



An  
Bord  
Pleanála

## Record of Meeting ABP- 311917-21

<b>Case Reference / Description</b>	400 no. apartments, creche and associated site works. Blackglen Road, Sandyford, Dublin 18.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	8 <sup>th</sup> February 2022	<b>Start Time</b>	2.00pm
<b>Location</b>	Remotely via Microsoft teams.	<b>End Time</b>	15:38pm
<b>Chairperson</b>	Rachel Kenny	<b>Executive Officer</b>	David Behan

### Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Fiona Fair, Senior Planning Inspector
David Behan, Executive Officer

### Representing Prospective Applicant:

Suzanne McClure, Brock McClure Consultants
Michael Kane, Applicant
Dave Irvine, Applicant
Derek Murphy, OMP Architects
Leod Ballantine, OMP Architects
Anthony Horan, OCSC Engineers
Richard Butler, Modelworks LVIA
Jonathan Gannon, Landscape Architect
Liam Gaffney, Enviroguide Ecology

### Representing Planning Authority

Shane Sheehy, Senior Executive Planner
Miguel Sarabia, Executive Planner

Sean Keane, Senior Executive Engineer (Transport)
Elaine Carroll, Acting Senior Executive Engineer (Drainage)
Lorraine O'Hara, Parks Superintendent

### **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, 10th 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, 24<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 CDP Policy
  - Architectural design approach, height, scale, massing, regard being had to transitional zone location.
  - Material Contravention Issues
2. Road Infrastructure, improvement scheme, connectivity and accessibility.
3. Residential Amenity
  - Overlooking
  - Daylight and Sunlight, overshadowing analysis.
  - Percentage of Dual Aspect and north facing units
4. Landscape Character Assessment, Ecology & Visual Impact Assessment.
5. Drainage Infrastructure - IW – upgrades needed in respect of wastewater and water supply. Issues Raised in the CE Report incl. - Transportation report, Drainage report, Parks and Landscaping report and Housing Report.
6. AOB

### **1. Compliance with CDP Policy**

- **Architectural design approach, height, scale, massing, regard being had to transitional zone location.**
- **Mat Con Issues**

### **ABP Comments:**

- Height/scale/density/massing of proposed apartment blocks in the context of the existing pattern of development in the area, transitional zone location and in the context of existing Development Plan policy.
- Further consideration of building height with reference to Appendix 9 of the Development Plan.
- Further consideration of the draft development plan timelines. Should a new draft plan be adopted while any application is under consideration by the Board it would be subject to compliance with the new plan.
- Further consideration of material contravention issues arising in light of the current County Development Plan and the status or adoption of a new County Development Plan.
- Further consideration of visual impact in terms of views within and across the site.
- Cognisance to be had to recent Ballyboden JR and any application needs to address and justify the proposal in terms of accessibility and frequency of public transport, serving the site.
- Needs to be justified against upward modifiers criteria.

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

- The land has been zoned for some 30 years and the apartment scheme proposed is appropriate for the site.
- Generous open space has been allowed for.
- Separation of units and the sloping of the proposed development will keep the visual line in harmony with the close lying cottages.
- Revised density of the proposed development is in line with both the surrounding context, connectivity, proximity to bus stops, the Luas stop and the CDP policy.

- There is a clear divergence in opinion between the PA and the applicant, in terms of appropriate scale and height on these lands which are zoned, serviced lands.
- 400 units proposed – 60% are 2 / 3 bed units and will be suited for family living.
- There is a low site coverage, but the applicant is willing to look at pinch points – 108 u/ha
- The proposal is well supported by national guidance and policy. The apartment guidelines, national policy interlink different arguments. Public transport is one thing, CDP car parking standards will be taken into account. 2009 Guidelines are referenced in the CDP – not a specific range.
- The scheme will be assessed against performance criteria, protecting residential amenity. It is contended the scheme stands up well.

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

- The land had been designated as, zoned A, 'to protect and or improve residential amenity.'
- Height and massing contravene the CDP, where a four-storey maximum has been identified as appropriate.
- Lower height units with less density would be more appropriate, given the proximity to high amenity and B zoned lands (the mountains and the peripheral location).
- Interesting to hear that 2-bedroom units are described as large family friendly units, would be a new trend.
- The CDP doesn't give a specific range for density – it is set by the surrounding context and environment. Nonspecific subjective to performance ballpark could be exceeding 35 – 50 u/ha. This should be assumed as the density assigned to this area. Clearly the proposal is breaching this range – what is it relying upon.
- The scheme needs to be justified against 3.2 criteria and public transport reliance; future Bus connects Various route options need to be looked at. There is no high frequency public transport within 500m of the site. On this basis PA consider 4 storey heights more appropriate.
- Upwards modifiers / assessment against specific measures is not justified on this site.

## **2. Road Infrastructure, improvement scheme, connectivity and accessibility**

#### **ABP Comments:**

- The proposed development faces onto a narrow country road, without footpaths.
- The proposed development is serviced by two bus routes, both of which are low frequency and do not run every day.
- The applicant needs to indicate clearly safe pedestrian and cycle access to the site and within the overall scheme.
- The applicant needs to demonstrate that any additional traffic generated by the development at construction stage will not create a road safety hazard or conflict with the delivery of the Blackglen Road Scheme and a CEMP and CWMP will be required.
- Further consideration that the proposed development can be progressed in tandem with the Blackglen Road Improvement Scheme.
- Further engagement with the relevant project engineer and transportation planning of the planning authority to ensure that construction management plan and boundary treatment are incorporated into the final designs.

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

- Proposed development is served by two bus routes, other bus routes and the luas line is within proximity to the site
- New road will have adequate bicycle and pedestrian paths.
- There will be two access points for traffic and parking. The second access is only serving 30 car parking spaces.
- The applicant is aware of the importance of not prejudicing the ongoing Blackglenn Road Improvement Scheme (RIS).
- The CEMP will respect the road scheme.
- The applicant's team are in contact and discussion with DLRDCC roads department.

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

- Proposed development is outside the wider commuter area and does not have access to high frequency or high-capacity public transport.
- Blackglenn Road is not an urban road and may not be regarded as such.
- Blackglenn Road is a regional road and need for two access points must be further justified, in particular in light of a future development site opposite on the other side of the road – directly opposing the second access.
- Proposed parking spaces require re-evaluation.
- The RIS is due to be completed in March 2023
- Current works on the Blackglenn road will be finished by the time access for construction traffic is required. However, footpaths and cycle paths going in and how they interact with HGV / large construction truck movements is important.
- Car parking proposed is sub development plan requirements which requires 1 space per unit.
- Provision should be made for electric bike stands, car share and bike workshop.
- The scheme is not BTR – car parking needs to be designated; a mobility management plan required to incl. car parking management plan.
- Proposal is a mat con of the existing CDP with regard to car parking.
- The Blackglenn Road is not being widened to any great extent, it is important that under provision of car parking does not cause an overspill issue and block the road.
- Justification for right turning vehicles to access the site.

### **3. Residential Amenity**

- **Overlooking - Daylight and Sunlight, overshadowing analysis.**
- **Percentage of Dual Aspect and north facing units**

### **ABP Comments:**

- 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.

- Further consideration and justification of the separation distances between the blocks, overlooking, overbearing and overshadowing, formation of character areas and way finding through the site.
- Clarification required with regard to % of dual and single aspect units proposed within the development and clear identification of any north facing single aspect units.

**Prospective Applicant's Comments:**

- Landscaping will allow for a clear urban/rural divide, by establishing a hard edge.
- Can look at separation internally within the scheme.
- A 22m separation distance to existing development is maintained.

**Planning Authority's Comments:**

- No further comment.

**4. Landscape Character Assessment, Ecology & Visual Impact Assessment.**

**ABP Comments:**

- Further justification and clarity with respect to any removal of trees, hedgerows and vegetation on site.
- Further consideration, with respect to issues raised in the CE Report and by the parks and landscape department.
- Further consideration and justification of useability, location and layout of open space and public realm strategy.
- Further consideration of visual impact in terms of views from the immediate surrounding roads, to adjoining residential developments and longer and mid-range views from the north and south of the site. A revised set of photomontages should be provided including winter views.
- Need to acknowledge and show adverse impacts. Look at precedent cases. Strong justification required.
- Requirement for a Habitats Directive Screening Report which identifies possible risks to any Natura sites.
- Analysis and assessment of the proposed development in terms of a construction method statement.
- Further clarification and justification that the documentation submitted draws a clear distinction between local ecology and Natura 2000 sites, in relation to any future Natura Impact Statement.
- Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be accurate and legible.

**Prospective Applicant's Comments:**

- Planting plan along boundaries will offset any visual impact.
- Screening is in line with national policy.
- Recognise the need to justify peri urban location, consolidation and densification.
- Prepared to provide winter views.
- All ecology issues will be addressed.

**Planning Authority's Comments:**

- Winter views of the proposed development would be more appropriate.
- The site is located close to a rural landscape and Barnaculia landscape area – area of transition.
- PA have raised the issue of transitional area according to Development Plan policy, important to avoid abrupt transition in scale between areas. There is a need to recognise rural and urban landscape area.
- Question the transitional nature of the scheme. Definition of urban edge to the rural and urban landscape.
- Further consideration required for appropriate boundary treatment along Woodside Road.
- Need to assess if there are sensitive receptors which are affected.
- No negative impact to the south or west of the site, most impact will be along Blackglan Road where further development is planned to take place.
- An updated and more detailed tree report is required. What has been submitted is vague and insufficient, no survey details.
- While there are not a lot of trees on the site, there are trees on the boundary and adjoining property, which have to be considered.
- The whole scheme relies on sylvan character. The proposal for high open space quantum is well received.
- Tree planting is not meeting the target required. 140 trees on the landscape tree trail does not add up.
- Reservation noted in regard to proposed green resin material being used and its appropriateness, durability and longevity.
- Communal open spaces are quite flat and require further planting.

**5. Drainage Infrastructure**

**IW – upgrades needed in respect of wastewater and water supply. 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 surface water drainage, and agreements with IW.
- Further consultation and resolution / agreement is required with Dun Laoghaire Rathdown County Council Parks Department, Transportation Department, Housing Department and Water Services Department with respect to the issues raised in their opinion submitted to the Board on the 10<sup>th</sup> November 2021.

**Prospective Applicant's Comments:**

- Happy to enter into further discussions with the PA on issues raised, incl. bio retention and swale there is a 5% gradient which is a tricky issue.

**Planning Authority's Comments:**

- Clarification sought - in relation to who would be responsible for the provision of extra water tanks, should they be required.
- Timeline for delivery of storage tanks, are they deliverable within timeline of any grant.
- PA requires a more detailed flood assessment report.

- Additional Suds required.
- Landscape drawings and drainage drawings need to take account of one another and provide more detail.
- A lot more detail is required with the proposal at application stage.

## **6. AOB**

### **ABP Comments:**

- Consideration that any arguments made by the applicant in relation to layout and design, height, scale and massing, visual impact, loss of trees and open space quantum and infrastructure will need to be justified at application stage.
- All issues pertaining to environmental sensitivity (EIA and NIS) of the site location needs to be considered.
- The PA's views of scale of development for the area, further justification.
- Safeguard required against the issue of capacity.
- Note NTA Bus connects reports - which link capacity to frequency.
- Acknowledge all Mat Cons.
- Capacity of social infrastructure in the area, connectivity issue needs to be justified due to the number of units
- Development plan is changing, there is a need to have regard to timelines.
- Consistency between all drawings and documentation, 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 10<sup>th</sup> November 2021.

### **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  
May, 2022