



Case Reference / Description	Demolition of existing buildings, construction of 180 no. apartments and associated site works. CHM Premises, Ballymount Road Lower, Walkinstown, Dublin 12.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	2nd December, 2020	Start Time	09:30 am
Location	Via Microsoft Teams	End Time	11:35 am
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Eric Smith, AAI Walkinstown
Glen Barry, Shipsey Barry Architects
Ilsa Rutgers, Project Landscape Architect
Denis O'Sullivan, MMOS Consulting Engineers
Craig Van Deventer, DKP Partnership
Michael Moran, TPS Consulting
Conor Frehill, HW Planning

Representing Planning Authority

Eoin Burke, Assistant Senior Planner
Tracy McGibbon, Assistant Senior Executive Planner
Sarah Watson, Assistant Planner
John Hegarty, Senior Executive Engineer

Oisin Egan, Executive Parks Superintendent
Brian Harkin, Senior Executive Engineer
Jason Frehill, Senior Planner
Deirdre Kirwan, Executive Planner

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and Planning Authority (PA) via Microsoft Teams having regard to the Covid-19 restrictions 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 once the Opinion has issued,
- ABP received a submission from the PA on **1st September, 2020** providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000 as amended 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 **4th August, 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 (Housing) and Residential Tenancies Act 2016, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

1. Principle of the development (REGEN Zoning) and the need for a Masterplan.
2. Development Strategy for the site incl. urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; given the modest scale and character of the surrounding area and visual Impact.
3. Connectivity and Place Making.
4. Residential Amenity (internal and external) open space provision, aspect of units and access to daylight and sunlight.

5. Site Services
6. Any Other Business

1. Principle of the development (REGEN Zoning) and the need for a Masterplan.

ABP Comments:

- The site is subject to zoning Objective REGEN 'To facilitate enterprise and / or employment-led regeneration'.
- *Policy Objective CS6 SLO 1 (Subject of Variation no. 3): provides 'To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road/Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010)'.*
- Masterplan has been submitted by the applicant, has this been accepted by the PA?
- There is no local area plan applying to the site.
- Justification is required at application stage with respect to whether the proposal is a material contravention regard being had to SLO 1.
- Has Dublin City Council (DCC) been involved in any pre-planning / consulted.

Prospective Applicant's Comments:

- There has been a lot of engagement with the PA regarding zoning and change in the variation process.
- The proposed development will not be prejudicial to any other future development on the adjoining lands. This is a housing capacity site on the edge of the Masterplan.
- The applicant has engaged with the p.a. in a meaningful way in terms of layout, access, shared road on the western boundary of the site abutting the adjoining lands to the west also zoned REGEN
- This site is the appropriate location to begin the regeneration process in the area.
- A copy of the pre-application consultation was not issued to DCC. They have not been consulted.
- It is opinion of the applicant that the proposed development would not constitute a formal material contravention.

Planning Authority's Comments:

- The lands were rezoned in 2019 to regeneration lands.
- Strategic framework phase 1 would take about 12 months until completion.
- The site is on the periphery of the new masterplan to be implemented so there is no objection in principal for the development.
- Regard is had to NPF and Rebuilding Ireland. The lands at Ballymount are strategic.
- Currently in agreement that the development is not a material contravention of the Development Plan or SLO 1 given the wording of the objective. SL01 states 'initiate', only, a plan led approach to allow the development to proceed.
- The masterplan supplied by the applicant has been reviewed and the PA is satisfied it would not affect the strategic masterplan policy.

- Planning applications have been coming in on the DCC lands. This is the first application of its type on the SDCC side.
- No variation on the DCC side. There is an LAP around the Naas Road
- The process of carrying out a Masterplan has been delayed due to Covid and it is intended that a steering group will be set up to procure consultants to start a plan and have a plan in place next year.

2. Development Strategy

ABP Comments:

- The proposal provides for a density just under 200 units per hectare. This may be considered high and it may be considered that it represents a substantial increase relative to the existing residential development in the vicinity. Justification required at application stage.
- The subject site is not identified for tall buildings exceeding five storeys in an approved plan, therefore, a rationale for the height should be provided at application stage.
- Views supplied from Walkinstown Crescent are noted, visual impacts need to be assessed
- Potential of overbearance, overshadowing and overlooking will need to be fully assessed and further details provided at application stage.
- Not an insignificant change in ground levels between the development site and adjoining residential lands.
- Demonstrate fully to the Board that issues with respect to overbearing, overshadowing, overlooking have been adequately considered.
- Caution should be used against reliance on tree planting as a form of mitigation (what if such landscaping fails?).
- If a material contravention statement is being included in the application the public notices must make reference to this.

Prospective Applicant's Comments:

- Various shadow studies have been carried out and full details will be supplied with the application.
- Shadow analysis indicates that there would be no impact upon surrounding neighbouring properties. Perceived only.
- At the site boundary a 2.5 meter fence is proposed along the boundary with Walkinstown Crescent, aim is to create a sense of an enclosure and security.
- The site manages the scale on the varying levels of the land through transitional use of a green buffer.
- Arboriculture assessment is being prepared, there are evergreen trees of good health which will act as a buffer, there is also scope to include semi mature planting.
- Weaker elements of the boundary will be further considered, enhanced and landscaped.
- Maximum retention of the trees onsite is an important element of this development.
- Happy to provide a material contravention statement with the application if it is required.

Planning Authority's Comments:

- Acknowledge that the applicant has made reference to the Urban Development Building Height Guidelines, i.e. SPPR3. However cautionary of the possibility this could be a material contravention in relation to height.
- SHD process needs to be considered and public notice must indicate that the proposal constitutes a material contravention and certain processes have been entered into.
- Detailed cross sections required.

3. Connectivity and Place Making**ABP Comments:**

- Greater detail required of how the development addresses Ballymount Road Lower, incl. landscaping.
- Consideration of a more active frontage to Ballymount Road Lower – direct access to non residential uses – active streetscape
- Further detail required around the number of entrances proposed at the ground floor of the scheme.

Prospective Applicant's Comments:

- There is a level change within the site of about 1.5 meters.
- Currently there are 3 entrances proposed into the ground floor, this can be relooked at to introduce more entrances with the aim of creating a stronger active frontage.
- All items raised in the PA report will be addressed when the application is submitted.
- Fire tender, servicing and parking will be fully addressed.
- The application site is reasonably well connected. Consider that 70 car parking spaces is appropriate. There is precedent for reduced carparking in SHD

Planning Authority's Comments:

- At application stage please ensure all items raised in the PA report submitted are addressed fully.
- The PA would welcome permeability through a road access to the west.
- The proposal for the parking provision in this development appears low, the figure that would be more acceptable by the PA would be around 80 parking spaces.
- Corner spaces difficult to access
- Traffic report based on UK model

4. Residential Amenity**ABP Comments:**

- Open space functionality and layout should be further detailed in documentation provided with the application.
- A document detailing the breakdown on the quantum of public open space versus private space should be submitted as part of the application.

- Further consideration to be taken for tree roots at podium level and what affects they may have.
- Clarification required surrounding the proposals of dual and single aspect within the development.
- Further daylight/ shadow analysis is required to demonstrate that all the open spaces will have sufficient daylight to provide usable spaces with high amenity value.
- Issue of nuisance, noise impact and air quality needs to be considered (impact on proposed residents from adjacent industrial/commercial uses)
- Proximity of site to SEVESO sites needs to be addressed.

Prospective Applicant's Comments:

- Creation of a public realm at front of the development provides an enhanced and activated pedestrian zone.
- The podium proposed within the scheme will represent 16.4% of the open space.
- Patios will be included for the units to create a defensible private open space area.
- Proposal to include natural play area in the development from sustainable materials.
- Play provision will be provided for teenagers
- A mix of native deciduous and coniferous planting will be used.
- Through the use of short stem planting there should not be any issues with roots at podium level.
- Noise impact assessment and air quality assessment will be submitted with any application.

Planning Authority's Comments:

- The proposal for play provision within the scheme is a welcomed idea.
- The use of native deciduous semi mature trees would work best on this site.
- A detailed planting plan across the full scheme should be provided at application stage.
- Further visuals needed by way of cross sections and elevations through the play spaces.
- Additional Sustainable Drainage Systems (SuDS) features would be welcomed i.e. green roofs. SuDS features can be discussed with the applicant in a further meeting before an application is submitted.
- There is a concern with the proposal for a controlled access into the development due to possible access issues with steps, scope to look at inclusion of ramps and include details of how a controlled access will be managed.
- POS requires 24 / 7 accessibility
- The use-ability of the NE orientation of POS needs to be justified.
- The use of a root barrier/ membrane could be looked at as a mitigation measure for the podium level.
- A detailed phasing plan is needed.

5. Site Services

ABP Comments:

- Irish Water (IW) submission notes upgrades to the wastewater system are required.

Prospective Applicant's Comments:

- All comments made by the PA in their report have been noted and will be addressed at application stage.
- Currently in the process of liaising with IW regarding the proposed development and upgrades that are required.

Planning Authority's Comments:

- Insufficient information has been supplied so far in relation to attenuation calculations and the capacity of the proposed swales, further information is to be submitted with an application on these issues.
- The PA have calculated a conservative estimate the attenuation is 40-50% undersized.
- Drawings of size A1 are preferable as they are easier to read than A3 drawings.

6. Any Other Business**ABP Comments:**

- Further information required in relation to the use of materials and treatments within the site.
- Microclimate report should be supplied at application stage.

Prospective Applicant's Comments:

- The use of materials selected for along the frontage of the development will be considered in detail.
- Further documentation will be submitted with the application to provide clarification around microclimate issues.
- All matters raised within the PA Opinion and Appended South Dublin County Council Department reports submitted to ABP on the 01.09.2020 will be addressed.
- Further meetings with transportation and water services shall be undertaken where required.

Planning Authority's Comments:

- Ensure palette of materials proposed is of a high quality, the use of brick should be carefully considered.
- Further meetings and discussion with the applicant in respect of technical and other matters will be facilitated.

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
December, 2020