage to the church.
- The PA seeks to activate the main street.

- The prospective applicant is to have consideration for relocating the open space.
- The PA has concerns in relation to the experience of crossing the bridge, the prospective applicant is to explore this further. Bicycle lane, lighting experience of crossing the bridge all needs to be considered.
- There may be planting issues due to most of the open space being at podium level.
- North south route may create a transient space, cycle parking level is high, route may compete with Main Street. East west emphasis / route may be more appropriate.

5. Flood Risk Assessment & Surface Water

ABP Comments:

- The proposed development is highly vulnerable.
- The prospective applicant is to address the flood risk and surface water management.
- Further clarity of issues pertaining to surface water drainage, flood risk and agreements with IW and the Drainage Department of Dun Laoghaire Rathdown County Council.
- Further consultation and resolution / agreement is required with Dun Laoghaire Rathdown County Council Transportation Department, Parks Department and Flood Alleviation and Drainage / Water Services Department.
- Further consideration of the method of surface water management and attenuation needs to be carried out.
- A Flood Risk Assessment is required.
- Consideration that there is no further information facility available to the Board, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.
- Drainage is important in assessment of any SHD application, and the board will give due weight to the council's ongoing responsibilities in the management of surface water drainage when considering its submission on any application

Prospective Applicant's Comments:

- The prospective applicant will take the PA's comments into consideration.
- The prospective applicant will refer to the relevant flood guidelines and development plan.
- The prospective applicant acknowledges the sensitivity of the site to flood risk.
- Appropriate level of information will be provided at stage 2.
- Previous application incorporated 2 levels of basement. New Guidelines in 2009.
- Site is designated Flood Zone A and B. Lots of studies on-going. Under justification test can build non vulnerable uses (retail) on Flood Zone B.
- It is proposed to mitigate flood storage by providing 24% more storage than at present
- Will address all of the points set out in the Drainage Report.

Planning Authority's Comments:

- The PA has submitted a comprehensive report on flood risk
- Historical flooding issues on the site.
- The PA has concerns in relation to the under-slab area, more detail is required. The details provided are scant and the arrangement proposed is considered new and risky.
- Concern of blocked screens given history in the area. Exceedance details to follow.

- Critical aspect flooding. Remodelling is required this may require re-design. Lack of detail at this stage and may have a knock on effect.
- A risk to life map is required. The applicant has failed to display risk to life in the submission.
- Site is zoned MTC which allows for other uses that are less vulnerable than residential. Policy aspect and technical point of view.
- Appendix statement. Less vulnerable uses ground floor retail (block 1 B and 2A)
- Cognisance should be had to new guidance in the Draft Development Plan..

6. Issues raised in the CE Report, Incl. Transportation Report, Flood Alleviation and Drainage Planning Report, Parks Report, Architects Report and Housing Department Report.

- **ABP Comments:**

- Consideration of a detailed up to date Traffic and Transportation Report and a Mobility Strategy and details of any consultation with NTA regarding planned improvements to public transport and cognisance to same.
- Further discussion on matters raised within the PA Opinion and Appended Dun Laoghaire Rathdown County Council Department reports submitted to ABP on the 01.11.2021.
- Quality of the information documentation and plans and drawings needs to be addressed.
- All inaccuracies in the documentation, plans and drawings need to be resolved.

- **Prospective Applicant's Comments:**

- Bus Connects outside proposed development site.
- The prospective applicant will have consideration for the PA's comments.
- Removal of existing access and relocation to Bypass is a plus.
- Have had a meeting with the NTS recently. Layby on the bypass can be accommodated in discussion with the NTA.
- Working up of the application at stage 3 will address conservation issues. Applicant has a good record in this regard. Ashgrove is case example of good conservation works by the applicant.
- A strong case will be made for all demolition.

- **Planning Authority's Comments:**

- There is a lot happening in terms in transportation at the northern end of the proposed development site.
- The PA seeks a comprehensive response to the items raised in their submitted report.
- Bus stops and a layover is required.
- More detail is required on the taken in charge drawing and townscape images at application stage.
- No decision has been taken on approach from the Luas stop. Issues with respect to permeability and cyclists. NTA looking at putting a site on the applicants lands.
- Long distance views are required at application stage.
- Conservation issues need to be addressed.

- Dundrum ACA and proposed ACA in Draft Plan. One large ACA for Dundrum and Pembroke Cottages. Character appraisal document is available for view.
- PA view Glenville terrace the similar to Ashgrove terrace. Proposal strips the character of the buildings.
- There is a lack of reports. A building appraisal needs to be carried out before buildings are demolished.
- Views are critical. Landmark view of the Church. Views from Kilmacud Road towards the church. Impact and change on main street, additional view needed.

7. Any other matters

ABP Comments:

- There are some important issues where the parties are not in agreement.
- No impediment to further consultation between the prospective applicant and the council even if they are not conducted pursuant to a provision in the legislation.
- Outstanding differences should be addressed in the details submitted with any application to allow the board to come to its conclusions on them
- The details at application stage should be internally consistent.

Prospective Applicant's Comments:

- The prospective applicant seeks further consultations with the PA on some of the issues.
- The prospective applicant will further consider the risk of flooding.

Planning Authority's Comments

- There is no legislative basis for any further consultation between the PA and the prospective applicant.
- The PA has concerns in relation to having further consultations with the prospective applicant.
- There have been two stage 1 meetings in relation to the proposed development and no changes have occurred.

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