



An
Bord
Pleanála

Record of Meeting ABP-308352-20

Case Reference / Description	628 no. units (268 no. houses and 360 no. apartments), creche and associated site works. In the townland of Boherboy, Saggart Road, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	20 th November 2020	Start Time	09:30 a.m.
Location	Via Microsoft Teams	End Time	11:50 a.m.
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Irené McCormack, Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Tracy Armstrong, Armstrong Fenton Associates
Neil Durkan, Durkan Estates Ireland
Philip Assaf, Durkan Estates Ireland
Patrick Kelly, Kelland Homes
Greg Davey, Davey Smith Architects
Stephen Manning, McCrossan O'Rourke Manning (MCORM) Architects
Sebastain Manning, McCrossan O'Rourke Manning (MCORM) Architects
Roger Mullarkey, Mullarkey & Associates Consulting Engineers
Ronan Kearns, Pinnacle Consulting Engineers
Ronan MacDiarmada, Ronan MacDiarmada & Associates Landscape Architects
Anthony McTeague, Ronan MacDiarmada & Associates Landscape Architects
Paul Bergin, Kilgallen & Partners Consulting Engineers

Representing Planning Authority

Eoin Burke, Assistant Senior Planner

Jim Johnston, Senior Executive Planner
Colm Maguire, Assistant Planner
Willie Purcell, Senior Engineer
John Hegarty, Senior Executive Engineer
Oisín Egan, Executive Parks Superintendent
Ronan Toft, Assistant Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and the Planning Authority (PA) via Microsoft Teams having regard to COVID-19 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 P.A on **5th November, 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 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 October, 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. **Design Strategy** - legibility and linkages, site topography, density and unit mix, character areas including architectural design, having regard to reason no. 1 and reason no. 2 of the previous refusal ABP 304828-19.

2. **Landscape/Public Realm strategy** – biodiversity, tree and hedgerow loss, public/communal/defensible amenity areas.
3. **Residential Standards**, including compliance with the 2018 Guidelines on the Design Standards for New Apartments, Dual aspect design and calculations, Sunlight/Daylight Assessment.
4. **Roads Issues** – Car parking and cycle parking strategy, north/south cycle route, Upgrade works to Boherboy Road and relevant third-party consent,
5. **Drainage Issues** – PA & Irish Water Submissions and response to Food Risk Assessment note attached to previous refusal ABP 304828-19.
6. **Any Other Matters**

1. Design Strategy

ABP sought further elaboration/discussion on:

- The design rationale with particular regard to the concept of permeability and connections, passive surveillance, active streetscapes and the creation of quality living environment having regard to the first and second reason for refusal (ABP 304828-19)
- Elaborate further on interface of apartment blocks with their relevant site boundaries including the public road and the interface of the undercroft car parking.
- Design concept for the central open space to ensure usability and an appropriate sense of enclosure.
- The necessity to ensure the layout provides for character areas with appropriate urban edge.
- Clarification regarding consent for proposed new vehicular and pedestrian/cycling access via housing estates to the east (Corbally Estate) and south (Carrigamore Estate)

Planning Authority's comments:

- The proposed layout is broadly acceptable, subject to safeguards
- Very significant slope running north to the south on the site ca. 25m. Design to adequately address same and limit the use of retaining walls.
- Additional section drawings required to adequately assess the development works in the southwest corner boundary which is the highest point on the site.
- Noted that the taking in charge of Carrigamore is going through the relevant process.

Prospective Applicant's response:

- Single biggest change is developing urban pattern to ensure site is more legible.
- Want to reinstate a strong link of north south boulevard.
- Character Areas reflect more ordered housing cell patterns and mix of typologies.
- Taller elements have been placed on the north south access addressing the spine road.
- Concentration of apartments at the closest point to LUAS stop 600-700 meters away.
- Use of breaks in the building line and pockets parks to create more openness.
- There is a serious slope on site, the scheme is aligned east-west with buildings running parallel to the contour rather than perpendicular as per the previous scheme.
- Proposal provides for the use of split level design and landscaping to manage slope.
- Biodiversity strip in accordance with green infrastructure policy and provide for pedestrian and cycling links independent of road carriageway

- The layout ensures adequate separation distances from adjoining development
- All units have level access to front and the back which can be highlighted at application stage.
- Providing amphitheatre like area at the central park area, units surrounding this area vary from 2,3 and 4 storeys.
- Acknowledge that Boherboy Road does not represent the strongest building edge and that this was deliberate to reflect a more transitional flow to allow buildings to relate to each other.
- Consent/clarification regarding vehicular and pedestrian access via the lands to the north and east will form part of the planning application.

2. Landscape/Public Realm strategy

ABP sought further elaboration/discussion on:

- Landscaping strategy regarding site topography and useable garden and amenity areas.
- The design and location of pumping station
- Suitability of cycle path and footpath within biodiversity strip.

Planning Authority's comments:

- Ideally cycle and footpaths should be outside 10 meter strip.
- Use of natural play elements and outdoor exercise features welcomed on strip.
- Scope for large playground area or kickabout in the central park rather than proposed amphitheatre feature.
- Opportunity to provide a central east to west permeability link traversing the entire site through the central park.
- Seating located at pocket parks not visually appealing or of much benefit.
- Further information to be provided in relation to large open space to the northeast of the site adjacent to the apartment block as the intended use/function of this area is unclear.
- Revised design and location of the pumping station

Prospective Applicant's response:

- Applicant HSE been in discussion with the Parks Department regarding the biodiversity corridor and linkages.
- Landscaping rational outlined including the retention of the central hedgerow and trees on site, where possible. Soft planting approach to front of duplex units and sunken patios where necessary to address level differences in rear gardens.
- Applicant indicated that they can look into east west link suggested.
- LAP says pedestrian and cycle path can be accommodated within the 10 meter strip.
- The location of the pumping station limited due to site topography. Continue to engage with Irish Water in terms of the design requirements but the comments to reduce the visual impact are noted and will be considered.

3. Residential Standards

ABP sought further elaboration/discussion on:

- Sun/daylight analysis been carried out?
- Dual aspect requirement.

Planning Authority's comments:

- Windows overlooking a green space are referenced in guidelines in relation to dual aspect, however at ground floor level PA unsure of how much good quality light would be received.

Prospective Applicant's response:

- Will be doing a day/sunlight analysis and will provide the findings at application stage.
- Of the 244 apartments proposed, overall 53% dual aspect.
- 2 units at ground and first floor which are north facing and open green space unsure if it meets the requirement for dual aspect, it is currently excluded from calculation percentage.

Further ABP comments:

- The applicant will have to make strong argument at application stage as to what, they hold, constitutes dual aspect.

4. Roads Issues

ABP sought further elaboration/discussion on:

- Clarification regarding consent and land take necessary to carry out the proposed upgrade works to Boherboy Road
- Footpath connection to Saggart Village as referenced under previous planning application.
- Is there a cycle path proposed within the scheme along the spine route as documentation only displays a single path?
- Car parking and cycling parking strategy

Planning Authority's comments:

- Happy with the proposals presented in the documents supplied.
- Satisfied that the single path in the central spine of the scheme will be shared between cyclists and cars subject to appropriate speed.

Prospective Applicant's response:

- The works to Boherboy Road will be within the red line site boundary and will include relevant letter of consent from the adjoining landowner and the planning authority.
- Discussions on-going with the planning authority regarding any upgrades that may be required.
- There will be a mixture of in-curtilage and on-street parking in the development.
- Apartment car parking in line with Apartment Guidelines. Justification for reduced car parking based on the proximity to the LUAS.

- Cycle space provision is higher than the development plan standards.
- Provision of car club/sharing located in close proximity at City West shopping centre.
- It was proposed to create a footpath direct from the site at Boherboy Road to Saggart Village however the area is not wide enough to create this path, a destination map has been provided to show alternative routes to the surrounding areas.
- Proposed public lighting to be provided on the road to Saggart Village from ESB pillars.

5. Drainage Issues

ABP sought further elaboration/discussion on:

- Response to comments made from Irish Water in their submission.

Planning Authority's comments:

- Possibility relocation of attenuation tanks.
- Technical details can be discussed in a further meeting with the applicant and the drainage department.

Prospective Applicant's response:

- Location of attenuation dictated by the topography of the site.
- Attenuation tanks below ground
- The site area is not prone to flooding
- Aware of the contents of Irish Water's submission and will address issues raised

Further ABP comments:

- Ensure consistency between all documentation supplied with an application, all figures should correlate and contain no conflicts between technical reports.

6. Any other matters

ABP sought further elaboration/discussion on:

- Advisable to liaise further with Department of Defence before submitting an application in relation to the height of the structures above mean sea level, relative to the inner horizontal of Casement Aerodrome.
- Query if any community facilities are being provided within the development.
- Material Contravention to form part of the application documentation.
- Is 24hour access proposed between the site, district park and LUAS stop?
- Proposals to address the school site until developed
- Strong rationale will need to be provided at application stage in support of the density proposal.

Planning Authority's comments:

- Emphasise importance of vehicular and pedestrian linkages.
- Proposals materially contravene Fortunestown LAP on range of issues.
- Department of Defence would be dealing with sea levels as opposed to ground levels, advise to liaise further with the body.

- Department of Education reviewing the school site

Prospective Applicant's response:

- Regarding Casement Aerodrome the Development Plan says max 20meters proximity, the site is circa 820meters outside inner zone, applicant does not think there will be any impact.
- Have not engaged with the Department of Defence but this can be done before lodging an application.
- Lands frozen at site of school as a Department of Education request, however there will be access across this area. The lands can be seeded and absorbed into open space until required for the school.
- It was noted that 2 additional primary schools are being delivered in proximity to the scheme.
- The district park will be open to pedestrians only for 24hours.
- The PA advised via email that a district centre does not have to be provided on Boherboy lands.
- Density Rationale outlined - The density is allocated throughout the scheme in 3 distinct areas reflecting the transitional location of the site.

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 [cgsdesignqa@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

Tom Rabbette
Assistant Director of Planning
December, 2020