



An  
Bord  
Pleanála

## Record of Meeting ABP-303256-18

<b>Case Reference / Description</b>	10-year permission for 485 no. residential units (260 no. houses, 225 no. apartments), two new vehicular access points and associated site works. Blackrock Road, Blackrock, Dundalk, Co. Louth.		
<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>	31 <sup>st</sup> January, 2019	<b>Start Time</b>	11.30 am
<b>Location</b>	Offices of Louth County Council	<b>End Time</b>	12.30 pm
<b>Chairperson</b>	Rachel Kenny	<b>Executive Officer</b>	Cora Cunningham

### Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Joanna Kelly, Senior Planning Inspector
Cora Cunningham, Executive Officer

### Representing Prospective Applicant:

Brigid O'Donnell, Development Director, Kingsbridge Consultancy Limited
Adam Simpson, Kingsbridge Consultancy Limited
Tom Sweetman, OMP
Rejane Nery, OMP
Tony Finn, Finn Consulting Engineers
Kieran Boyle, Atkins Consulting Engineers
Declan Brassil, DBCL Planning Consultants
Pete Mullen, Mullen Design

## Representing Planning Authority

Emer O'Callaghan, Senior Executive Planner
Terence Loane, Assistant Planner
Paddy Connolly, Senior Executive Engineer
Aoife Lawlor, Senior Executive Officer
Martina Sheeran, Senior Engineer
Sinead McVerry, Senior Staff Officer
Anthony Abbott King, Senior Planner

### 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 22<sup>nd</sup> January, 2019 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 8<sup>th</sup> January, 2019 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. Phasing of development having regard to the local policy context**
- 2. Zoning having regard to the location of roads/parking on Recreation, amenity and open space lands**
- 3. Access, connections and permeability**
- 4. Surface water management to include risk of flooding and AA considerations**
- 5. Visual Impact**
- 6. Public realm to include boundary treatment**
- 7. Any other matters**

### **1. Phasing of development having regard to the local policy context**

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

- Justification for release of lands having regard to the identification of the lands as Phase 2 in the Dundalk Environs Development Plan 2009-2015
- Whether the proposal is considered by the prospective applicant to be a material contravention of the current plan
- Justification for the duration of permission sought i.e. 10 years

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

- Satisfied that a rationale for release of lands can be provided given the lack of development on the phase 1 lands to date
- Site is strategically located adjacent employment generating lands
- PA has indicated that the proposed development may contravene but not necessarily materially contravene the development plan
- No infrastructural constraints, hoped that development would be completed in 5-7 years

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

- PA do not consider proposed development to be a Material Contravention of Development Plan but contravenes zoning strategy of the Dundalk Environs plan which pre-dates the CDP
- Development on the phase 1 lands has been limited mainly due to infrastructural constraints

#### **ABP further comments:**

- Where proposal is considered a material contravention, prospective applicant to have regard to the statutory provisions of the regulations in this regard

### **2. Zoning having regard to the location of roads/parking on Recreation, amenity and open space lands**

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

- Proximity of proposed apartments to open space zoning and need to ensure no units encroach onto this zoning
- Whether the planning authority considered the location of roads/parking on the open space zoning to be acceptable with regards the zoning objective

**Prospective Applicant's response:**

- No houses proposed on open space area only parking/roads
- Location of apartments adjacent open space maximises passive surveillance
- Quality and accessible urban design considered, will address in more detail at application

**Planning Authority's comments:**

- Satisfied that the units do not encroach on open space
- Consider the layout with regards to roads and parking provision acceptable and of high quality

**Further ABP comments:**

- Useful if zoning objectives were overlain on the proposed development to ensure no encroachment onto the open space areas

**3. Access, connections and permeability****ABP sought further elaboration/discussion on:**

- Redline boundary which appears to encroach onto 3<sup>rd</sup> party lands near location of proposed main entrance
- Right of Way near Bothar Maol entrance
- Whether it is proposed to upgrade the junction at Bothar Maol with Blackrock Road
- Proposed connections to adjoining lands and the interface and treatment to lower lying lands having regard to level changes
- Planning authority's opinion regarding the acceptability of junction proposal with Blackrock road and potential for this entrance to cater for additional residential units in the future

**Prospective Applicant's response:**

- Have all relevant consents for proposed works on lands outside their ownership
- Bothar Maol in private ownership, prospective applicant has right of way to access proposed site
- Upgrades to this junction are shown on drawing
- Proposed main entrance junction currently acceptable, will have regard to future development on adjoining lands, future proof regarding mitigation of junction

**Planning Authority's comments:**

- Bothar Maol is a public right of way, not taken in charge
- Have regard to comments in PA Opinion
- Need for Traffic Impact Assessment to be reassessed if future development is to be taken into account

**Further ABP comments:**

- Ensure all works are included within the red-line boundary as far as possible.
- Consider the qualitative nature of future connections and ensure passive surveillance through appropriate orientation/design of residential units.
- Ensure all proposed connections are brought right up to the boundary to avoid ransom strips

#### **4. Surface water management to include risk of flooding and AA considerations**

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

- Potential for displaced waters on adjoining lands in terms of surface water management/flood risk
- Risk of flooding at the proposed entrances
- Flood risk in the context of EIAR and potential impacts on human health and population

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

- No flood risk at entrance to 20 units

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

- No significant issues, have regard to comments in PA Opinion

##### **ABP further comments:**

- Surface water management important given site context
- Liaise with PA as no further information mechanism
- NIS should deal with the issue of surface water management and any changes to the current hydrological discharge regime

#### **5. Visual Impact**

##### **ABP comments:**

- Photomontages and Visual Impact Assessment to be submitted
- Have regard to long range views e.g. Jenkinstown bay towards site
- Consider impact to existing residential properties

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

- Will liaise with PA regarding Visual Impact Assessment
- No discussions with golf club

#### **6. Public realm to include boundary treatment**

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

- Boundary treatment particularly where it interfaces with potential future development areas

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

- Will consider turning units to improve passive surveillance

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

- Support comments of ABP
- Provide landscape strategy including permeability

##### **ABP further comments:**

- Ensure passive surveillance to public realm
- Consider location of bicycle/bin storage areas

- Be definitive regarding boundary treatments especially where lands fall to front of site
- Consideration public lighting proposals, particularly impacts to existing properties along Bothar Maol
- Have regard to taking in charge especially open space areas

## 7. Any other matters

### ABP comments:

- No reference in documents to protected woodland symbol contained in the Dundalk Environs plan
- Noted that tree felling has taken place on subject site
- Traffic Impact Assessment references maps/tables which are not contained in report, ensure they are included in application documentation
- Have regard to existing residential properties and how development may impact upon them
- Liaise with Irish Water in relation to revised number of units proposed
- No verbal direction given by ABP as referenced in PA Opinion in respect of this development

### Applicants Comments

- Trees felled illegally, reported to Gardaí
- Tree protection line in landscape plan

### ABP further comments

- Suggest documentation should reference removal of trees

### 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 [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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Rachel Kenny  
 Director of Planning  
 February, 2019