



An
Bord
Pleanála

Record of Meeting ABP-301098-18

Case Reference / Description	10-year permission for 927 no. residential units (355 no. houses and 572 no. apartments), childcare facility and retail units, 1,458 no. car parking spaces and associated works. The application site includes the possible linear earthworks (DU026-087), a Recorded Monument. Clay Farm, Ballyogan, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	3 rd April, 2018	Start Time	14:00
Location	Office of An Bord Pleanála	End Time	15:40
Chairperson	Rachel Kenny	Executive Officer	Lianna Slowey

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Tom Rabbette, Assistant Director of Planning
Lianna Slowey, Executive Officer

Representing Prospective Applicant:

Dick Cuddihy, Park Developments Group
John McAndrew, Park Developments Group
Michael Hussey, OMP Architects
Sorcha Kenneally, OMP Architects
John Keogh, DBFL Consulting Engineers
Paul Forde, DBFL Consulting Engineers
Thomas Jennings, DBFL Consulting Engineers
Thomas Burns, BSM Landscape Architects
John Spain, John Spain Associates
Paul Turley, John Spain Associates

Representing Planning Authority

Naoimh Fleming, Executive Planner
Shane Sheehy, Senior Executive Planner
Bernard Egan, Senior Executive Engineer, Water & Drainage

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and Planning Authority (PA), 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 26th March, 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 opinion.
- 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 may 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 7th March, 2018 formally requesting pre-application consultations with ABP. 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. Digital recording of the meeting is prohibited.

Agenda

1. The prospective applicant's response to the following:
 - the reason for refusal on TA0002;
 - the contents of the Board's Direction in relation to TA0002;
 - and issues raised in the Inspector's Report on TA0002.
2. The prospective applicant's response to the issues raised in the Planning Authority's Opinion in relation to the current strategic housing development proposal for the site.
3. Any other matters.

1. **The prospective applicant's response to the following:**
 - **the reason for refusal on TA0002;**
 - **the contents of the Board's Direction in relation to TA0002;**
 - **and issues raised in the Inspector's Report on TA0002.**

ABP sought further elaboration/discussion on:

- Reason for refusal, i.e. drainage issues.
- Board Direction comments re. open space provision.
- Other issues raised in the Inspector's Report.

Prospective Applicant's response re. reason for refusal, i.e. drainage issues:

- Site investigations have been carried out, a hydrogeologist has been engaged and a report has been compiled.
- Outlined proposed attenuation plans for long term storage area. Further investigations and tests have been carried out re. infiltration at this location. Plans and sections have been submitted to and discussed with the PA, these will be submitted to ABP at application stage.
- Site specific soil investigation analysis has taken place confirming majority of site is soil type 4 while some of the site is soil type 3, as a result a soil type 3 scenario has been applied to the entire site as a more conservative approach.
- A schematic of the whole attenuation network outlining how it works has been submitted with the pre-application consultation request.
- Run-off rates include post development run-off, i.e. from roofs, roads, etc.

Prospective Applicant's response re. Board's Direction/Inspector's Report:

- Followed recommendation of Board Direction/Inspector's Report – 10 units removed from neighbourhood area 3, open space area increased.
- Boundary treatments and levels at Stepside Park and Cruagh Wood to be addressed.
- Neighbourhood centre has been revised facilitating better connections and frontage with park and road.
- The design of the loop road is determined by the steepness of ground levels at top of site going into Cruagh Wood. Section of the area shows change in levels of up to 3 meters.
- Currently looking at section 6.13 of Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities re. building lifecycle report. Will check with PA before submitting application if what they propose to submit is sufficient.

Planning Authority's comments:

- The schematic of the attenuation network submitted clearly shows how the proposed network on site will connect together.
- Proposed open space is well overlooked, satisfied overall with the new proposed location.
- Consider the neighbourhood centre revisions to be acceptable.

ABP comments re. application stage:

- Specifically address the Board's refusal issue and comments included in the Planning Authority's Opinion report re. drainage proposals. Ensure all drawings, reports and appendices referred to are included with the application.

2. The prospective applicant's response to the issues raised in the Planning Authority's Opinion in relation to the current strategic housing development proposal for the site.**ABP invited the PA to further elaborate/discuss matters raised in their Opinion:**

- Phasing of the proposed development was highlighted as an issue for the prospective applicant's attention, consider how proposed attenuation measures are to be protected if they are delivered in phase 1.
- Would like to see temporary access or possible opening indicated along red line boundary for a pedestrian/cyclist connection to Stepside Park.

Prospective Applicant's response:

- Outlined drainage works to be carried out in phase 1; 6 out of 8 of the proposed attenuation measures to be delivered in phase 1. Certain attenuation measures will be hoarded off when phase 2 is delivered.
- Temporary access arrangement to facilitate delivery of loop road is proposed and will link to pedestrian/cycle path.
- Loop road to be delivered in phases, the final phase is subject to LIHAF funding.
- Happy in principle to provide this link but timeframe is an issue, problematic to deliver pedestrian/cycle path through construction site.
- Car parking provision has been reduced from 1478 to 1458 spaces, 10 houses have been taken out and 10 additional apartments are proposed.
- Addressed issues raised in Transportation Department's comments in PA's Opinion: Item 1 re. detailed drawing of designated car parking spaces was submitted with the pre-application consultation request and will accompany the application. Items 2 to 4 can be accommodated by the prospective applicant.
- Will submit cross sections at Stepside Park at application stage.

PA comments re. application stage:

- Satisfied overall with the prospective applicant's proposals, some fine details to be ironed out but agree with the core details.
- The mechanics of how to deliver the attenuation proposals, if they are to be constructed, should be considered or discussed further.
- Be mindful of how hoarding will affect basements/apartment buildings.
- No detailed information provided re. vehicular access entrance at Cruagh Wood, provide information on levels etc. at application stage.
- Would be satisfied if temporary access arrangement was addressed by way of condition should permission be granted.

The prospective Applicant and PA discussed matters raised in the Drainage Planning report (Appendix B of the PA's Opinion):

- Item 1 re. attenuation storage tanks – explanatory text to accompany application and detail can be addressed prior to commencement.
- Item 2 re. risk of groundwater contamination – PA indicated that a written statement would be required at application stage. The prospective applicant is carrying out monthly surveys and will submit results with application. No issues arose from the first phase of Clay Farm but issues have arisen from sites both upstream and downstream, will clarify at application stage.
- Item 3 re. green roof coverage – the application will clearly show the roof area and include the proposed area of green roof coverage. All roofs to be accessible via the building.
- Item 4 re. infiltration/treatment volumes – the prospective applicant indicated that the site is divided into 3 catchment areas including 8 sub-catchment areas. Some areas of the site are quite dense, i.e. there is no space for swale or bio retention measures. 2 sub-catchment areas do not achieve infiltration on their own, these catchments are linked to others. PA suggest that these links are clearly indicated at application stage.
- Item 5 re. outflow figures – the prospective applicant clarified that the outflow from the tank referred to is 113.1 l/s, not 114.1 l/s. These figures will be checked for clarity.
- Item 6 re. attenuation storage tanks – the prospective applicant stated that the entire attenuation network is modelled as a full network of 8 catchments but can highlight flow out of attenuation tanks. This was agreeable to the PA.
- Item 7 re. long term storage area drawing detail – the PA asked that further detail is included on this drawing. The prospective applicant will include this detail at application stage.
- Item 8 re. supporting calculation values – the prospective applicant advised that this was submitted with the pre-application consultation request. This was agreeable to the PA.
- Item 9 re. employment of a hydrogeologist – the prospective applicant stated that a hydrogeologist has been engaged, a full report is being prepared and will be submitted at application stage. An executive summary was prepared and submitted with the pre-application consultation request.
- Item 10 re. proposed planting at long term storage area – the prospective applicant indicated that grass planting is proposed at this location. This was agreeable to the PA.
- Item 11 re. wayleave detail – PA advised that the complete property boundary should be shown in the drawing referred to.
- Item 12 re. Penstocks in Hydrobreak chambers – PA request this detail is provided. The prospective applicant will submit at application stage.
- Item 13 re. treatment for roads and footpaths – PA asked for clarity to be provided in report at application stage. The prospective applicant indicated that every area will receive at least 2 forms of treatment for run-off water.
- Item 14 re. temporary ditch diversion – the prospective applicant will provide colour coded map at application stage.
- Item 15 re. appendices to be retitled – the prospective applicant will address this.

- Item 16 to be disregarded as an old SUDs manual was referred to by the PA.
- Item 17 re. supporting catchment calculations – the prospective applicant has this information and will include in report at application stage.
- Item 18 re. surcharging of the surface water system – the prospective applicant outlined that the drainage design had regard to the 1 in 100-year event. Hydraulic analysis was carried out and have assessed where water comes out of manholes. Assessed each manhole and completed house levels. This was agreeable to the PA.
- Item 19 re. Site Specific Flood Risk Analysis Appendix C – PA flagged that the drawings referred to were not included. The prospective applicant clarified that these drawings were submitted with the pre-application consultation request but were not attached to the report.
- Item 20 re. hydrogeologist report – the prospective applicant will address this at application stage.
- Item 21 re. apartment blocks should be identified on flood maps – the prospective applicant will address this at application stage.
- Item 22 re. overland flow routes and manholes – the prospective applicant submitted a standalone drawing with the pre-application consultation request.
- Item 23 re. location of dropped kerbs and side inlet gullies – the prospective applicant has addressed this. PA propose this should be a condition should permission be granted.

ABP comments re. application stage:

- Have regard to the connection of drainage issues and appropriate assessment.
- Strongly advise as much agreement as possible be in place in relation to technical matters (e.g. roads/drainage, etc.) between the prospective applicant and Planning Authority before the application is lodged. Outline position and reasoning if no agreement is reached.

3. Any Other Matters

ABP sought further elaboration/discussion on:

- Capacity of schools in the area, as mentioned by 3rd party observers re. TA0002.
- Proposed bin store arrangements for terrace units.

Prospective Applicant's response:

- A secondary school for the area is proposed in the long term, will investigate this further with Department of Education.
- Enclosed bin storage areas are proposed for the terrace units.

ABP invited parties to raise any outstanding matters.

Prospective Applicant's comments:

- National Monuments Service comments dated 29th March 2018 in relation to Archaeological Impact Assessment – this will be included as a chapter in EIAR to be submitted with the application.

- Bicycle parking provision – aiming to meet higher parking provision as per PA’s cycle parking guidelines, i.e. 1 space per bedroom.
- Greenway being provided and designed by PA on lands provided by the prospective applicant. Have met, engaged and signed off on the design.

Planning Authority’s comments:

- No further comments.

ABP comments re. application stage:

- Ensure all EIAR chapters have been updated and all ground investigation reports are submitted.
- Address the capacity of schools in the area at application stage.
- Address bicycle parking provision at application stage. ABP will have regard to national guidance.

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 **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

Rachel Kenny
Director of Planning
April, 2018