



An  
Bord  
Pleanála

## Record of Meeting

**ABP-303291-18**

<b>Description</b>	429 no. dwellings (248 no. houses and 181 no. apartments), creche and all associated site works. Farrankelly, Delgany, Greystones, Co. Wicklow		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	7 <sup>th</sup> February 2019	<b>Start Time</b>	2.10 p.m.
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	3.55 p.m.
<b>Chairperson</b>	Tom Rabbette	<b>S.E.O.</b>	Kieran Doherty

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen O'Sullivan, Senior Planning Inspector
Kieran Doherty, Senior Executive Officer

### Representing Prospective Applicant:

Emma Flanagan, Cairn
John Grace, Cairn
Daibhi Mac Domhnaill, Cairn
Grattan Evans, owner of Sports Facility lands
Brendan Jackson, Goodrock PM on behalf of Sports Facility
Brian Greenan, Metropolitan Workshop Architects
John Bell, ROD Engineers
John Spain, JSA Planning
Rory Kunz, JSA Planning
Simone Kennedy, Kevin Fitzpatrick Landscape Architects
Sharon Chatterton, Metropolitan Workshop Architects

## **Representing Planning Authority**

Fergal Keogh, Senior Engineer
Aisling Mac Namara, Executive Planner
Declan O'Brien, Executive Engineer
Ruairí O'Hanlon, Senior 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 24<sup>th</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 19<sup>th</sup> December 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. Compliance with the provisions of the county development plan and local area plan
2. Urban Design, including permeability, legibility and ground levels
3. Residential amenity, including open space and landscaping
4. Access and streets
5. Drainage and water supply
6. Potential impact on natural and cultural heritage
7. Any other issues

## **1. Compliance with the provisions of the county development plan and local area plan**

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

- Whether the proposed development complies with zoning with regard to SHD
- Density

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

- Proposed development is compliant
- Zonings are indicative, locations can change as per section 10.1 of LAP
- AP6 zoning in the Farrankelly Action Area Plan
- Quantum of zoning is maintained
- Density does not comply with the LAP

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

- Have regard to previous Board decisions
- Section 10.1 of the LAP refers to zonings being indicative
- LAP has operated with land uses being moved around
- 17 hectares of residential and 4 hectares of active open space
- Due to topography of the site, the open space is to the north of where it is shown in the LAP
- Senior counsel's opinion is that land use is indicative so LAP is not contravened, and therefore sec 9(6) of the 2016 Act is not applicable
- Board decision on 301261 (pre-SHD) did not state that similar proposal was material contravention of zoning
- The density calculation excludes the steeply sloped area, link road, areas required for site lines (to be used for future road widening) and the protected tree line
- Site is not within a public transport corridor
- Density is 35.6 per hectare, within the 35-50 range
- Will discuss density further with the planning authority

### **Further ABP comments:**

- Each application is taken on its own merits
- One Board decision does not set a precedent
- Legal opinion may be submitted with the planning application; however, there may be contrary legal opinion
- Planning authority may comment on the application with regard to the established practice of land use
- Density may be a material contravention of the LAP

## **2. Urban Design, including permeability, legibility and ground levels**

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

- Design issues

**Prospective Applicant's response:**

- Refer to page 20 of the design statement
- Constrained by steep slopes
- Neighbourhoods created and named after the existing field names – will have distinctive characters and sense of place
- Distinctive areas for legibility using a palette of materials
- Priory Road is very rural
- Glenbrook House is a protected structure
- Site is surrounded by development
- Regard to LAP
- Retention of trees and hedgerows
- Permeability via green spaces
- Main access is from Kilcoole Road
- Houses designed to back onto the existing back gardens of houses in Glenbrook Park and Eden Gate
- Maximises views and daylight
- Cater for LAP objective R07 for the provision of a local access road and access from Priory Road to the R761. Designed in accordance with DMURS and with regard to the site's topography. Minimises cut and fill required
- Cycle routes
- Greenway provided
- Pedestrian movement through site
- Objective to link with Eden Gate, vehicular link will be in the application design
- Passive surveillance of pedestrian and cycle routes through site
- Apartments sited in the centre of the development fronting onto open spaces without overlooking neighbours
- Footpath to be provided along Priory Road; however, the footpath along Eden Gate is private and gated
- Avoidance of cul-de-sacs in accordance with DMURS
- Maintaining rural nature of Priory Road so multiple entrances are avoided and site lines are poor at the north-west corner of the site
- Accesses to the existing one-off housing are separated as the houses are spread out
- The houses on Priory Road have gable entrances
- The Kilcoole access is designed with regard to the 3.5-metre difference in levels
- Pedestrian and desire lines are catered for
- There are 3<sup>rd</sup> party lands between the greenway and the start of the footpath on Kilcoole Road so a footpath on the development side of the road is not possible
- More details of levels and CGIs will be provided with the application
- Uncontrolled road crossings with speed tables may be an option for the road crossings, further liaison with the planning authority will take place
- Private open space is to the rear of the duplex apartments with large windows overlooking
- Duplex design may be re-considered.

**Planning Authority's comments:**

- Comments made in their report
- Layout is satisfactory
- Acknowledged the topography of the site
- Demonstrate future connections are feasible
- More addressing of Priory Road, houses should face the road
- More direct access to Priory Road
- Further information regarding the layout and cut and fill
- Demonstrate that the development is fully viable
- Queried design of houses on regional road, existing houses have direct access to the road
- Linking the end of the greenway to the site entrance would create a walking circuit
- Layout of roads especially at the front of the site
- Deficiency of footpath and cycle path on the regional road
- Cycle and footpath should be in place prior to significant occupation
- Issue of pedestrian safety on the country road
- The road connection from Eden Gate is not taken in charge
- Clarify dimensions of home zones and provide shorter roads with cul-de-sacs
- Concerns over the number of pedestrian crossings and site line issues
- Three Trout River Walk to Mill Lane is a desire line

**Further ABP comments:**

- The planning application will be assessed in accordance with DMURS
- Where all of the entrances are on one side of the dual frontage duplex apartments, the other side inevitably becomes the rear
- The interface is important if design remaining as is

**3. Residential amenity, including open space and landscaping****ABP sought further elaboration/discussion on:**

- Landscaping

**Prospective Applicant's response:**

- Focus on the existing strong line of trees and hedgerows
- Existing track through The Lanes
- Children's play area
- Difficult levels of site
- Three open spaces overlooked
- Sensory garden provided in one space
- Buffer between larger open space and apartments
- High quality active open space (playing pitches) are in addition to the required open space and for use by local clubs and schools
- Management of the pitches will be by a dedicated company, will discuss with the planning authority prior to application

- 4.5 hectares of open space is provided
- Steep bank between pitches and stream
- Usefulness of open space is highlighted
- EIAR will include the cumulative impact of traffic generated by the pitches

**Planning Authority's comments:**

- The active open space should be publicly accessible in perpetuity
- Operation should be agreed with the planning authority
- LAP requires 4.5 hectares of AOS

**Further ABP comments:**

- Arrangements to be clear for the application

**4. Access and streets - Covered under other agenda item 2**

**5. Drainage and water supply**

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

- Drainage issues
- Water supply network

**Planning Authority's comments:**

- Water main proposed under a newly laid footpath and cycleway
- Not clear where some areas are draining to
- Attenuation, flood mitigation
- Satisfied that there are technical solutions to the water supply
- Using drainage pumping stations may be an issue if in private ownership
- The number of pumping stations should be minimised and used only if a gravity solution is not possible
- Water should be provided from the public supply, not wells

**Prospective Applicant's response:**

- A well is for the sole use of watering pitches, and this water will be recycled
- Gravity solutions are only possible over 3<sup>rd</sup> party lands
- Should 3<sup>rd</sup> party lands be developed arrangements can be explored
- Two houses will require pumping from the south of the site if the sewer on Priory Road is not located
- Another pumping station will serve two roads within the development and will be to Irish Water standards

**Further ABP comments:**

- Irish Water to be kept informed of arrangements

**6. Potential impact on natural and cultural heritage**

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

- Natural and cultural heritage

**Prospective Applicant's response:**

- Site is greater than 10 hectares so an EIAR will be submitted
- No connections from the site to any Natura 2000 site
- Natural heritage surveys done for EIAR
- Bats forage on site so a bat survey has been undertaken
- Trees within the site are being maintained
- Only removal of managed hedgerow
- No recorded monuments in the area
- Geophysical survey carried out, two ring features that have been ploughed identified
- The mitigation strategy is preservation by record as agreed by the Department of Culture, Heritage and the Gaeltacht

**Further ABP comments:**

- Prior to application the EIAR must be logged on the Dept of Housing's portal and the acknowledgement submitted with the application

**7. Any other matters - Childcare**

**Planning Authority's comments:**

- The phasing of childcare and open space to be clearly set out in the application, how and when provided

**Applicants Comments:**

- A creche audit is being done

**ABP comments:**

- The local childcare committee will be a statutory consultee for the application

**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
- Proposed development must be specifically described in public notices as build to rent housing for long-term rental housing
- 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)



**Tom Rabbette,  
Assistant Director of Planning**

21<sup>st</sup> February 2019