



An
Bord
Pleanála

Record of Meeting ABP-312248-21

Case Reference / Description	176 no. apartments. Rosemount House, Northern Cross, Malahide Road, Dublin 17		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	21 st April 2022	Start Time	12:00pm
Location	Remotely via Microsoft teams.	End Time	1:00pm
Chairperson	Stephen O'Sullivan	Executive Officer	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:

John Spain, John Spain Associates
Stephen Blair, John Spain Associates
Rachael Byrne, Plus Architecture
Matthew Theloke, OCSC
Gareth Lloyd, Walls
Brendan Keogh, DBFL
Des Twomey, Plus Architecture

Representing Planning Authority

Shane Healy, Executive Planner

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, January 21st, 2022, 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, 16th December 2022, 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. Design and Layout, *inter alia*, impact on adjoining sites**
- 2. Impact on Residential Amenity, *inter alia*, ground floor privacy, quality of public open space,**
- 3. Drainage, *inter alia*, surface water treatment**
- 4. AOB**

1. Design and Layout, *inter alia*, impact on adjoining sites

ABP Comments:

- Clarification and elaboration on the impact on the adjoining sites in terms of boundary treatments and open space co-ordination
- Clarification sought on design and layout of concierge area at entrance
- Prospective applicant advised that a statement of material contravention may be required for justification of height
- Justification / elaboration of the capacity/ frequency of any public transport infrastructure to serve the site and inclusion in any Mat Con Statement

Prospective Applicant's Comments:

- Attention has been paid to 9 points of DCC Opinion
- Logical approach taken to design and layout regarding adjoining sites
- Division of space at entrance has been revised to provide security access and cycle parking
- Further attention has been paid to lighting at entrance
- Greater public permeable access at entrance
- Boundary conditions interface with adjoining sites
- Liaising with developers of Site 10, to reflect and coordinate any changes that may arise
- 3 routes linking the proposal to riverside being considered rather than a central route
- The applicant notes they do not have control over the site to the south and its currently being developed and designed separately
- Central spine considered to be more pedestrian friendly
- Preference to keep central route but will discuss with adjoining site developers
- A café will be provided

Planning Authority's Comments:

- Improved wheelchair access at entrance to be improved
- Necessary for both SHD applications (site and adjoining proposed and permitted) to be in agreement
- Points for ground floor access and overall layout and design have been set out in PA opinion

2. Impact on Residential Amenity, *inter alia*, ground floor privacy, quality of public open space

ABP Comments:

- Ground floor use to be better reflected in submitted documents with the privacy of the future residents highlighted.
- Further attention to daylight and sunlight analysis required with focus on the public open space areas
- Functionality of the open space should be elaborated.

Prospective Applicant's Comments:

- Takes the points of PA and planning inspector

Planning Authority's Comments:

- No significant redesign required but more detail of design required
- Prospective applicant should consider reorientation of bedrooms in 1 bed units

3. Drainage, *inter alia*, surface water treatment

ABP Comments:

- SSFRA has been revised by PA, prospective applicant to note at formal application stage
- Prospective applicant advised to clarify position of Irish Water

Prospective Applicant's Comments:

- Will look further at DCC opinion
- Will continue to discuss issue of foul drainage with drainage department
- Can obtain letters from Irish Water
- Ongoing discussions with developer of Site 10

Planning Authority's Comments:

- Prospective applicants' proposal of taking in charge does not meet required standard
- Further meeting with drainage department to take place
- Prospective applicant to address issue of private drainage in public areas

4. AOB

ABP Comments:

- No further comments

Prospective Applicant's Comments:

- Will contact transport department to discuss matters further

Planning Authority's Comments:

- Will continue to discuss with transport department

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
May 2022