



An  
Bord  
Pleanála

## Record of Meeting TC0029

<b>Case Reference / Description</b>	Demolition of former public house and associated structures. Construction of student accommodation (224 no bed spaces) and associated works. Former "Matts of Cabra", Fassauga Avenue, Cabra, Dublin 7.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Date:</b>	21 <sup>st</sup> November, 2017	<b>Start Time</b>	10.00 am
<b>Location</b>	Office of An Bord Pleanála	<b>End Time</b>	12.00 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Cora Cunningham

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Cora Cunningham, Executive Officer

### Representing Prospective Applicant:

Richard McCafferty, Applicant
Joe McCaffery, Applicant
Mark Duffy, DMOD Architects
Enda Byrne, McElroy Associates
Bernard Seymour, Bernard Seymour Landscape Architects
Niall Barrett, CS Consulting Group
Ian McGrandles, IMG Planning Limited

### Representing Planning Authority

Siobhan O'Connor, Senior Executive Planner
Kieran Sweeny, 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, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 14<sup>th</sup> November, 2017 providing the records of consultations held pursuant to section 247 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 20<sup>th</sup> October, 2017 formally requesting pre-application consultations with ABP. Prospective applicant advised of the need to comply with definition of SHD as set out in the Act of 2016, in relation to thresholds of development. It was also noted that the Inspector dealing with the pre-application consultation request would be different to who would deal with the application when it was submitted. Recording of the meeting is prohibited.

## **Agenda**

- 1. Development strategy to include proposed uses; layout and connectivity; scale and massing; elevational treatment and finishes**
- 2. Amenity issues (both for existing and proposed residents)**
- 3. Development Standards – internal layout; open space provision; daylight/sunlight; noise**
- 4. Irish Water constraints**
- 5. Any other matters**

**1. Development strategy to include proposed uses; layout and connectivity; scale and massing; elevational treatment and finishes**

**Proposed Uses; Layout and Connectivity**

**ABP sought further elaboration/discussion on:**

- Zoning on site, the application should address the retail units having regard to interaction and interface to the public realm and the proposed security gates
- Justification in application with regard to size of retail units and clarification in relation to public access
- Connectivity to site
- Issues raised in PA Opinion in relation to access to be addressed and submitted with application

**Prospective Applicant's response:**

- Gates will remain open during the day but it is proposed to close them at night in order to secure the site, design of gates is not intended to create a barrier into the development
- Development will have 24/7 security monitoring; will be closed to vehicular access at night. Gates are for security reasons and will provide safety for students
- Site has previous planning permission in which retail was permitted. The proposal for two retail buildings in this application increases gross floor area of potential retail on site
- There is to be no connectivity through the site
- Gates could be less visible and proposed landscaping at entrance to create frontage

**Planning Authority's comments:**

- Site has Z3 zoning from development plan. This is an established residential area so retail will benefit the community
- Policies in the Development Plan discourage gated communities, PA would discourage gates on this site

**Scale and Massing; Elevational Treatments and Finishes**

**ABP sought further elaboration/discussion on:**

- Constraints accepted with regard to long narrow site
- Concern regarding length of buildings and elevations having regard to the elevated and exposed nature of the site, buildings may be considered to be overbearing, repetitive elevations, scale and height proposed in relation to site context. This is an established residential area, would require proposed development to be sympathetic to the existing context
- Possible break in elevations to give sense of relief, more prominence to be given to proposed entrances to building
- Need for high quality development as the site is exposed, finishes to be of a higher quality due to the extent of the building, variation of material, building heights
- More than tree planting is required to improve the development, creation of a campus feel for site

**Prospective Applicant's response:**

- Public consultations held with local residents
- Landscaping provided in different areas, consideration of material choices, will present more embellished finishes in application
- Quality at centre of scheme, removal of spoil will reduce the levels of building
- Need a quality development in order to attract students

**Planning Authority's comments:**

- Looking for high quality design and build, respect character of area

**2. Amenity issues**

**ABP sought further elaboration/discussion on:**

- With regard to the existing residential developments, photomontages and cross sections to be provided in application showing any possible overshadowing and overlooking
- Location of bin store to be addressed in application and possible change of location
- Location of basketball court needs to be addressed in application in relation to adjacent dwellings

**Prospective Applicant's response:**

- Basketball area contains a single hoop but provides a turning area for cars, bin trucks and emergency service vehicles
- Positive feedback from discussions with local residents, current antisocial behaviour on site, local resident to be nominated to sit on management committee for development

**Planning Authority's comments:**

- Location of basketball hoop and possible relocation of same as it may be considered as a possible source of noise complaints from nearby residents

**3. Development Standards – internal layout; open space provision; daylight/sunlight; noise**

**Internal Layout**

**ABP sought further elaboration/discussion on:**

- Internal layout, floor areas and clustering to show compliance with City Development Plan in application
- Clusters to be clearly outlined in application having regard to development plan policies
- Specify in application different door uses
- Concentration of communal uses at one level in basement in one block, possible distribution across other floors/blocks, light wells noted, little or no natural lighting getting into basement level- level of amenity questioned for future occupiers

**Prospective Applicant's response:**

- Mixed cluster site with amenity space in each area
- Each cluster has own front door, no movement between clusters (only in circumstances of fire, complies with fire regulations), clusters are stand-alone units of varying cluster sizes

**Planning Authority's comments:**

- Colour coding of how clusters work, different types of doors used in the cluster units

**Open Space Provision****ABP sought further elaboration/discussion on:**

- Acknowledgement of constraints regarding layout and access to open space, however provision needs to be of high quality, not residual in nature
- Application to address: quality of open space provision (some areas appear to be residual in nature), usability of space, access from buildings to open space areas, reasons for road continuing to the back of site
- Rationale, materials and figures regarding building quality to be provided in application
- Show in application treatment of public realm (how roads/public area are to be treated)
- Consultation with Irish Rail prior to lodgement of application- show how area between site and railway embankment will be dealt with
- Applicant to submit, at application stage, all details of discussions between Irish Water and Irish Rail

**Prospective Applicant's response:**

- Open space calculations include area between proposed building and adjacent to railway line
- Road through to back of site for bin truck and fire engine turning
- Amenity areas are linear parks of vegetation with cut-outs creating small areas, ramps with access to/from buildings, stone insert on road will lead you from entrance to each building, plenty of sunlight to area and creation of an acoustic barrier

**Planning Authority's comments:**

- Clearly outline the amenity areas using colour coding, safety guidelines as part of Appendix 14 of the Development Plan regarding public lighting of areas

**Daylight/Sunlight****ABP sought further elaboration/discussion on:**

- Application to show compliance with guidelines in relation to daylight and sunlight

**Noise****ABP sought further elaboration/discussion on:**

- Mitigation measures in relation to noise to be show in application relating to railway line.

**Prospective Applicant's response:**

- Planting to be built up along railway line, Irish Rail gave 4 metre setback from boundary to building line, retaining walls should not be required
- Discussions with Irish Rail can only take place after pre-application request consultation is completed

**Planning Authority's comments:**

- Possible complaints from residents in relation to location of apartment blocks alongside railway line
- Location of gym to be assessed in relation to its location beside a study room

**4. Irish Water constraints****Prospective Applicant's response:**

- Current layout of development has been agreed in principle with Irish Water
- Foul and surface water drainage to be connected to Carnlough Road under railway line. Agreement required with Council, Irish Rail and Irish Water. No discussions in relation to boring under the railway line will take place until after planning application has been granted

**5. Any Other Matters****ABP Comments:**

At application stage, advised to submit:

- Further details/surveys to be submitted in application in relation to existing vegetation, cross sections showing site slope/levels also required
- Provide Student Demand and Concentration Report and Student Management Plan
- Maps showing proposed development in relation to educational institutes and the bus/LUAS/cycle access
- Plan detailing uses outside term time
- Details relating to removal of spoil and truck movements associated with same
- Matters raised in council's opinion need to be addressed in relation to roads issues, including pedestrian access

**Prospective Applicant's comments:**

- Some development contributions are charged as residential and others at commercial rates

**Planning Authority's comments:**

- Cycle parking needs to be secure if gates at entrance are removed
- Residential scheme must adhere to energy efficiency measures
- Public open space not used by students would mean 10% financial contribution, community/social contribution in lieu of public open space (as per chapter 16 of Development Plan), financial contribution also required if community facility not provided for

- Student accommodation is considered residential development so is dealt with in same way
- Contact Financial Contributions Section in the planning authority prior to lodging an application

## **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
- 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  
December, 2017