



An  
Bord  
Pleanála

## Record of Meeting ABP-300144-17

<b>Case Reference / Description</b>	Demolition of buildings and construction of 115 no. dwellings (26 no. houses and 89 no. apartments/duplexes), ESB sub-station, upgrading of roads and associated site works. Former Doyles Nurseries and Garden Centre and Benoni, Brennanstown Road, Cabinteely, Co. Dublin.		
<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>	4 <sup>th</sup> December, 2017	<b>Start Time</b>	10.05 am
<b>Location</b>	Office of An Bord Pleanála	<b>End Time</b>	12.10 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Cora Cunningham

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen Rhys Thomas, Planning Inspector
Cora Cunningham, Executive Officer

### Representing Prospective Applicant:

Mary MacMahon, Marlet
Niall O'Byrne, Marlet
Hakeem Bader, Marlet
William Jacobs, Ferreira Architecture
Cass Roche, PC Roche Landscape Architects
Alex Racheru, AECOM Engineers
Shaun Grima, AECOM Engineers
Cormac O'Brien, AECOM Engineers
Brian Deegan, Altemar

## **Representing Planning Authority**

Louise McGauran, Senior Planner
Michele Costello, A/Senior Executive Planner
Marguerite Cahill, Executive Planner
Bernard Egan, Senior Executive Engineer
Adrian Thompson, Senior Executive Engineer
Elaine Carroll, 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> 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 9<sup>th</sup> November, 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. Specific Local Objective (SLO130)**
- 2. Compliance with Design Manual for Urban Roads and Streets – Brennanstown Road and land ownership/consents**
- 3. Pedestrian/Cyclist Connections – footbridge design, land ownership**

4. Detailed Design – residential amenity
5. Flood Risk
6. Any other matters

1. **Specific Local Objective (SLO130)**

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

- Possible material contravention of SLO130
- Need to address any such material contravention at application stage
- The PA's response/opinion to the Brennanstown Road proposals
- Brennanstown Road will be a key consideration at application stage
- The Part 8 previously proposed in relation to Brennanstown Road.
- The applicant's proposals in relation to Brennanstown Road
- The delivery of the road improvements relative to the delivery of the proposed dwellings units on the site

**Prospective Applicant's response:**

- History on site, refers to refusal by the Board in 2015 for the reason that the proposed development was premature pending the upgrade of the Brennanstown Road, development subject of the pre-application consultation request is similar to the previous refusal appeal but deals with road issues raised in ABP's refusal
- Part 8 suggestions include moving footpath to opposite side of the road, remain within the carriage width, be in keeping with the character of the road, reduce traffic proposals. Part 8 proposals were rejected by councillors in December 2016 as the preferred option was for wider road and footpaths
- Pre-application proposals is for safe access, reduction of traffic speed and provision of bridges to cross to the QBC on N11
- Current roads proposals reflect the Part 8 proposals
- Proposed development looked at various options for footpath location
- Consent from PA to the making of the application
- Roads upgrade can be provided in advance of delivery of the residential units
- Refers to other potential development sites along the Brennanstown Road
- Condition of Brennanstown Road impacting on development potential along the road
- Refers to gains in upgrading the road
- Section 48 conditions can be included in application decision

**Planning Authority's comments:**

- Proposed development would materially contravene development plan
- Development will not deliver entire traffic management plan for road
- Proposed development brings in element of Part 8 scheme
- Part 8 rejected by councillors due to objections from local residents
- Other housing schemes along the Brennanstown Road may come before ABP in fullness of time but no guarantee they will be granted permission
- Broader scheme to include upgrading footpaths, provision of roundabout, one-way shuttle system, additional land take not an option, changing location of footpath will improve safety
- Road upgrade may entail public procurement

## **2. Compliance with Design Manual for Urban Roads and Streets – Brennanstown Road and land ownership/consents**

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

- Alternative approach to junction design rather than a roundabout
- Assessment of likely pedestrian activity and vehicle flow
- Additional information in application in relation to how the scheme accords with principles of DMURS.

### **Prospective Applicant's response:**

- Mini roundabout achieves sightlines and reduces speeds, alternative hasn't been considered, consistent with Part 8 proposals, traffic signalling would remain green on Brennanstown Road, speed is currently higher than the 50kph limit, crossing distances reduced with mini roundabout, all issues will be highlighted in application report

### **Planning Authority's comments:**

- Satisfied with prospective applicants' proposals, roundabout still most suitable for proposed location

## **3. Pedestrian/Cyclist Connections – footbridge design, land ownership**

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

- The omission of the design drawings of footbridge from pre-application documentation
- Implications of greenway in relation to the bridge landing location on east bank of stream, area appears narrow and confined due to retaining wall
- Proposals in the context of section 28 Ministerial Guidelines
- Connection with surrounding areas
- Differentiate of stone/concrete wall
- Access to QBC on N11 from site
- Bridge proposal, to be included as part of the description in planning application
- Reports to be included in applications on flood impacts/ecology
- Bridge proposal to be included in photomontage assessment

### **Prospective Applicant's response:**

- Location of bridge landing only safe area due to flood issues arising from stream and capacity, landing at existing track highest point on east side of river
- Objective for greenway along eastern side of river, possible objective for pedestrian/cycle path
- Alternative bridge location would require wider span

### **Planning Authority's comments:**

- Greenway met with objectives, land in PA ownership and used informally
- Proposal for 2<sup>nd</sup> access to south of site, areas have been taken in charge by PA

#### **4. Detailed Design – residential amenity**

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

- Impact of overhangs to apartments
- Planting detail to lower ground level apartments
- Block D LG apartments and distance between basement carpark wall and apartment kitchen windows
- All architectural, landscaping and infrastructure drawings should be consistent in terms of showing details such as planted privacy strips
- Small number of apartments with single aspect, query over light to lower part
- Apartment standards, documents should be related back to section 28 Ministerial Guidelines
- All drawings need to be consistent

##### **Prospective Applicant's response:**

- Private amenity provided to front and rear of apartments, light from south and east, no overhang on these apartment, additional detail to be provided in application
- Footpath at lower level than finished floor level so residents have privacy, no overlooking by pedestrians
- Pedestrian/cycle access through site
- Discussions have taken place with Inland Fisheries Ireland

#### **5. Flood Risk**

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

- Surface water management, including long term storage (prospective applicant advised that flood mitigation proposals and surface water management should be agreed with the PA prior to the submission of the application)
- Open space regime to be included in application
- Ensure all details are provided in application

##### **Prospective Applicant's response:**

- Flood risk and flood risk management addressed. Floor levels have been set above flood levels
- Regard was had to development plan guidelines regarding flood risk management
- Pedestrian linkage at best location in relation to flood risk
- Steep drop in levels from road across site to river
- Area cleared to allow water course to freely flow
- Inland Fisheries Ireland do not want the eastern side of the stream altered
- Climate change percentage has been included in proposals
- All issued will be addressed in advance of application

##### **Planning Authority's comments:**

- Principles accepted
- Provide compensatory storage
- Address items raised in PA Opinion

- Foul sewers are under stream, landscaping already in place
- Proposal to put trees along edge, not acceptable
- Proposal to keep water interacting with site, reed beds and ponds proposed, keep riparian habitat, reed bed would not restrict flow of water
- Two obstructions restricting flow
- Otters found further down stream
- Further discussions required with parks department
- Flood risk should have cognisance of landscaping
- Cross reference drawings

## **6. Any Other Matters**

### **ABP Comments:**

- No provision for crèche, requirement for application to include more robust research and comments from Dún Laoghaire Rathdown County Childcare Committee
- How landscape scheme is acceptable in relation to high quality public open space in the vicinity
- Construction Environmental Management Plan mentions a Protected Structure, application to confirm if there is one on site
- Gate piers of "Benoni" do not appear to be protected but a suggestion that they may be reused elsewhere in the scheme

### **Prospective Applicant's comments:**

- Parks Department not present at pre-application meeting, report received slightly negative
- Public open space not located where Parks Department require, cannot be provided due to topography of site
- Requirement for emergency vehicular access
- Amenity area located along stream, functions as activity zone
- Robust rationale required in application as to why childcare facility not provided, ties into section 28 Ministerial Guidelines
- CEMP reference protected structure, needs to be addressed for application
- Additional construction access need to be looked at before application
- Bungalow gate piers not protected but suggested they may be reused elsewhere on site
- Connectivity through site and along stream

### **Planning Authority's comments:**

- Acknowledge Parks Departments report appears negative
- Satisfied with density
- Look at podium and redesign
- Look at other competing issues
- Softening retaining wall
- Provide in application long sections through the retaining wall of the nursery and impact on proposed houses.
- Provide detail in application of proposed bridge

## 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