



An
Bord
Pleanála

Record of Meeting ABP-311609-21

Case Reference / Description	Demolition of existing dwellings known as 'Glenina' and 'Karuna', construction of 147 no. Build to Rent apartments and associated site works. 'Karuna' and 'Glenina', Sandyford Road, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	06 th January 2022	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	11:15 am
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:

Frank Gilmer, Midsal Homes Limited
Mark Walker, Horan Rainsford Architects
Brain Rainsford, Horan Rainsford Architects
Chloe Connellan, Horan Rainsford Architects
Ken Ruane, Murphy Sheanon Landscape Architects
Sadhbh O'Connor, Thornton O'Connor Town Planning
Elaine Hudson, Thornton O'Connor Town Planning
Seamus Nolan, NRB Traffic Consultants
Arthur Shirran, Torque Civil Engineers

Representing Planning Authority

Michelle Breslin, Senior Executive Planner
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Julieanne Prendiville, Executive Planner
Donal Kearney, Assistant Parks Superintendent, Parks
Elaine Carroll, Senior Executive Engineer, Drainage
Sean Keane, Senior Executive Engineer

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 4th 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 8th 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. Architectural Design Approach:
 - Layout, height, scale, massing, materials and visual impact.
2. Residential Amenity
 - Overlooking to existing / proposed properties
 - Daylight and Sunlight
 - Overshadowing (both to proposed open space and neighbouring properties)
3. Justification of BTR
 - Resident support services & facilities
 - Childcare
4. Open space quantum and quality, landscaping and tree loss.

5. Issues Raised in the CE Report incl. - Transportation report, Drainage report, Parks and Landscaping report and Housing Report.
6. Any Other Matters

1. Architectural Design Approach:

- Layout, height, scale, massing, materials and visual impact.

• ABP Comments:

- The PA have raised concerns in relation to the architectural design approach.
- The prospective applicant is to provide a justification for the architectural design approach at application stage.
- The Pastures scheme to the south of the proposed development may be amended or bought to appeal.
- Have consideration for other SHDs in the area.
- The prospective applicant is to address the materials proposed at application stage.
- Further consideration of visual impact in terms of views within and across the site.
- 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 consideration and justification detailing finishes, use of materials and variety in design and visual impact.
- Consideration and regard to potential submissions from members of the public at application stage, in relation to the impact on the surrounding area.

• Prospective Applicant's Comments:

- The height is concentrated towards the western side of the proposed development site and Sandyford Road.
- There are no directly overlooking windows onto the adjoining housing development to the north.
- The adjoining housing development is well separated from the proposed development.
- Generous distances are provided between the boundary and existing developments.
- The prospective applicant can have further consideration for the design mechanisms where secondary windows have tight distances and there is direct overlooking.
- The scheme is having no impact on surrounding properties in terms of daylight and sunlight.
- The daylight/sunlight report is very strong.
- The L/K/D areas have been assessed for the 2% ADF Factor and only a few of the K/L/D areas within the scheme falls marginally under this %.
- The proposed development is a large scheme, but it is having no impact.
- The proposed height up to 6 storeys has regard to upward modifiers of 2 storeys and is appropriate at this location.
- The proposed development site is in an accessible area and within the development contribution scheme for the Luas Green Line and the PA has acknowledged this.
- In terms of materials, a simple palette of brick and render is proposed.
- A maximum height of 6 storeys is proposed.
- There is very generous open space proposed.
- The prospective applicant will have consideration for the PA's comments.

- **Planning Authority's Comments:**
- The PA is not encouraging the removal of windows, the concerns are more in relation to the overall layout of the development and to concerns in respect of height and scale.
- There is potential overdevelopment of the site where there are pinch points.
- A design justification is required at application stage.
- The proposed development is an increase of height and scale in terms of what has been previously permitted in the area.
- The scale of the proposed development is a key concern.
- The proposed development site is suitable for housing, but the scale and massing are not appropriate.
- The PA would like to see the height reduced, particularly the 6-storey element.

2. Residential Amenity

- **Overlooking to existing / proposed properties**
- **Daylight and Sunlight**
- **Overshadowing (both to proposed open space and neighbouring properties)**

- **ABP Comments:**
- Further consideration and justification of overlooking to existing properties, in particular to the north, south and east and between proposed blocks A, B, C and D. Privacy between opposing windows, private amenity areas within internal courtyards and adjoining / neighbouring property to the north, south and east needs to be addressed. Possibility of overlooking or perceived overlooking between the blocks for future residents and screening or design measures proposed to mitigate overlooking is required to be demonstrated.
- Further consideration of Daylight / Sunlight Impact of the development. Detailed analysis of Shadow Impact Assessment of the proposed development (internally and externally) within the scheme. Concerns of overshadowing of communal open spaces, private open space and public open spaces needs to be addressed.
- Further justification that all units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.
- Residential amenity in the context of separation distances between proposed blocks and to existing and proposed development to the north and south of the site.
- **Prospective Applicant's Comments:**
- The proposed development has a strong tree belt of deciduous trees to its boundary.
- The BRE Guidelines set out guidance in respect of whether trees should be included or excluded from calculations for Day Light / Sunlight, it is contended that dense tree belts should be included, trees are not deciduous.
- 99% of the proposed units meet the daylight requirements.
- The matter of 2% ADF and calculations using trees and dense hedgerow shall be relooked at in any application and justified accordingly.

- **Planning Authority's Comments:**

- Further clarity and justification is required at application stage in relation to the type of trees and shrubs.
- Baseline overshadowing should not include the trees.
- The living room / dining room / kitchen which do not meet the full 2% ADF daylight requirements need to be clearly identified and justified.
- The overshadowing results are generally favourable in the scheme. The prospective applicant is to provide detail and justification at application stage.

3. Justification of BTR

- **Resident support services & facilities**
- **Childcare**

- **ABP Comments:**

- Further consideration and justification of the BTR model proposed in conjunction with level of resident support services and amenities.
- Further consideration and justification for omission of a creche from the scheme.
- Clarity and further consideration in respect of any material contravention of the Development Plan .

- **Prospective Applicant's Comments:**

- The proposed development is in an appropriate location for BTR.
- Site is subject to the supplementary contribution scheme for the Luas Green line and so is part of that public transport corridor
- The support services are provided in usable formats and are distributed throughout the development.
- The quantum of resident support services equates to 2.55 sq. m per unit this compares favourably to other BTR schemes that have been approved under SHD. Sandyford scheme 1.9 sq. m per unit, Foxrock 2.52 sq. m per unit. A comparison across similar and comparable schemes will be carried out and submitted to justify the level of resident support services (375 sq. m) proposed.
- The proposed development is expected to generate 7-11 children.
- The results of the childcare reports carried out by KPMG are not conservative. The report does not discount 2 bed units.
- There are in excess of 100 no. childcare spaces available within 2 – 2.5Km radius of the subject site.

- **Planning Authority's Comments:**

- Some key concerns remain location of the site access to schools, creches and services.
- Access to services is a concern. Services surrounding the proposed development are really only accessible by car.
- Every site is different. This site must be looked at in its context. This site is on the urban fringe with site specific constraints.

4. Open space quantum and quality, landscaping and tree loss.

- **ABP Comments:**

- Further clarity with respect to removal of mature trees on site.
- Further consideration and justification of useability, location and layout of open space and public realm strategy.

- **Prospective Applicant's Comments:**

- 3266 square metres of total quality open space is achieved.
- The prospective applicant will contact the PA's Parks Department to discuss the approach and will consider amending it to address the PA's concerns.
- 35 of the 36 trees will be removed, 5 of which are category B, the remaining are category C or recommended for felling by the arborist. The trees are of a low horticultural value.
- The prospective applicant will have consideration for the inclusion of additional trees on the boundary line.
- Will have further discussions with the PA Parks Department.
- A tree mitigation plan can be included at application stage.

- **Planning Authority's Comments:**

- The PA has concerns in relation to the quantum and useability of usable open space as opposed to circulation space.
- There were inconsistencies between the drawings that the PA received.
- The PA's Parks Department was not contacted by the prospective applicant to discuss the designs.
- There is a lot of hardscape proposed, 3 m wide paths, need soft landscaping improvements.
- Where is the useable space for the residents, this needs further discussion and clarification.
- More planting is required as well as further consideration for the usability and quality of the open space.
- Further cross-section drawings and taken in charge areas are required.

5. Issues Raised in the CE Report incl. - Transportation report, Drainage report, Parks and Landscaping report and Housing Report.

- **ABP Comments:**

- Further clarity of issues pertaining to issues raised by the Drainage Department of the PA.
- Further consideration, with respect to issues raised by the housing department with respect to Part V and changes to long term social leasing.

- **Prospective Applicant's Comments:**

- Will discuss further all issues raised in the PA addendum report with individual departments of the PA.

- **Planning Authority's Comments:**

- There do not appear to be insuperable problems in relation to drainage or other infrastructure, but there are issues to be ironed out

- Additional taking-in-charge detail is required at application stage.

6. Any other matters

• **ABP Comments:**

- Issues raised by Irish Water are to be resolved before submitting an application.
- Consistency between all drawings and documentation required, no room for inaccuracies, drawings need to be accurate and legible.
- Further discussion on matters raised within the PA Opinion and Appended PA reports submitted to ABP on the 04.11.21

• **Prospective Applicant's Comments:**

- The prospective applicant can create pedestrian links from the proposed development northwards with the PA's consent, given it is via publicly owned lands. The gradient levels work just consent needed.
- Confident that all issues raised can be achieved.
- The Mat Con Issues will be justified in terms of Apartment Guidelines 2020
- Taking in charge will be discussed with the PA in advance of any application.
- The setback along the Sandyford road incl. pedestrian path and cycle lane shall be designed so as not to encourage cars parking at this location.
- The extension of the red line boundary to incorporate all infrastructure and routes to facilitate and which forms part of the development is noted.

• **Planning Authority's Comments:**

- The PA still has concerns in relation to daylight and sunlight, resident services and outlook from Block A.
- The PA has concerns in relation to the boundary treatment and set back onto the old Sandyford Road. Concern of cars using set back as a car park.
- The prospective applicant is to ensure the red line boundary includes all infrastructure, connections and access links proposed, as part of the overall scheme, so as to be deliverable as part of the proposed development.

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