



An
Bord
Pleanála

**Case Reference:
ABP-303844-19**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 253 no. residential units, creche and associated site works.

Rivermeade, Toberburr Road, Toberburr, Co. Dublin.

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

Proposed phasing, quantum and density of residential development

Further consideration is required with respect to the proposed phasing, density and quantum of residential development. This consideration should include justification for the proposed quantum of development given the existing scale of residential development in the settlement of Rivermeade. The prospective applicant should address in particular:

1. Section 2.8 of the Fingal County Development Plan 2017-2023 which states, inter alia:

“The future development of Fingal’s villages needs careful consideration. In the Metropolitan Area growth in villages such as Coolquay, Kinsaley, Rivermeade and Rowlestown will be managed to ensure these centres do not expand rapidly, putting pressure on services and the environment and creating the potential for unsustainable travel patterns.”

2. Section 5.3.2 of the Rivermeade Local Area Plan 2017-2023, which states, inter alia:

“Individual planning applications/applications for planning consents shall be made in respect of proposed development in each of the identified development areas.”

And LAP section 6.0, which states:

“In the interests of controlling the pace of development and ensuring that the new development is well integrated with existing development and in tandem with the necessary physical and social infrastructure, it is an objective of this LAP that individual planning applications/applications for planning consents shall be submitted for each of the entire 11 proposed development areas, and the phasing of future development within each such area shall be clearly indicated as part of the planning applications/consents.”

(notwithstanding the statement in LAP section 6.8 that a single planning application shall be made in respect of proposed development in development areas 9, 10 and 11).

3. National policy on residential development in small towns and villages as set out in section 6.3(e) of the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’, which states that the scale of new residential schemes for development should be in proportion to the pattern and grain of existing development and that it is generally preferable that the overall expansion of small towns and villages proceeds on the basis of a number of well integrated sites within and around the town/village centre in question rather than focusing on rapid growth driven by one very large site.

Having regard to the foregoing, the prospective applicant should satisfy him / herself that an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and not to the planning authority is appropriate in this instance.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

Design and layout of development

Further consideration/justification of the documents as they relate to the design and layout of residential development in the context of the (i) the Rivermeade Village Development Framework Plan and Design Guidance and (ii) the 12 criteria set out in the Urban Design Manual which accompanies the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and also reference to the Design Manual for Urban Roads and Streets, including detailed consideration of character areas, house types, open space provision, buffer zone to the Toberburr Road, creche set down area / public realm and integration with the existing Rivermeade estate and existing residential properties on the Toberburr Road. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Roads and Traffic Issues

Justification for the scale of the proposed development at this location given the current condition of the Toberburr Road L3140. The prospective applicant should clarify what, if any proposals there are to upgrade this road and the time frame involved, as well as who is responsible for the works. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. The prospective applicant needs to satisfy him / herself as to whether EIAR is mandatory for the proposed development. If the prospective applicant is satisfied that EIAR is not mandatory, then they should submit the information referred to in article 299B(1)(b)(ii)(II) and 299B(1)(c) [if applicable] of the Planning and Development Regulations 2001-2018 in a standalone document.
2. Detailed proposals for the provision of public open space to serve the development including:
 - Rationale for proposed public open space provision, to include an open space hierarchy and detailed layouts for the public open spaces.
 - Details of play facilities in accordance with relevant policies in the Fingal County Development Plan 2017-2023.
 - Full details of the active open space at the northern end of the site.
 - Integration with the public amenity areas at the Ward River at the southern end of the site.
 - Landscaping proposals to include an Arboricultural Impact Assessment and details of measures to protect trees and hedgerows to be retained at the site.
 - Details of any SUDS measures to be integrated with landscaping, e.g. swales, attenuation tank, surface water detention pond, to include cross sections.
3. Site layout to indicate areas to be taken in charge.
4. Site layout to provide full details of all proposed boundary treatments.

5. Full and complete long section drawings that show the relationship between proposed development and the varied topography of the site, specifically in the vicinity of the Ward River.
6. Detailed design of proposed surface water management system proposed including attenuation proposals and all SuDS features proposed on site in the context of surface water management on the site.
7. Site Specific Flood Risk Assessment to clarify the extent of the development located in any Flood Zone and to demonstrate that the development will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. The Flood Risk Assessment should be prepared in accordance with 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') and take account of the impact of proposed bridge and sewage pumping station.
8. Traffic and Transport Impact Assessment to include consideration of traffic generated by the creche and retail unit.
9. Statement of compliance with the Design Manual for Urban Roads and Streets (DMURS).
10. Archaeological Impact Assessment which responds to the comments outlined in the report received by the Board from the Department of Culture, Heritage and the Gaeltacht.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water

2. Transport Infrastructure Ireland
3. National Transport Authority
4. The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
5. The Heritage Council
6. An Taisce — the National Trust for Ireland Inland Fisheries Ireland
7. An Comhairle Ealaíonn
8. Fáilte Ireland
9. Inland Fisheries Ireland
10. The Dublin Airport Authority
11. Fingal County Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Tom Rabbette
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,2019