



<b>Case Reference / Description</b>	1,180 no. Build to Rent apartments, creche and associated site works. Priorsland, located between the townlands of Carrickmines Great and Brennanstown, within the Cherrywood SDZ, Carrickmines, Dublin 18.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	25th November 2020	<b>Start Time</b>	10.00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	12.00 pm
<b>Chairperson</b>	Rachel Kenny	<b>Executive Officer</b>	Helen Keane

**Representing An Bord Pleanála:**

Rachel Kenny, Director of Planning
Una O'Neill, Senior Planning Inspector
Helen Keane, Executive Officer

**Representing Prospective Applicant:**

Trevor Sadler, McGill Planning
Brenda Butterly, McGill Planning
Max Laroussi, Urban Agency
Paul Casey, Punch Consulting Engineers
John Montgomery, Niall Montgomery and Partners Architects
Mike White, Lioncor Developments
Rob Miley, Lioncor Developments
John Begley, Lioncor Developments

**Representing Planning Authority**

Liam Walsh, Senior Planner
Michelle Breslin, Senior Executive Planner

Enda Duignan, Executive Planner
Vivienne Byrne, Senior Planner
Tracey Flanagan, Senior Executive Planner
Patrice Ryan, Executive Planner
Sarah McCullough, Executive Parks Superintendent
Rob Fahey, Senior Executive Planner

## **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 27<sup>th</sup> August 2020 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 31<sup>st</sup> July 2020 formally requesting pre-application consultations with ABP. The 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. Planning Policy Context – Strategic Development Zone
2. Development Strategy – scale and design of blocks, open space, social infrastructure
3. Residential Amenity
4. Transportation – vehicular access and issues raised in PA report
5. Water Services – Site Specific Flood Risk Assessment and issues raised in PA report
6. Any Other Matters

## **1. Planning Policy Context – Strategic Development Zone**

### **ABP Comments:**

- Site is located within Cherrywood Strategic Development Zone (SDZ).
- Greater reasoning and justification required in submitted documentation in relation to contravention/material contravention of the SDZ – including (inter alia) issues of compliance with Density (and methodology for calculation), residential quantum, height, car parking as per recently amended SDZ, plot ratio, unit mix, vehicular access, and quantum of retail.
- Clarify through overlay of land use map and proposed uses whether the proposal is in compliance with the zoning objectives for the area, as specified in the Strategic Development Zone.
- Documentation should consider implications of proposed development on the wider Strategic Development Zone and the availability and deliverability of social and physical infrastructure now and into the future to support the proposed development, in addition to consideration of Section 28 guidelines.
- Provide documentation at application stage with further justification in relation to parking provisions, having regard to recent amendment to parking provisions within Strategic Development Zone.
- Have regard to current legal position in relation to material contravention of Strategic Development Zones

### **Prospective Applicant's Comments:**

- Statement of consistency - compliance with S28 guidelines.
- Close proximity to existing Luas stop and proposed Luas stop.
- Site context strongly adheres to national guidelines.
- Large provision of social infrastructure.
- Further justification regarding planning elements and Strategic Development Zones compliance will be considered.
- Cooperation with landowner on neighbouring lands has been attempted.
- Rationale has been given in relation to the height of the proposed development

## **2. Development Strategy – scale and design of blocks, open space, social infrastructure**

### **ABP Comments:**

- Further clarity needed in relation to delivery of Castle Street connection to the east for both vehicular and pedestrian movement.
- Green infrastructure and open space strategy – design, scale and function of proposed open space requires further consideration.
- Consideration of implications of use of flood containment zone for amenity purposes.
- Objective to retain trees and hedgerows to the east required further examination.
- Amenity value of each open space to be considered in more detail in any application, as required by SDZ.
- Details in relation to noise and landscape buffer to the south required.
- Height Strategy - rationale required in relation to impact on the wider SDZ area.
- Visual impact assessment from wider area to be considered.

- Robust assessment is required at application stage in relation to compliance with Strategic Development Zone planning scheme.

**Planning Authority's Comments:**

- Concern in relation to development strategy and overall non-compliance with SDZ.
- Height strategy and density bands under review by PA / Development Agency Project Team.
- Concern in relation to compliance with zoning.
- Concern in relation to flood and surface water issues.
- Consider requirement for public open space and impact of use of flood containment zone on quality/usability of open space.
- Concern regarding layout and impact of SUDS measures on requirement to retain hedgerow to the east.
- Building review currently in final stages.
- Concern regarding contravention of scheme, precedent being established, environmental implications, and implications for physical and social infrastructure planned in the area.

**Prospective Applicant's Comments:**

- Build to rent development.
- Social amenities provided are compliant.
- Population equivalent calculation carried out for public open space requirement.
- Majority of previously zoned land not within red line ownership of prospective applicant.
- Lands to the south of the proposed development are in separate ownership.
- Study carried out on wind and noise.
- Average of 6 storey height.
- Will include breakdown of height and consideration of impact on wider Strategic Development Zone at application stage.

**3. Residential Amenity**

**ABP Comments:**

- Rational in relation to scale and massing of proposed blocks, specifically Block A. Use of long corridors, availability of natural light, east of movement for residents and number of single aspect north facing units require further examination.
- Justification required for scale of childcare facility and compliance with national guidance in this regard. A childcare facility of such reduced scale requires robust rationale in terms of numbers being provided for.
- Justification required for scale of retail proposed.
- Microclimate issues to be further considered.
- Sunlight/daylight analysis to include worst case examples of apartments.
- Some corner units particularly constrained in terms of outlook and light.

**Planning Authority's Comments:**

- Two floors are required to assess daylight impact.

- Concern in relation to number of one and two bedroom units provided in proposed development.
- Concern regarding height and daylight/sunlight.
- Advise full shadow analysis of public open space.
- Show impact on existing and future neighbours.

**Prospective Applicant's Comments:**

- No north facing apartments in proposed development.
- True dual aspect throughout with high comparative standards.
- Scale of crèche is based on demographic analysis, will consider at application stage.
- Will elaborate further on retail at application stage.
- Sunlight, daylight and wind analysis carried out.
- Have assessed impact on existing neighbours.
- Will consider quantum of usage and Cherrywood's own specific objectives

**4. Transportation – vehicular access and issues raised in PA report**

**ABP Comments:**

- Vehicular access issues and proposal for interim measures especially in relation to deliverability of Castle Street to be explored further.
- Demonstrate at application stage if interim basis is acceptable.
- Considerations of assumptions to be used in Traffic Impact Analysis.
- Parking issue and compliance with Strategic Development Zone amendment.
- Indicate at application stage the extent to which the road is currently constructed.
- Show technical analysis at application stage for Transport Infrastructure Ireland submission.
- Advise further consultation between PA and prospective applicant.

**Planning Authority's Comments:**

- Transport Infrastructure Ireland to be consulted on use of Carrickmines interchange.
- Not in agreement with prospective applicant on interim provision of access.
- Certainty required regarding end of 3-year interim period.

**Prospective Applicant's Comments:**

- Interim provision of access is provided via Carrickmines interchange.
- Willing to engage with Transport Infrastructure Ireland.
- Completion of Castle Street may be conditioned to be provided at an early stage.

**5. Water Services – Site Specific Flood Risk Assessment and issues raised in PA report**

**ABP Comments**

- Flood Containment Zone – implication of interim measures proposed to be further considered.
- Clarity in terms of flood mitigation measures and impact on the wider Strategic Development Zone.
- Site Specific Flood Risk Assessment and water management issues raised by PA to be addressed.

**Planning Authority's Comments:**

- Further details required on flood containment zone, extensive flooding has taken place over the years, study carried out by the Office of Public Works suggests further flooding in future.

**Prospective Applicant's Comments:**

- Consider that proposal is robust.
- Committed to finding agreement regarding flood containment zone and surface water management issues.

**6. Any Other Matters**

**ABP Comments**

- All works proposed should be included in red line boundary and necessary consents obtained
- Consideration of Environmental Impact Assessment screening/ Environmental Impact Assessment Report requirements, including cumulative impacts
- The Board has made online submissions available on SHD applications. New public notices are available on the Board's website. Refer to the Board's website for the most up to date forms and public notices when preparing to lodge at application stage

- **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](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)

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Rachel Kenny  
Director of Planning  
January, 2021