



An  
Bord  
Pleanála

## Record of Meeting ABP-311879-21

<b>Case Reference / Description</b>	311879 - 115 no. Build to Rent apartments. Stradbrook House, Stradbrook Road, Mountashton, Blackrock, Co. Dublin.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	10 <sup>th</sup> March 2022	<b>Start Time</b>	10.00am
<b>Location</b>	Remotely via Microsoft teams.	<b>End Time</b>	11.36am
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	David Behan

### Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
David Behan, Executive Officer

### Representing Prospective Applicant:

Stephen Barret, (Planning)
Aisling Matthews, (Planning)
Eoin.Reynolds@nrb.ie (Transport Engineer)
Gary Lindsay, (Civil Engineer)
Mark Boyle, (Landscape Architect)
Gerry Murphy, (Architect)
Brian Hutchison, (Architect)
Tom Sheridan, (Client)
Jim Byrne, (Client)

## Representing Planning Authority

Stephen McDermott – Senior Executive Planner
Dara Holohan – Executive Planner
Elaine Carrol – A/Senior Executive Engineer
John Cunniffe – Executive Engineer
Sean Keane, Senior Executive Engineer
Tom Kilbride – 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, 27<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, 10<sup>th</sup> November 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. **Compliance with the Land Use Zoning - Objective E**
2. **Design and Layout, inter alia, height, scale and mass, development potential of adjoining sites**
3. **Impact on Residential Amenity, inter alia, potential future occupants and existing residential properties**
4. **Drainage**
5. **Traffic and Transport**
6. **Any Other Business**

**1. Compliance with the Land Use Zoning- Objective E**

**ABP Comments:**

- Clarity on the requirement for SHD to comply with the zoning of the site, and whether Policy E8 of the development plan would be breached.
- Clarity was sought on nature of proposed development and the documentation required to describe and support senior living use.

**Prospective Applicant's Comments:**

- Acknowledged that land is zoned Objective E but have had great difficulty attracting tenants for commercial use and the Stradbroke building has been vacant for some times.
- It is considered that proposal is a material contravention of Policy E8 of the development plan.
- The proposed development is for a senior living scheme, which will be serviced by fulltime staff.
- There is a demand for this type of accommodation within the immediate vicinity.
- Proposed development will be Build to Rent for senior citizens and services will be provided to support the residents.

**Planning Authority's Comments:**

- There is a need to retain land for economic use.
- The commercial floorspace is required to provide employment to the surrounding area under policy E8 of the development plan.
- There is concern expressed that the units may not be rented solely by senior citizens
- Distinct lack of public space was noted.
- The onus is on prospective applicant to prove that proposal is in accordance with development plan zoning.

**Further ABP Comments:**

- The documentation submitted with an applicant would need to demonstrate compliance with the zoning objective, SHD cannot contravene zoning.
- Any material contravention of other plan provisions would need to be advertised, described and justified in the manner set out in legislation.
- The details submitted with any application, including the proposed s47 agreement required for BTR schemes, would need to specify how the senior living concept would operate.

## **2. Design and Layout, inter alia, height, scale and mass, development potential of adjoining sites**

### **ABP sought discussion on:**

- The height of the building along the Stradbrook road and the scale, bulk and mass as presented in the documentation.
- The position of the proposed building right up to the boundaries of the site and may impact on development of the adjoining sites.
- The impact on the rugby club.

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

- The height proposed is a material contravention of the development plan
- The site is well serviced by local amenities and infrastructure.
- The proposed building will be appropriate set back from adjacent housing.
- Proposed development is above minimum requirement for communal open space area.
- There is no proposal for public open space.
- Comments in relation to the potential for impact on the adjoining sites is noted.

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

- Concern expressed at height of proposed development.
- Concern expressed at proximity of boundaries to adjacent housing.

## **3. Impact on Residential Amenity, inter alia, potential future occupants and existing residential properties**

### **ABP sought discussion on:**

- The impact of the balconies and the potential to overlook adjacent housing.
- The visual impact from the rear of the existing dwellings along Windsor Park.
- The supporting residential amenities in the proposal.

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

- 7<sup>th</sup> storey penthouse is setback so as not to overlook housing close by.
- The balconies can be redesigned so as not to overlook.
- Trees and landscaping will minimise visual impact.

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

- It is considered the roof garden will overlook Windsor Park.
- There is a potential for the windows to overlook directly onto the dwelling along Stradbrook Road.

## **4. Drainage**

### **ABP Comments:**

- Prospective applicant to provide surface water calculations.

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

- Will clarify Q Bar Ratio in application documentation.

**Planning Authority's Comments:**

- Further discussions will be held with the prospective applicant.

**5. Traffic and Transport**

**ABP Comments:**

- Clarity was sought if Blackrock Rugby Club would still have use of carpark.
- The public footpath should be maintained across the accesses to the development.
- The proposal should be fully compliant with DMURS.
- The public transport provision to the site should be clearly detailed in any Material Contravention Statement.
- Staffing proposals should be included within any transport studies.

**Prospective Applicant's Comments:**

- A separate planning application for carparking will be submitted to planning authority.
- New access to underground parking will be examined.
- It is now proposed to include one shared vehicular entrance rather than two.

**Planning Authority's Comments:**

- Provision of car parking is too low.
- Bicycle parking must be provided.
- Ramp to underground parking must be a 1:14 gradient to accommodate cyclists.
- Pedestrian priority access must be maintained at entrances.

**6. Any Other Business**

**ABP Comments:**

- No further comments.

**Prospective Applicant's Comments:**

- No further comments.

**Planning Authority's Comments:**

- No Further Comments.

**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  
March, 2022