



An
Bord
Pleanála

Oral Hearing Agenda and Order of Proceedings ABP- 311540-21

Date	8 th March 2022
Start Time	10am
Location	Video Conference Call
Proposed Development	Demolition of properties and associated outbuildings, change of use of St. Joseph's House, construction of 463 no. apartments, childcare facility and associated site works at lands at 'St. Joseph's House' and adjoining properties at Brewery Road and Leopardstown Road, Dublin 18.

The purpose of the oral hearing is to provide an opportunity for all participants, who wish to do so, to make further submissions beyond their written submissions, and to allow the inspector to seek clarification on any relevant issues arising and submissions made. Participants will also have the opportunity to ask questions or seek clarification on submissions made at the hearing.

The following should be noted:

- There is no obligation on any participants to make a submission to the oral hearing or to ask questions of the other participants. All written submissions already received will be considered by the inspector and the Board. For this reason, submissions previously made in writing should not be reiterated at the oral hearing.

- The agenda and order of appearance for the oral hearing is set out below, along with a timetable. Participants should please note that this timetable is indicative only, and may vary during the course of the oral hearing.
- On completion of the oral hearing, the inspector will prepare a report and recommendation on the case for the Board. The decision to grant or refuse permission will be made by the Board.

Limited Agenda

In its submission to the hearing the applicant is requested to address the following specific issues:

1. Clarification and elaboration/justification of the proposal in respect of the quality of residential amenity for future residents in particular the extent of overshadowing of the proposed internal open spaces and separation distances on site,
2. Clarification and elaboration/justification of the proposal in respect of overshadowing and potential overbearing of private amenity areas for existing residents,
3. Clarification and elaboration/justification of the of the proposal in respect of the assessment of the visual impact of the proposed development from a wider number of view points, and
4. Clarification and elaboration/justification of the proposal in respect of the proposed density, scale, height and design of the scheme, specifically to address access to quality public transport and the vision for the area, and roles played by this area and others in the vicinity.

In its submission to the hearing the applicant is requested to give consideration of, inter alia, the following matters:

- In respect of Item 1, Quality of Residential Amenity & Open spaces within the scheme:

As identified in the documents submitted, and as further highlighted by the Planning Authority and third parties, there are a number of areas within the scheme where the amenity afforded the future residents may be less than ideal and may be improved by amendment. The applicant is requested to provide further elaboration or justification of the proposal in respect of these areas (as identified below), and to consider the suggested amendments –

- Notwithstanding the exclusion of the area of communal open space 5 and visual amenity space 6 from the open space calculation, it has been stated that the quality of these spaces, including compliance with BRE Guideline targets for sunlighting of amenity areas, could potentially be of a higher

standard. In this regard consideration of the omission of upper floors of Block D or other amendments may assist, although it is acknowledged that the quality of the spaces and the scheme is based on balance. The applicant is requested to provide further justification and any relevant material or evidence as to the effectiveness of such an intervention/any intervention and associated impact on the design.

- Further elaboration and justification in respect of separation distances between Blocks A and B and Blocks B and C, which may provide additional relief between the scale of the development proposed and consideration of the omission of the four storey section to the side of Block B in order to determine if it would improve the quality and functionality of this open space, to the benefit of the future residents of the apartments on either site (115 apartments in Block C and 88 apartments in Block B), as well as other residents.

It is noted that the omission of the four storey section of Block B, may in addition to improving the usability of the open space between these blocks, also increase the separation distances between the units in Block B and Block C from the proposed 15.1m to 25m.

- While the Board notes the extensive compliance with BRE targets for combined kitchen/living/dining rooms of 2% ADF value, 1.5% for living rooms and 1% for bedrooms. However, it also notes that some apartments appear to have been designed as galley type kitchens (no windows) separate from the living/dining rooms. The applicant is requested to confirm the BRE Guidance methodology employed in respect of these apartments, and where non-daylit galley kitchens are proposed to provide the appropriate justification, and explanation.
- In respect of Item 2, Quality of Residential Amenity & Open spaces for Neighbouring Properties:

While it is noted that there will be some reduction in daylight accessing a number of the residents and buildings surrounding the proposed site, it is considered that this is primarily an issue when considered in combination with the potential overshadowing of the private amenity space of a number of gardens (Sir Ivor

Mall) from Block F. The applicant is requested to respond to this with further elaboration in its sunlight/daylight report Block F by either (a) omitting the end apartments proximate to this boundary, ie apartment nos. 12, 24, and 36, thereby increasing the separation distance to 11m and potentially mitigating the overshadowing impacts, or (b) submit further elaboration to justify the proposed design.

- In respect of Item 3, Visual Impact:

While the Board may not necessarily concur with all concerns expressed regarding the height and associated visual impact, The applicant is requested to consider elaborating on it's analysis and justification with respect to the height of the proposal in terms of its potential visual impact. The applicant's attention is drawn to the following key points-

- It is stated (by the Planning Authority and third parties) that the proposed development would result in a visually dominant and overbearing form of development when viewed from Leopardstown Road, Sir Ivor Mall, Minstrel Court, the Anne Sullivan Centre and Leopardstown Lawn and would seriously injure the amenities of the area.
 - It is noted that the Planning Authority, recommend that Block F be omitted in its entirety; the fourth, sixth, seventh and ninth floors of Block D be omitted; the first floor in Block C be omitted; and the first floor in Block B be omitted so that the maximum permitted height of the entire development would be 6 no. storeys.
 - While a view point has not been submitted from the perspective of the Anne Sullivan Centre, it is noted that the potential visual impact from this building may be ascertained having regard to 3D aerial images which have been submitted in the Architectural Masterplanning and Design Statement, and the oblique angle offered of the eight storey section of Block D when viewed from the entrance at Silver Pines in View 14 of the photomontages.
 - The applicant is requested to further elaborate and provide additional CGIs from this view point.
- In respect of Item 4, Density, Height, and Sustainability:

- The applicant is requested to consider the appropriateness of Density, Scale, Height and Design in terms of reduced density and design, and to respond accordingly. This may require presentation/submission at the Oral Hearing of further photomontages/ CGIs, sunlight/daylight analysis in respect of proposed open spaces, etc. and analysis of the capacity / frequency of the public transport network
- While the Board note that the subject site is located within 600m-700m of two Luas stops (ie. high capacity public transport stops) and high frequency bus services within approx. 1km of the site on the N11, and that the site is highly connected in terms of walking/cycling facilities and within walking distance of significant employment locations, local shops/services, and amenities, the applicant may wish to further elaborate on the suitability of the site in respect of access to 'high capacity' and 'high frequency' public and sustainable transport modes, as well as services and employment.
- It is noted that concerns raised in the CE Report and in submissions around the impact that taller buildings on the subject site and that it would have an impact on the identity and legibility of Sandyford and Central Park as designated centres for future growth, potentially undermining the primacy of Sandyford District. Please provide further justification and elaboration, as applicable.

Order of Proceedings

Tuesday 8 th March 2022	
Time	Topic
10AM	<ul style="list-style-type: none"> • Opening of oral hearing
	<ul style="list-style-type: none"> • Applicant: <ul style="list-style-type: none"> ○ Summary of proposed development (max. 10 minutes) ○ Response to issues raised on limited agenda
	<ul style="list-style-type: none"> • Planning authority <ul style="list-style-type: none"> ○ Points to raise on limited agenda matters
13:00 – 14:00	Break
2PM	<ul style="list-style-type: none"> • Observers <ul style="list-style-type: none"> ○ Points to raise on limited agenda matters
	<ul style="list-style-type: none"> • Questioning between the parties
	<ul style="list-style-type: none"> • Closing comments in the following order: <ul style="list-style-type: none"> ○ Observers ○ Planning Authority ○ Applicant
	<ul style="list-style-type: none"> • Closing of oral hearing

Other Matters

Parties to the application are reminded that the hearing is designed to allow further necessary elaboration, discussion and examination of relevant issues pertaining to the matters outlined in the limited agenda and will not allow any discussion on any other issues outside of the agenda. Submissions should be concise dealing only with the relevant matters as outlined above. Where maps/diagrams/images are referenced in submissions, these should be available for display and should be of a scale that ensures they are legible to all at the Hearing.

Following the completion of a submission by a given party on the particular matters as outlined in the agenda, the Inspector may facilitate relevant questions and cross-questioning.

The Inspector may at her discretion lead a discussion on other matters directly related to agenda matters, such as appropriateness of conditions to deal with matters arising, should the Board be minded to grant planning permission for the proposed development.

Where a party wishes to make a short closing statement, they will be invited in the following order:

1. Observers
2. Planning Authority
3. Applicant

The Parties shall note that no legal arguments, new material or issues other than those pertaining to the limited agenda may be produced or referred to during closing statements and closing statements should be confined to 5 minutes.

NOTE: Participants are requested to make available to the Board copies of any written documentation to be submitted at the hearing for the Board file and for circulation to all participants at the hearing.

Please also note that a digital recording will be made of the evidence given at the hearing.

Una O'Neill
Senior Planning Inspector
1st March 2022