



An
Bord
Pleanála

Record of Meeting ABP- 304297-19

Description	473 no. dwellings (96 no. houses, 353 no. apartments, 24 no. duplexes), creche, community pavilion and associated site works.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	12 th June 2019	Start Time	2.45 p.m.
Location	Offices of An Bord Pleanála	End Time	4.20 p.m.
Chairperson	Rachel Kenny	E.O.	Mark Kielty

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning

Sarah Moran, Planning Inspector

Mark Kielty, Executive Officer

Representing Prospective Applicant:

Justin Farrelly, Glenveagh

Kate Moloney, Glenveagh

Kevin McCormack, Glenveagh

Niamh Guven, MDO Architects

Robert McCauley, MDO Architects

Stephen O'Connor, Barrett Mahony Engineers

Bernard Seymour, BS Landscape Architects

Rory Kunz, John Spain Associates

Representing Planning Authority:
Jim Johnston, Senior Executive Planner
Laurence Colleran, Senior Executive Parks Superintendent
Brendan Redmond, Assistant Parks Superintendent
Ronan Toft, Assistant Engineer
Dan Aspell, Executive Planner
Robert Roche, Assistant Engineer
John Hegarty, Senior Executive Engineer
Yasir Khan, Civil 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 23rd of May 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 the 26th of April 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. Residential density, housing mix, phasing in the context of the Fortunestown Local Area Plan 2012
2. Design and layout, pedestrian and vehicular connections to Citywest Road and to the adjoining permitted development to the north
3. Site services including surface water drainage.
4. Any other matters

1. Residential density, housing mix, phasing in the context of the Fortunestown Local Area Plan 2012.

ABP sought further elaboration/discussion on:

- Material Contravention in relation to the type of housing mix set out in the Fortunestown Local Area Plan – (LAP).
- How the development would be phased.

Prospective Applicant's response:

Material Contravention:

- Development is planned to have a mix of houses, duplexes and apartments.
- The LAP encourages more traditional housing over apartments at a ratio of approx. 80:20 respectively
- The applicant's proposed development, however, wishes to incorporate a ratio of approx. 80:20 in favour of apartments which the applicant states is supported by national policy.
- The LAP also states that the preferred density is approx. 50 units per hectare.
- However, the applicant wishes to implement a density of approx. gross 65 units / ha and net 95 units / ha.
- There are several reasons for this, which include;
 - Public Transport Corridor justifies proposed density
 - Amenities such as the Fortunestown Community centre and creche to support the proposed density
 - There is land within the development area that cannot be developed into housing which is one reason why the units per hectare are higher than what is favoured in the LAP.

Phasing:

- A decision has not been made yet as how the development will be phased, however, houses are generally quicker to build.
- North to South will be prioritised.

Planning Authority's comments:

- There is a significant departure from the preferred density as stated in the LAP than what is proposed.
- The LAP also states a preferred height restriction of three stories and some of the proposed development exceed this.
- In relation to phasing, it is envisioned that a detailed report be submitted with the application which will enable the Planning Authority to examine the analysis.

Further ABP comments:

- The applicant may submit a Statement of Material Contravention with their application.
- ABP suggests that the applicant converse with the Planning Authority about the application and the Statement of Material Contravention
- The applicant must make sure that they address national policy appropriately when making the application
- Phasing also must be adequately addressed.

2. Design and layout, pedestrian and vehicular connections to Citywest Road and to the adjoining permitted development to the north.**ABP comments:**

- LAP needs to be considered in relation to pedestrian and vehicular connections.
- Issue with access to be resolved in relation to permitted development to the north.
- Bus stop issues need to be addressed.
- Issues around Park location and Pond.
- Urban presence on Citywest Road, design of southern tip of the site, integration of creche and community use.
- Design of residential apartments.

Prospective Applicant's response:**Park location and Pond:**

- Pond to be an anchoring feature of the development
- Applicant proposes that it would be better value for a long linear park away from but leading up the pond
- Park approx. 450m in length and 215m in width.
- Park can facilitate cycle lane
- A fence should be erected around the pond and the pond should serve as a wildlife amenity
- Increased pond size as per proposed development.
- Park will support wildlife, for example, bats, however the applicant recognises that the bat survey was completed out of season and intends to submit an up-to-date survey.

Pedestrian and vehicular connections and other aspects:

- Will use a series of roundabouts to slow traffic down.
- Long twisting roads to increase traffic safety.
- Some streets are small and wouldn't cause traffic issues.
- Traffic Report ensures enough access to mitigate accident scenarios.
- In terms of parking standards, approx. 1.76 per duplex and 1.5 per apartment.
- Trees are designed around parking spaces and planters will not be used. Trees will be planted into the ground.
- Community facility could combat anti-social behaviour as it's central to adjacent amenities.

Planning Authority's comments:

Park location and Pond:

- Issue around the location of the linear park to the west
- Pg. 29 of the LAP refers to the pond and it is designated as a neighbourhood park
- No fence should be put through open space
- Connectivity – Site becomes route to pass through.
- Pond –
 - Very high amenity and ecological value – gives people opportunity to be connected to nature
 - Fencing off pond not sustainable and sends a message that the area is dangerous
 - Thick vegetation at pond which helps insure people's safety
 - Pond is an asset rather than a constraint.
- In terms of Bats, survey submitted was done out of season.
- Important to have dark areas in park for ecological reasons i.e. bats

Pedestrian and vehicular connections and other aspects:

- In relation to pedestrian and child safety – opportunity to safeguard
- Roads need to be designed with safety in mind
- Revisions to the north of the development need to be made clear
- Would prefer a two-way street to the east of the development instead of one-way
- Applicant needs to outline emergency and future accesses
- Landscaping – suggests planting trees in ground as opposed to planters
- Streetscape – suggests more trees
- LAP has policies around community centres

Further ABP comments:

Park location and Pond:

- Proposals around pond safety – high fence could be dangerous for example, if fence is “invisible” and a child climbs it
- Be sure to address safety risks
- Development feels to be more car oriented and road access could contradict the continuity of the park
- Applicant should indicate percentages of open space
- Suggests that the Planning Authority and Applicant have another conversation about the pond.

Pedestrian and vehicular connections and other aspects:

- There is a cycle connectivity opportunity
- Allocation of parking spaces must be discussed with management company
- Consider integrating the proposed community facility with creche which might be more efficient. Either that or integrate it within an apartment block

3. Site services including surface water drainage.

ABP comments:

- Permeable paving – areas to be taken in charge
- Attenuation Tank is very close to river
- Asks if the applicant would consider its relocation

Prospective Applicant's response:

- Fall on the site – slope
- Proposes underground storage to assist with this aspect of the landscape
- Site topography presents challenges in relation to drainage
- Priority for applicant to design a drainage system where the majority of the water goes back into the landscape

Planning Authority's comments:

- Water quality, amenity and biodiversity – suds – to be considered
- Suggest applying to the OPW re: Section 50 with regards to the stream on site
- Non-return device to be used re: discharge into rivers

Further ABP comments:

- Note that due consideration should be given with regards surface water drainage or else the applicant may need to consider submitting an Environmental Impact Assessment.

4. Any other matters

ABP comments:

- Applicant has submitted screening documents

Prospective Applicant's response:

- Below the mandatory threshold to warrant an Environmental Impact Assessment.
- Answers the Planning Authority's question re: whether the or not the development will be built to sell or rent. Confirms that they are built to sell

Planning Authority's comments:

- It should be noted that the applicant is departing from recommended densities as per the LAP due to the Luas.

Further ABP comments:

- Suggest consultation with RPA
- Suggests submitting an Appropriate Assessment (AA) with Section 7(a) in mind
- Be aware of hydrological connections with reference to AA
- Proposals around childcare and creche facilities need to be clarified when making application
- Make sure to screen for construction impacts.
- Applicant to have regard to possible Material Contravention.

Conclusions

- Issues raised need to be dealt with when submitting the application,
- Need to justify density, give explanation and clearly outline previous buildings and drainage areas in application.
- Need to outline how they will facilitate childcare within the development

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
June, 2019