



An  
Bord  
Pleanála

## Record of Meeting ABP-311749-21

<b>Case Reference / Description</b>	472 no. apartments, creche and associated site works. 'Hartfield Place', Swords Road, Whitehall, Dublin 9.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	25 <sup>th</sup> January 2021	<b>Start Time</b>	14:00 pm
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	15:45 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Helen Keane

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Helen Keane, Executive Officer

### Representing Prospective Applicant:

James Naughton, Corcom
William Power, C+W O'Brien Architects
Calogero Marino, C+W O'Brien Architects
Arthur O'Brien, C+W O'Brien Architects
Andrew Bunbury, Parkhood Landscape Architects
Fergus Lynch, Eastwise
Brenda Butterly, McGill Planning
Trevor Sadler, McGill Planning
Tim Robinson, Aecom
Niamh Farrell, AGL Consulting

### Representing Planning Authority

Siobhan O'Connor, Senior Executive Planner, Planning Department
Natalie deRoiste, Executive Planner, Planning Department

Roisin NiDhubhda, Executive Planner, Roads Planning
Kieran O'Neill, Senior Executive Landscape Architect

## 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 18<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 22<sup>nd</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 and previous refusal.
2. Residential Amenity
  - Open space design and layout
  - Housing Mix
  - Daylight and Sunlight
3. Transport and Parking
  - Port Tunnel
  - Bus Connects
  - Car and Cycle Parking
4. Any Other Matters

## **1. Land use and development principle and previous refusal.**

### **ABP Comments:**

- The prospective applicant is to provide clarity with regard to the tenure of residential units proposed within the scheme.
- The planning authority was requested to advise on the status of the Draft City Development Plan and of the Whitehall Framework Plan.

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

- The proposed development comprises 472 Build-to-Sell units.
- The proposed development is aligned quite closely with the Whitehall Framework Plan.
- The previous reason for refusal was on a narrow element of the scheme, the development was otherwise acceptable including on elements such as zoning, height, housing mix, density, apartment layouts, residential amenity, daylight and sunlight.

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

- The draft Dublin City Development Plan is due for adoption in January 2023.
- The Whitehall Framework Plan is historical and can be used as a guidance document only.

## **2. Residential Amenity**

- **Open space design and layout**
- **Housing Mix**
- **Daylight and Sunlight**

### **ABP Comments:**

- Provide clarity on how the requirements of the Z12 zoning are met and address the reason for the previous refusal.
- The prospective applicant should consider the design of northern and southern public routes to the public open space from the Swords Road.
- Confirm that the prospective applicant and the PA are generally in agreement on the design approach.
- The prospective applicant is to demonstrate how the plaza will work as an animated space and consider interaction with ground floor uses.
- Outline any revisions to the scheme arising from the assessment daylight of daylight and sunlight undertaken to date.
- Provide a comprehensive daylight and sunlight assessment for adjoining properties and proposed units in the proposed development.
- Provide further detail on the housing mix and justification for the change in housing mix from the previous development.

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

- The principles of the layout of development were established in the development permitted in 2010.
- The location of the public open space takes the location of the port tunnel and the GAA grounds to the north into consideration.

- The 20% open space calculation comprises true, usable, open space and excludes all incidental open space and the proposed plaza which is an additional space.
- The plaza proposed between Block A and Block B provides connectivity from the Swords Road to the public open space.
- The 500 square metre plaza is a good quality area where people can meet and congregate.
- The ESB substation and basement vents have been moved out of the public and communal open spaces.
- The public open space will be more open at its southern end.
- Outdoor seating, picnic tables and a play area will be provided.
- There is good physical and visual connectivity to the open space.
- There is a high level of residential amenity provision, with a communal lawn, a roof garden and green roofs.
- The public open space will have the feel of a park, with the size of the space being comparable to a park in the city.
- Clarity on how the Z12 zoning requirement is met will be included at application stage.
- The prospective applicant is seeking to keep traffic away from the open space. Movement on internal roads will be predominantly pedestrians and cyclists.
- The layout and materials will facilitate connectivity to the site to the north.
- The plaza is animated by the ground floor uses at Block A. The crèche and café are used to create an urban focus.
- There is very little daylight and sunlight impact on the adjacent neighbours.
- Further revisions to the internal layout of Block A to improve daylighting to apartments are under consideration.
- Will provide further justification and data to support the proposed housing mix and level of 1-bed and 2-bed units at application stage.
- The proposed development is in proximity to education and employment.
- The proposed density is appropriate for the location.

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

- The PA is reasonably satisfied with the nature and design of the open space proposed and it is generally meeting development plan requirements.
- The prospective applicant should give further consideration to the design and layout of connections to the open space from the Swords Road, to the north and south.
- Give consideration for the proposed housing mix, which the planning authority have raised as a concern in previous applications for development on these lands.

### **3. Transport and Parking**

- **Port Tunnel**
- **Bus Connects**
- **Car and Cycle Parking**

#### **ABP Comments:**

- Advise on the nature of consultations to date with TII regarding development over / in proximity to the Port Tunnel.

- Confirm the nature of previous enforcement notices issued in respect of this site.
- Provide clarity on the design and layout of the proposed junction with the Swords Rd.
- Confirm whether the Traffic Impact Assessment considered the design and operation of the right turn lane now proposed.
- The design of bicycle storage should ensure that it meets operational requirements in terms of clearance, ceiling height etc.
- Describe the treatment of the Swords Road frontage and the design of footpaths and cyclepaths along this boundary.
- Provide detail on footpath connections at the southwestern corner where they interact with the emergency access onto the Swords Road.
- The prospective applicant is to have regard to previous High Court judgements.

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

- A revised tunnel impact assessment for the final layout of the proposed development will be issued to the PA and Transport Infrastructure Ireland (TII).
- Meetings with TII have yet to take place and DCC can facilitate liaison in this regard.
- The layout and design of the proposed development has regard to the Bus Connects scheme, including the siting and set-back of buildings.
- The scheme will work with and without the Bus Connects scheme.
- The junction design has been subject to further modification and will be discussed further with the City Council Roads Dept.
- Cycle parking provision has been revised to meet the guideline requirements.
- Issues raised in the planning authority report have been addressed including segregated cycle access to the basement carpark and.
- There are 53 surface spaces provided for residents of the proposed development.
- The internal road layout will be DMURS compliant.
- The proposed development will not negatively impact the Bus Connects proposal.
- A road safety audit will be carried out.
- The two additional emergency accesses on the western boundary will be for emergency use only.
- Visitor parking is proposed within the internal access, this can be further discussed with the PA.
- Good progress has been made on traffic and parking issues raised.
- Can consult further with the PA regarding the remaining concerns.

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

- The revised tunnel impact assessment is to be reviewed by TII.
- The revisions to the roads and junction layout are welcomed and will engage further with the prospective applicants in this regard.
- The prospective applicant should include more detailed drawings at application stage.
- The emergency entrance to the south is acceptable.
- The two additional emergency accesses on the western boundary must be for emergency use only and not ad hoc service use.
- The PA has concerns in relation to the lack of visitor parking. There is a possibility of overspill parking if no visitor parking is provided.

- The prospective applicant is to provide further detail on the works within the red line boundary.
- The prospective applicant is to refer to the PA's submitted opinion.

#### 4. Any Other Matters

##### **ABP Comments:**

- Confirm whether the proposed public open space will be taken in charge.
- If the prospective applicant is carrying out servicing works, it needs to be within the redline boundary.

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

- An EIAR will be included at application stage.
- There is an easement for services at the eastern connection right of way.
- Irish Water have advised that upgrade works required to facilitate water and drainage connections to the development will be carried out by Irish Water.
- Capacity issued will be examined as part of the traffic and transport assessments.
- The proposed development is not reliant on Bus Connects upgrades.

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

- The public open space will not be taken in charge by 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  
January, 2022