



An
Bord
Pleanála

Record of Meeting ABP-305074-19

Case Reference / Description	108 Residential units and associated site works. Love Lane, Dargle Road, Bray, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	19 th September, 2019	Start Time	11.30 am
Location	Offices of An Bord Pleanála	End Time	12.55 pm
Chairperson	Rachel Kenny	Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Erika Casey, Senior Planning Inspector
Cora Cunningham, Executive Officer

Representing Prospective Applicant:

Trevor Sadler, McGill Planning
Saoirse Kavanagh, McGill Planning
Neil Durkan, Applicant
Paddy MacNabola, MCORM Architects
Stephen Manning, MCORM Architects
Roger Mullarkey, Engineer
Ronan MacDiarmada, Landscape
Christy O'Sullivan, ILTP Traffic Engineers

Representing Dun Laoghaire Rathdown County Council

Liam Walsh, Senior Planner
Michelle Breslin, Senior Executive Planner
Mark Freeman, Senior Executive Engineer (Transportation)
Donal Kearney, Assistant Parks Superintendent

Representing Wicklow County Council

Edel Bermingham, Senior Executive Planner

Declan O'Brien, 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 Dun Laoghaire Rathdown County Council PA on 3rd September and Wicklow County Council on 10th September, 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 7th August, 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. **Prematurity of the scheme having regard to the developing N11/M11 Scheme**
2. **Density having regard to the location of the site and proximity to public transport connectivity**
3. **Height, visual impact and finishes and materials**
4. **Open space, landscaping and biodiversity**
5. **Parking and access**
6. **Crèche**
7. **Drainage and flood risk**
8. **Any other matters**

1. Prematurity of the scheme having regard to the developing N11/M11 Scheme

ABP sought further elaboration/discussion on:

- Technical note submitted as a supplementary report from DLRCC.
- Prematurity of scheme having regard to the N11 improvement scheme.

Prospective Applicant's response:

- TII will not meet with individual developers, PA must facilitate meeting.
- Acknowledged that it is helpful to be aware of TII comments.
- AECOM Report on M11/N11 Corridor Study does not make reference to the need for land acquisition.
- Request PA to facilitate meeting, however, TII may still come to same conclusion regarding prematurity of development on site.
- Meeting with TII essential to clarify matters in technical note.

DLRCC comments:

- Kildare National Road Office on behalf of TII aware of pre-app on site.
- Didn't include report in Opinion as PA would not seek comments from prescribed bodies but submitted as supplementary report.
- Will look to arrange meeting with TII.

WCC comments

- Noted that the study had been referenced in their report and that there had been previous developments along the N11/M11 corridor refused permission.

Further ABP comments:

- TII may need to acquire land not just for road improvements but other uses such as park and ride.
- Address issues raised in the technical note as TII may have issues at application stage and will be consulted on the application.
- Noted it would be beneficial if PA could facilitate meeting with TII.
- Applicant must close off all issues if not meeting with TII and address these in the application.

2. Density having regard to the location of the site and proximity to public transport connectivity

3. Height, visual impact and finishes and materials Items 2 and 2 dealt with together

ABP sought further elaboration/discussion on:

- Density and height having regards to comments in WCC Opinion.
- Lower density of previously permitted development.
- Location of proposed development having regard to its proximity to Bray town centre and public transport connections.
- Level of car parking proposed.

Prospective Applicant's response:

- Height and scale appropriate in order to create an edge/landmark design on approach into Bray.
- Extent of Bray will extend over N11 to Fassaroe.
- Other apartment developments in area have set precedent for this scale of development.
- Scheme has evolved and has been re-designed following discussions with DLRCC.
- Layout revised having regard to Diamond Valley Apartments and need to protect their residential amenity.
- Public will get brief views of proposed development coming out of Bray, prospective applicant not clear if WCC have concerns regarding the impact of the development on particular views.
- Bus route passes site from Enniskerry to Bray.
- Site also within walking distance of Bray Dart Station.
- Car parking provision meets apartment guidelines and DLRCC Development Plan.
- High frequency bus to run from Fassaroe to Bray Dart Station.
- Landscaping created in such a way so that car parking is located in one area, arranged in courtyards and not dispersed across entire site.
- Range of amenities available to residents.
- Viability factor has to be considered.
- Landscaping takes advantage of views due to elevated site.
- Palette of materials proposed having regard to taking in charge.

DLRCC comments:

- Cognisant of previous permission on site and precedent this creates.
- Development Plan allows for this height together with upward modifiers.
- Satisfied with proposed development as prospective applicant had regard to Development Plan, NPF and national policy.
- PA would not take in charge unless there was public access proposed through the development.

WCC comments:

- Concerns regarding potential negative visual impact of development having regard to the elevated position of the site.
- Consider that visual impact analysis is not detailed enough.
- All other developments in the area sit slightly lower than proposed development.

Further ABP comments:

- High density scheme, application should set out further rationale for a development of this scale, height and density having regard to its location and in particular in relation to pedestrian connections and bus routes.
- Elevations submitted are quite generic, impacts not shown to sufficient level. A more site specific response is required.
- High quality finishes required due to its prominent location, concern over use of render. Further clarity required regarding finishes and materials.

- Discuss with WCC regarding other potential views that may be an issue. Consider additional photomontages and more detailed visual impact assessment.
- Have regard to massing of proposed development from particular views, concerns regarding the scale, bulk and mass of the development.
- Have regard to location of car parking, take advantage of topography of site, consider reduction in the extent of surface parking, particularly at entrance.
- PA will not be taking in charge proposed development as it will be privately managed.

4. Open space, landscaping and biodiversity

ABP comments:

- Appreciate difference in site levels and the implications this has for the landscaping strategy.
- DLRCC raise issues in relation to movement through site and universal access which should be considered further.
- Have regard to boundary treatment on Love Lane and Blind Lane due to nature of steep embankment.
- Clarify in application what PA's and OPW will maintain and take in charge, particularly for the area adjacent to the County Brook Stream. Note that clarity is required regarding this area and whether it forms part of the application proposals or not. Clear strategy required for this area.
- Concerns raised by PA that open space not functionally connected to proposed development.
- Address stability of proposed development, further discussions required with DLRCC to ensure they are satisfied with the proposals. Need to ensure that there will be no adverse impacts particularly silt run off to the County Brook Stream.
- Ensure clarity in the Geotechnical Report and that it relates to exact details of proposed development.
- Additional detail required in relation to noise attenuation wall.

Prospective Applicant's response:

- Bespoke landscaping proposed.
- Communal open space will be clearly defined on maps in application.
- Privately managed scheme so no public access to site.
- Landscaping along river environs to be taken in charge by both PA's or is applicant expected to maintain if PA's don't take in charge.
- Geotechnical Report submitted as part of pre-app, report confirms site is stable.

DLRCC comments:

- It is not the intention of the PA to take in charge the area adjacent to the County Brook Stream.
- Geotechnical survey of site should be carried out.

WCC comments:

- Public open space disconnected from apartment development.
- PA would not be taking in charge area adjacent to the stream either and consider this area unsuitable for open space.

ABP Comment

- Further discussion required with both PA regarding lands adjacent to County Brook Stream.

5. Parking and access**ABP comments:**

- Address issues raised by PA in relation to bicycle parking.
- Ensure appropriate lighting provided as part of footpath upgrades along Blind Lane/Love Lane.
- Works to be discussed with relevant authorities, including who will carry out works and cost involved.
- Lack of pedestrian facilities as you exit site onto Dargle Road to be addressed.
- Hostile environment along Love Lane/Blind Lane.
- Demonstrate in application how pedestrian desire lines will be facilitated and footpaths delivered.
- Address technical issues raised and discuss further with WCC in relation to Traffic Impact Assessment.

Prospective Applicant's response:

- Works to be carried out on applicant's site. Will liaise further with PA.

6. Crèche**ABP comments:**

- Crèche study submitted, update for application.
- Consult with childcare committees in both counties.

7. Drainage and flood risk**ABP comments:**

- Address issues raised in PA Opinion

Prospective Applicant's response:

- Will discuss further with PA.

DLRCC comments:

- Address issues relating to drainage.

8. Any other matters**ABP comments:**

- Have regard to landscape plan and boundary treatments.
- Conditions of a grant by ABP will remove wooden fencing due to long term maintenance issues. Robust justification if retaining fence, include details in Management Plan.
- Address biodiversity issues raised by PA in relation to the stream and silt.
- Discuss further with both PA's in relation to taking in charge.

Applicants Comments:

- Studies have been carried out in relation to noise and this issue has been addressed in the design of the development.

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
September, 2019