



An
Bord
Pleanála

Record of Meeting ABP-304637-19

Case Reference / Description	512. no residential units. Former Techrete Site, Howth Road, Howth, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	17 th July, 2019	Start Time	11.10am
Location	Offices of An Bord Pleanála	End Time	12.50pm
Chairperson	Tom Rabbette	Executive Officer	Maeve Williams

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Maeve Williams, Executive Officer

Representing Prospective Applicant:

Mary MacMahon – John Spain Associates
John Spain – John Spain Associates
Niall O'Byrne – Marlet Property Group
Pat Crean – Marlet Property Group
Shaun Thorpe – Marlet Property Group
Rob Goodbody – HBC
Jim Dowdall – Enviroguide
Andrew Haley - TPHC
Mark Salisbury – TPHC
Vincent Barrett – BMCE
Derek Byrne – Henry J Lyons Architects
Oisin Jacob – Henry J Lyons Architects
Rory Burke – J.V. Tierney & Co., Consulting Engineers

Representing Planning Authority

Paul O'Brien – Acting Senior Executive Planner
Jennifer Casserly – Executive Planner
Mark Finnegan – Executive Parks Superintendent
Daragh Sheedy – Executive Engineer – Water Services
Niall Thornton – Executive Engineer – Transportation
Helena Bergin – Conservation Officer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and Local Authority (LA) 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 LA on 3rd July, 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 LA 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 June, 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. Development strategy for the site to include density, height, elevational treatments, open space/public realm and connectivity,**
- 2. Visual and residential amenity,**
- 3. Drainage and flood risk,**
- 4. Appropriate Assessment,**
- 5. Transport and parking,**
- 6. Any other matters.**

1. Development strategy for the site to include density, height, elevational treatments, open space/public realm and connectivity

ABP comments:

- Density proposed in context of core strategy, as contained within operative Fingal CDP and having regard to comments of PA as detailed in Chief Executive Opinion
- Height of proposed development in context of Local Objective 108 of Fingal CDP, which allows for maximum height of five storeys
- Advised to consider submission of material contravention statement in this regard, if considered necessary
- Elevational treatments, in particular details in relation to materials/finishes
- Quantum of public open space provision and the desire to ensure that it is functional and usable, of high quality finishes and materials; proposed deck access; interface between proposed development and adjoining lands
- Connectivity/accessibility- Clarity in relation to pedestrian bridge over railway line; accessibility for all throughout the site

Planning Authority's comments:

- The proposed development is welcomed; however, they have issue with the number of units proposed in context of core strategy and public transport facilities in the area
- Capacity for extra inhabitants in the area may not be catered for as Iarnród Éireann (Irish Rail) only have limited train services running every hour.
- Areas of concern surrounding height were set out in their report.
- Phasing and open space provision- open space should be constructed at the same time as the different stages of the development and not wait until the development has been fully completed.
- Railway bridge proposed by applicant is still in negotiations concerning issues such as maintenance, right of way and the remit of the council.

Prospective Applicant's response:

- The development will be build to buy. The scale of the development ranges between 4-7 storey buildings, entrance into Howth will have a boulevard appearance and development will be completed from east to west.
- Part 'M' does not apply to the external areas
- Materials used will be of high quality and will reflect the unique character of the area.
- Elevated podiums will be at the western part of the scheme. It will be the last stage of the project.

- Proposing a right of way through the proposed development to allow for future bridge access.
- Railway bridge: A separate application will be made for the bridge. Iarnród Éireann will not give letter of consent until PA will take charge. Section 42(c) of the Planning and Development 2000 Act as amended was proposed for the development of the railway bridge, which is proposed at the eastern section of the development. Location for bridge can be addressed at a later stage in subsequent application.

Further ABP comments:

- Ensure all points raised are addressed at application stage
- Further information will not be sought once the application has been submitted to the Board.
- High quality development needs to be proposed, in particular due the extent of site frontage, announcing the entrance into Howth village; will be a substantial intervention at this location

2. Visual and residential amenity

ABP comments:

- Potential visual impacts of proposal on Protected Structures within the vicinity and also on ACA, having regard to PA Opinion on conservation matters- cross sections/visualisations/CGIs required;
- Address any potential impacts on nearby residential properties in terms of overlooking, overshadowing, overbearing and noise
- Compliance with Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018); daylight/sunlight; microclimate; aspect of proposed units

Internal daylight/sunlight analysis to ensure adequate amenity of future residents including sunlight analysis to include areas of open space

Planning Authority's response:

- Advised against any further development at roof level
- Glint and glare should be addressed in the application especially as the proposed development is close to Dublin Airport.
- Raised some concerns in relation to decked access to some apartments

Prospective Applicant's response:

- Satisfied with proposed levels of sunlight; daylight/sunlight have been addressed through design stage, for example design of apartments is such that windows at the ground floor units are wider than floors above.
- Sunlight reports for springtime have been submitted, sunlight reports for wintertime will be submitted at application stage.
- Permeability through the site will add to amenity of wider area.
- There are proposals for solar panels on the roof.

3. Drainage and flood risk

ABP comments:

- Report of Drainage Division of planning authority, as contained in sections 8.2.6- 8.2.9 inclusive of Chief Executive Opinion
- Report of Irish Water to An Bord Pleanála dated 08th July 2019

Planning Authority's response

- Address issue of climate change at application stage.
- Further information required in relation to drainage matters, as outlined in PA Opinion
- Little to no flooding on the site. However, the prospective applicant should prepare for a worst-case scenario to avoid any major flooding incidents.

Prospective Applicant's response:

- Wayleaves: the size and location of trial holes was agreed by IW.
- Flood risk – not subject to coastal flooding. Located in Flood Zone 'C'. Pluvial flooding was identified within the vicinity of culvert.
- There has been flooding on the site in the past but that was due to engineering issues not coastal flooding, however worst-case scenarios are being addressed.

Further ABP comments:

- Ensure all aspects of drainage and flood risk are addressed at application stage.

4. Appropriate Assessment**ABP comments:**

- Clarity sought from the prospective applicant regarding Appropriate Assessment, having regard to comments made by PA in section 8.2.11 of Chief Executive Opinion
- Ensure consistency of language throughout documentation.

Planning Authority's response:

- Referred to items outlined in its report.

Prospective Applicant's response:

- Will address concerns outlined in PA report.
- Bird and bat surveys will be contained within the NIS. Bats survey established that it is a roosting site and not used for breeding.
- ABP have powers to request FI under s. 177 of Planning and Development Act (in relation to AA issue)

Further ABP comments:

- Notwithstanding applicant's comments on s.177, the SHD process seeks to provide a fast-track process and certainty around timelines, seeking FI on AA (if possible) may create difficulties in relation to this fast-track process and timeline certainty, therefore, all potential AA matters should be addressed in full in application documentation and not rely on a FI request to address potential issues arising.
- Address comments and concerns outlined by the PA in their report.

- Discuss appropriate assessment with the Department of Housing, Environment and Local Government, if possible, prior to lodging application.

5. Transport and parking

ABP comments:

- Quantum of car parking proposed
- Report of Transportation Division of planning authority, as contained within section 8.2.4 of PA Opinion

Planning Authority's response:

- A condition for transport and parking should be included in the Board Order.
- Car and bicycle parking are below CDP requirements. 403 car parking spaces is the absolute minimum for this proposal; proposed development is 153 below that requirement, based on one car space per one-bedroom unit and two car spaces on two plus bedroom units. Bicycle parking should be 1286 spaces with only 808 spaces proposed for this development.
- Possibility that harbour parking will be privatised in approximately one years' time. This parking area will not be a viable option for people living and owning a car in this proposed development. This proposed development will add demand for parking in the area.
- Sustainable transport measures to be addressed
- Only one access point leaving Howth is situated at Suttons Cross, already the PA have adjusted timings and added lanes to alleviate congestion at this junction
- Set down for the crèche is not acceptable
- Similar development at Bascadden should be taken into consideration at the time of lodging the application.
- Access points for vehicles and bicycles should be separated.

Prospective Applicant's response:

- Study of car usage has been undertaken in the Baldoyle, Portmarnock and Howth electoral area- will submit findings at application stage

Further ABP comments:

- Issues raised at this meeting and in the PA report should be addressed at application stage.
- Look also at other SHD permissions in vicinity in relation to parking provision

6. Any other matters:

ABP Comments:

- Submission of schedule of floor areas; details relating to any contamination on site; Universal Access Plan; Building Lifecycle Report to include common areas; phasing details; submission of ecological survey; proximity to Dublin airport; landscaping/boundary treatments; submission of CGIS/visualisations/cross sections; school demand and concentration report, waste management

- Address any discrepancies between documentation

Prospective Applicant's comments:

- EIAR, AA and NIS reports will be submitted with application.
- The proposed development will not have a major impact regarding schools or retail outlets in the area, therefore no retail impact statement was included.
- Glint and glare reports will be carried out as the project been so closely located to a national airport.

Planning Authority's comments:

- Conservation of local historical areas and monuments must be considered when lodging the application.
- Transport and traffic constraints with regard to commuter services and access points.
- Social impact on the area should consider the local inhabitants already living in Howth.

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

Tom Rabbette
Assistant Director of Planning
August, 2019