



An
Bord
Pleanála

Record of Meeting ABP-303300-18

Case Description	259 no. dwellings (221 no. houses and 38 no. apartments), crèche and all associated site works. In the townland of Regles, Minister's Road, Lusk, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	14 th February, 2019	Start Time	14:30 p.m.
Location	Offices of An Bord Pleanála	End Time	16:30 p.m.
Chairperson	Rachel Kenny	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Tom Rabbette, Assistant Director of Planning
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

Edwin O'Dwyer, Dwyer Nolan Developments Ltd - Applicant
Shay Fenton, Delphi Design - Architect
Tracy Armstrong, Delphi Design - Senior Planner
Alan Fenton, Delphi Design - Planner
Laura McLoughlin, DBFL Consulting Engineers - Civil Engineer
Sarah Curran, DBFL Consulting Engineers - Civil Engineer
Ronan MacDiarmada, Ronan MacDiarmada & Associates - Landscape Architect

Representing Planning Authority

Ian Campbell – Executive Planner
Gemma Carr – Senior Executive Parks Superintendent

Sean Keane – Executive Engineer
Jennifer Johnston – Assistant Engineer
Niall Thornton – Executive Engineer
Niall McKiernan – 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 28th 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 21st 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. **Refusal Reason No. 1 on ABP-301001-18 / density / unit mix**
2. **Quantum and location of public open space provision / interface of public open space with lands zoned for Open Space adjoining to the east / Objective LUSK 11 relating to Minister's Road Masterplan**
3. **Site layout / Consideration of the 12 criteria contained in the *Urban Design Manual – A Best Practice Guide (May 2009)* / Building height (consideration of *Urban Development and Building Height – Guidelines for Planning Authorities (December 2018)*) / DMURS and road-street hierarchy**

4. AA Screening Report
5. Archaeological heritage protection
6. Wastewater infrastructure
7. Refusal Reason No. 2 on ABP-301001-18 / car parking provision
8. Crèche location
9. AOB

1. Refusal Reason No. 1 on ABP-301001-18 / density / unit mix

ABP sought further elaboration/discussion on:

- The proposed density in contrast to the previous application
- How the net density is calculated
- Rationale for the unit mix

Prospective Applicant's response:

- The density has been increased from the previous application
- Gross density is 27 units per hectare
- Open space was deemed excessive, so quantum was introduced
- Minimum net density calculated as 31 units per hectare, net density is higher if certain areas are excluded in the calculation
- This meets the requirements for such sites as per the 2009 guidelines
- The unit mix was informed by the market need for family homes and the site location

Planning Authority's comments:

- The density is 31 units per hectare

Further ABP comments:

- Open space to serve the proposed development itself, it is not required to serve other residential areas in the vicinity
- Gross and net density may be considered the same for this development
- Density range for the such sites is indicated as being in the range of 35-50 du/ha in the 2009 guidelines
- Justification for the density proposed should be provided at application stage, it should be clearly indicated how that density was calculated, what areas, if any, being excluded in the calculation should be clearly indicated
- Further consideration/justification of unit mix is required

2. Quantum and location of public open space provision / interface of public open space with lands zoned for Open Space adjoining to the east / Objective LUSK 11 relating to Minister's Road Masterplan

ABP sought further elaboration/discussion on:

- Quantum and location of the open space being proposed
- Relationship of proposed open space with lands adjoining to the east that are zoned open space

Prospective Applicant's response:

- The open space will have openings to the zoned lands to the east
- The objective would be that the open space can link with the GAA grounds and wider community
- The open space is centrally located amongst three roads and it contains a play area
- Half of the space is required for attenuation
- The open space provides a buffer
- It is useable except for a 1 in a 100-year flood event

Planning Authority's comments:

- Difficult to see how there can be a connection between this development, the zoned open space lands to the east and the wider development
- There is no requirement in the Masterplan objectives to integrate the open space at this location
- The open space needs to be useable, it is noted that areas within the open spaces are to be used for attenuation
- Satisfied to a certain extent with the SUD's provided

Further ABP comments:

- Justify the amount of open space being provided
- Consider the distribution of the open space across the site
- Clarify its interface with lands zoned for open space to the east
- The open space proposed to serve the development is on land zoned residential while adjoining lands to the east are zoned for open space use

3. Site layout / Consideration of the 12 criteria contained in the *Urban Design Manual – A Best Practice Guide (May 2009)* / Building height (consideration of *Urban Development and Building Height – Guidelines for Planning Authorities (December 2018)*) / DMURS and road-street hierarchy

ABP sought further elaboration/discussion on:

- DMURS
- Hierarchy of streets and roads
- Demonstration of compliance with the 12 criteria listed in the Urban Design Manual
- Building heights proposed in the context of the 2018 guidelines on building height
- Rationale for the open space area along the public road

Prospective Applicant's response:

- Roads to be taken in charge
- The open green space along the site frontage is required for attenuation
- The view is that this development is suburban and not urban
- Information regarding the character areas can be submitted
- Further refinement and assessment of the visual impact can be examined
- Location of open space and surrounding development can be further considered

Planning Authority's comments:

- The entrance to the site may benefit from further consideration
- There is scope to adjust the size of smaller roads

Further ABP comments:

- The layout is suburban and not urban
- Compliance with the 12 criteria should be evident in the submitted drawings as well the written documentation
- Greater clarity around how proposal is informed by DMURS
- Consideration of the 2018 building height guidelines should also inform the development proposal

4. AA Screening Report

ABP sought further elaboration/discussion on:

- AA screening report information and comments in the PA opinion on same

Prospective Applicant's response:

- The AA screening report will be updated
- This will be screened out at stage 1

Planning Authority's comments:

- Refers to commentary on AA screening in previously submitted PA report
- Need to update screening report
- Ensure that the report includes recent information

Further ABP comments:

- Screening report should be further considered before application stage

5. Archaeological heritage protection

ABP sought further elaboration/discussion on:

- The submission from the DAU regarding the archaeology

Prospective Applicant's response:

- Will address the DAU submission

Planning Authority's comments:

- No comment

Further ABP comments:

- If amending the layout have regard to the DAU submission

6. Wastewater infrastructure

ABP sought further elaboration/discussion on:

- Location of the pumping station
- Irish Water submission dated 23/01/19

- Is the development dependent on a pumping station upgrade?

Prospective Applicant's response:

- The pumping station is on Chapel Farm which is located 1km away
- There is gravity outfall from the site to Chapel Farm
- Talks have taken place with Irish Water
- The pumps need updating
- Can clarify if the the development is dependent on a pumping station upgrade
- The development could be phased if an upgrading of the pumps is required

Planning Authority's comments:

- The pumping station is off site
- The pumps are managed by the P.A
- An upgrade is important
- Include drawings and maps in the flood risk assessment

Further ABP comments:

- If the development is dependent on a pumping station upgrade, and that upgrade itself may need permission, then the SHD application could be considered premature
- Clarify the status of the pumping station upgrade
- Phasing of the delivery of the development may only be considered if there is evidence that the required infrastructure can be delivered within certain timelines

7. Refusal Reason No. 2 on ABP-301001-18 / car parking provision

ABP sought further elaboration/discussion on:

- Delivery of the cycle lane along the road frontage
- The car parking provision

Prospective Applicant's response:

- Cycle lane being delivered along the road frontage
- The cycle lane will be extended along the road frontage to the west beyond the proposed housing development
- Applicant owns lands adjoining to the west so cycle lane at that location can be delivered as part of the application
- Car parking provision to be clarified at application stage

Planning Authority's comments:

- Clarify what is deemed a town house for the purposes of car parking provision
- Town houses require 1 parking space while 2 beds require 1 ½ parking spaces
- There is no bus route along the road and the train station is c. 3 km to the east on the other side of Lusk
- Visitor parking is required
- The location of parking allows for passive surveillance
- It's possible that parking strategy can form part of a management company proposal
- Ensure that there is allocated parking units

Further ABP comments:

- Illustrate how pedestrian connectivity to Lusk town centre is achievable

8. Crèche location

ABP sought further elaboration/discussion on:

- The location of the crèche and its relationship to the open space

Prospective Applicant's response:

- There is already an active crèche in an adjacent development to the south of the site
- A childcare needs assessment will be carried out

Planning Authority's comments:

- The crèche does not relate to the open space
- It takes away from the open space
- This needs to be addressed
- Ensure that there is a set down area and perpendicular parking for staff
- There is an absence of full day care in this area

Further ABP comments:

- Address how the crèche integrates with the open space
- Further consideration of the crèche location may be required
- Look to carrying out a childcare needs assessment

9. Any other matters

ABP comments:

- Clarify proposals regarding internal road potential connections to adjoining lands
- There is no further information sought at application stage
- Be aware of new requirements at application stage relating to the EIAR regulations

Prospective Applicant's response:

- Two entrances are being proposed off Minister's Road
- Road linkages/connections will be shown

Planning Authority's comments:

- There should be more than one entrance off the public road
- Road linkages to adjoining lands need to be clarified

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 **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
March 2019