



An  
Bord  
Pleanála

## Record of Meeting ABP-311705-21

<b>Case Reference / Description</b>	212 no. apartments and associated site works. Carlisle, Kimmage, Dublin 12.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	21 <sup>st</sup> December, 2021	<b>Start Time</b>	2:00 pm
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	3:00 pm
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	Hannah Cullen

### Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Hannah Cullen, Executive Officer

### Representing Prospective Applicant:

Jaques D'Arcy, Burke Kennedy Doyle Architects
Michael Hughes, Barrett Mahony Consulting Engineers
William O'Donnell, In2 Engineering
Michael White, Lioncor
Matt Walsh, Lioncor
John Cooney, Lioncor
Trevor Sadler, McGill Planning Chartered Town Planners
Brenda Butterly, McGill Planning Chartered Town Planners

### Representing Planning Authority

Marguerite Cahill, Executive Planner
David Conway, Executive Engineer
Kieran O'Neill, Senior Executive Landscape Architect
Kiaran Sweeney, Senior Executive Planner

## **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 **15<sup>th</sup> 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 **19<sup>th</sup> 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. Land use and development principle.**

### **2. Design and layout**

- Height and scale
- Daylight and sunlight
- Residential amenity

### **3. Access and parking**

### **4. Any Other Business**

## 1. Land use and development principle

### **ABP Comments:**

- Further clarity required in relation to the relationship of the proposed developments with the Carlisle gym facility and ownership of the access road.
- Z9 zoned land plans are to be addressed further at application stage.

### **Prospective Applicant's Comments:**

- The existing leisure centre is in separate ownership. There is a right of way along the access road which remains in the ownership of the Ben Dunne Gym.
- Possible errors on pages 10 and 12 of the Design Statement identified will be further looked at prior to an application being submitted to the Board.
- The plans will not alter the use of the space within the Z9 zoning. The land will remain as is existing, no re-zoning is proposed and there will be no loss in existing open space.

### **Planning Authority's Comments**

- The extent of the Z9 land is noted, scope to explore compensation regarding open space in lieu as per the PA report submitted to the Board due to issue of use of existing access roads on that land.

## 2. Design and Layout

### **ABP Comments:**

- Provide clarity on the design strategy and address the concerns raised by the planning authority.
- Address the relationship of the proposed development with adjoining properties.
- Ensure potential impacts on adjoining properties are included in daylight/sunlight report. A full comprehensive study of units across the scheme should be submitted.
- The balconies of blocks 4 and 5 were the only balconies assessed within the microclimate study submitted and this requires further information at application stage.

### **Prospective Applicant's Comments:**

- The blocks have been arranged in a north-south direction and the blocks to the north step down to 4 storeys to address neighbouring properties.
- Grand steps facing south have been included in the communal open space figures.
- At the west end of the scheme building has been set back from the properties by 26 meters. Trees 7–8-meter high at this area are to be retained which can act as screening. These trees already impact on daylight.
- At the eastern end separation of >25m is provided. Separation from properties to the north is greater with higher elements set back.
- The height of Block 4 & 5 is lower.
- Additional views will be submitted at application stage.
- A full daylight/sunlight analysis will be submitted at application stage, every room will be assessed, where the guidelines cannot be met compensatory measures will be clearly identified.

- As the design develops additional balconies and facades will be assessed.

#### **Planning Authority's Comments**

- Blocks 4 and 5 are read 1 extensive building which is in close proximity to Brookfield Green. Scope to reduce bulkiness of this block and reduce visual impacts should be examined.
- Insufficient views have been submitted for blocks 1, 2 and 3 at this stage. Balcony finishes to obviate overlooking will need to be further detailed.
- Analysis should demonstrate how amenity spaces achieve adequate levels of daylight and sunlight.

### **3. Access and Parking**

#### **ABP Comments:**

- Respond to the concerns of the planning authority regarding the design and capacity of the access road.
- Consents should be fully evidenced in relation to the ownership of the access road and any upgrades proposed to it.

#### **Prospective Applicant's Comments:**

- Further revised proposals in relation to road upgrades are to be submitted to the PA.
- There are constraints on the ability to amend the design and layout of the existing gym access / egress.
- A mobility assessment was carried out and census data received has informed the parking.
- Justification for the level of car parking provision will be provided and a specific car parking management strategy is proposed.
- There is scope to include 5 car share spaces, need to further explore the provision and upkeep and operator requirements.

#### **Planning Authority's Comments**

- Providing access to existing access road is an issue. The junction with Kimmage Road West remains a concern.
- There are a high number of junctions a pedestrian must cross in order to get to the desire points, including poor quality footpaths.
- The proposed parking ratio appears low.
- Can discuss off-line with the prospective applicants.

### **4. Any Other Business**

#### **ABP Comments:**

- In relation to Irish Water's submission, the application should be clear what water connections are proposed and what consents are required.

#### **Prospective Applicant's Comments:**

- Due to the boundary condition the public open space has been relocated.

- A series of different types of open space has been provided within the proposals.
- The public open space adjoins the gallery site which is zoned Z9.
- A specific note will be submitted in relation to the Z9 zoning.

#### **Planning Authority's Comments**

- The communal open space appears one-sided within the development, the public open space proposed does not appear as usable space.
- Scope to explore usable roof space on blocks 4 and 5.

#### **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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Stephen O'Sullivan  
Assistant Director of Planning  
January, 2022