

An  
Bord  
Pleanála

## Record of Meeting ABP-302706-18

<b>Case Reference / Description</b>	265 no. build to let apartments, cafe, communal facilities and associated site works. Lands at Former Dulux Factory Site, Davitt Road, Dublin 12.		
<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>	9 <sup>th</sup> November, 2018	<b>Start Time</b>	2.45 p.m.
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	3.45 p.m.
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Cora Cunningham

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Una Crosse, Senior Planning Inspector
Cora Cunningham, Executive Officer

### Representing Prospective Applicant:

Brian Durkan, Applicant
John Fleming, John Fleming Architects
Rachel Moore, John Fleming Architects
Laura Brock, BMC Planning and Development Consultants
Matthew McRedmond, BMC Planning and Development Consultants
Gavin Foy, Ait Landscape Architects
Michael Moran, TPS Transport Consultants
Ulick Burke, Kavanagh Burke Consulting engineers

### Representing Planning Authority

Emer Ui Fhatharta, Senior Executive Planner
Neasa Moylan, Planner

Shane Dineen, Executive Planner
Maria Treacy, 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, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 29<sup>th</sup> October 2018 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 2<sup>nd</sup> October, 2018 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. Elevational treatment**
- 2. Residential Amenity – Existing Properties and Proposed Units**
- 3. Parking and access**
- 4. Open Space treatment and permeability**
- 5. Any other matters**

## 1. Elevational treatment

### ABP sought further elaboration/discussion on:

- Elevational treatment particularly of eastern and western elevations given strategic location along Grand Canal

### Prospective Applicant's response:

- Will address concerns regarding design of elevations
- Outlined locational advantages of site for proposed BTR
- Mindful of amenity of adjacent developments
- Amendments made to fenestration of side elevations with windows removed/amended to reflect comments so as not to cause overlooking

### Planning Authority's comments:

- Concern expressed in relation to transition of proposed development given existing context
- Suggested amendments proposed from applicant welcomed but consider more revision required
- Area can absorb scale but requirement that appropriate precedent for the area is set in terms of design and quality

### Further ABP comments:

- Consider softening of east and west elevations, potential for incorporation of living/green walls/high level window openings
- Measures proposed to address residential amenity of adjoining properties to be outlined in documents
- Ensure clarity when referring to amendments made to scheme during pre-application process
- High quality finishes required given scale and location of the proposal given precedent for any future development in the area
- Detailed document outlining details and finishes required

## 2. Residential Amenity – Existing Properties and Proposed Units

### ABP sought further elaboration/discussion on:

- Residential amenity of properties to the east and west of the site
- Residential amenity of the proposed ground floor residential units addressing Davitt Road

### Prospective Applicant's response:

- FFL of ground floor units along Davitt Road raised above path level with raised wall and planter proposed to avoid overlooking from public path
- Overshadowing resolved, no impact on adjoining properties
- Courtyards private, strong daylight along courtyards, playground located in courtyard on eastern side of development
- Strong provision of internal communal areas, some will be publically accessible

**Planning Authority's comments:**

- Consideration of more communal space dispersed throughout scheme

**Further ABP comments:**

- Consideration of measures to address potential amenity concerns including own-door units, treatment of private amenity space on ground floor
- Daylight/sunlight analysis to be submitted with application

**3. Parking and access**

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

- Car park management strategy and justification for car parking provision;
- Treatment of entrance into the basement

**Prospective Applicant's response:**

- Proposed management strategy for the car parking element outlined with proposal to provide more visitor parking
- Changes made to the gradient of the ramp into the car park

**Planning Authority's comments:**

- Robust rationale relating to number of parking spaces provided, no overspill onto public roads, detail on car parking strategy
- Priority given to pedestrians at car park entrance
- Address how basement parking will be controlled

**Further ABP comments:**

- Car parking strategy to be provided
- Document to outline intention to include shared car option to serve residents

**4. Open Space treatment and permeability**

**ABP comments:**

- Referencing of open spaces within the scheme as public/private spaces
- Outline how access and permeability of open space is controlled
- Include detail of design regarding gates and any boundary treatment

**Prospective Applicant's response:**

- Open space strategy for the site outlined
- Access to the central plaza is proposed from 'dawn to dusk' with controlled access at all other times
- Contemporary design proposed for gates

**Planning Authority's comments:**

- Public lighting scheme should be submitted with planning application

## 5. Any other matters

### ABP comments:

- Have regard to SPPR7 in relation to Build to Rent, particularly in relation to the notices and the requirement for a draft covenant/legal agreement
- Applicant to satisfy themselves with EIA Regulations and screening requirements, due to the number of units it may be advised to submit schedule 7(a) in a standalone document as part of the application documentation
- Ensure agreement with PA on any matters outstanding prior to lodging planning application

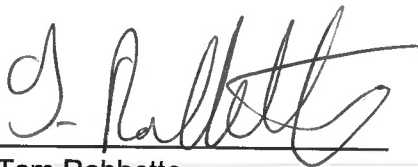
### Planning Authority's comments:

- Have regard to public water sewer in vicinity of the site, show how it will be protected during construction
- Any proposals for green/living walls to have regard to proposed drainage management on site

### Conclusions

#### 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 [cgsdesignqa@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)



Tom Rabbette

Director of Planning

12<sup>th</sup> November, 2018

