



An
Bord
Pleanála

Record of Meeting ABP-308513-20

Case Reference / Description	137 no. residential units (61 no. apartments, 51 no. duplex units and 25 no. houses) and associated siteworks. Walkers Lane, Annacotty, Limerick.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	21 st January 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	10:50 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:

Mary Hughes, HRA Planning
Karolina Mach, Healy Architects
Richard Rice, Healy Architects
Pat O' Brien, EOB Management Services
Francis Fidgeon, CST Group
Nick Marchant. NM Ecology

Representing Planning Authority

Donogh O'Donoghue, Assistant Senior Executive Planner
Rosie O'Donnell, Executive Planner
Trevor McKechnie, Senior Executive Engineer
Tony Carmody, Senior Executive Technician

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, 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 **24th November, 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 **27th 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 (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. Response to Previous Refusal Reason on foot of ABP-307014-20 (Aug 2020)
 - *Identify all Natura 2000 sites which could potentially be affected...i.e the Lower River Shannon Special Area of Conservation and the River Shannon and River Fergus Special Protection Area.*
2. Transportation, Permeability, Access, Carparking
3. Accommodation type proposed - Co-Living Spaces
4. Any Other Business

1. Response to Previous Refusal Reason on foot of ABP-307014-20 (Aug 2020)

ABP Comments:

- Opportunity given to the applicant to further address the reason for refusal and any amendments from the previously refused scheme.
- Clarification on how the reason to refuse permission in the case of ABP-307014-20 has been overcome.
- Ensure all scientific data is included at application stage, there should be no contradictions between associated documents that may make reference to each other.
- Further consideration that the NIS submitted is comprehensive and that it meets the criteria of dispelling reasonable scientific doubt regarding potential effects on the integrity of a European site.
- The applicant should liaise further with National Parks and Wildlife Service (NPWS) to discuss all technical details prior to lodging an application with the Board.
- Regards is had that the planning authority employed independent consultants to assess the AA Screening submitted with the previous proposal.

Prospective Applicant's Comments:

- A cautionary approach has been taken therefore a full Natura Impact Statement (NIS) is being prepared.
- Stage 2 of the assessment includes significant further detail on a larger zone of influence and pollution protection measures, the statement concludes there are no proposed effect to any Natura 2000 sites.
- Regard is had to birds, the dry ditch within the site and potential effect on ground water.
- Pollution prevention measures have been considered i.e. fuels.
- The FFL is 10 m above the flood levels of the Mulkear River

Planning Authority's Comments:

- Generally satisfied with the proposed development.
- The Heritage Officer has reviewed the AA screening
- There are no additional comments to be made on the NIS.
- A construction environmental plan should be included with an application when submitted.

2. Transportation, Permeability, Access, Carparking

ABP Comments:

- The previous application raised many submissions/objections from the neighbouring residences which will need to be fully considered and addressed by the applicant.
- Further justification regarding the proposed access arrangements from Walkers Lane.
- Clarification that all issues raised in the Stage 1 RSA have been considered and overcome or fully justified.
- Clarification that issues raised by the planning authority's Transportation Division and Operations Section of LCCC with respect to possible requirement for a Bus stop on Castletroy College Road to the western boundary, cyclepath and footpath provision along Walkers Lane are further explored and discussed between the parties and resolved or justified.

Prospective Applicant's Comments:

- The proposed access location into the site off Walkers Lane has been chosen and designed in line with the requirements of the transportation department of the PA
- The previous Inspector's Report assessed the access in accordance with The Design Manual for Roads and Bridges (DMRB) and not DMURS
- Vertical alignment is proposed which will be compliant with DMURS.
- There was previously potential to include a bus stop to the west of the site along Castletroy College Road but it is submitted that this is not feasible due to the length of the road between roundabouts and stopping distance required.
- Cyclepath and foot path can if required and deemed safe be provided along Walkers Road. There is scope to include or exclude the cycle link along Walkers Lane.

Planning Authority's Comments:

- The roads department are satisfied with the proposed location of the site entrance.
- The application should provide a cycle lane on their boundary along Walkers Lane.
- There were discussions with the NTA with respect to a Bus Stop and lane on the western side of the development.
- There is a bus stop on the R445
- The PA will look to engage further with the applicant to finalize all details and bottom out the issues with respect to bus lanes, bus stop, cycle path and foot path provision.

3. Accommodation type proposed - Co-Living Spaces**ABP Comments:**

- Further detail/rationale is to be provided for the proposed co-living spaces as it is currently unclear what is being proposed, scope to relook at the wording or phrasing description for these units.
- Management of the units should be fully detailed in a Building Life Cycle Report.
- Drawings that will demonstrate dual and single aspect units providing a breakdown of the units to be provided with an application.

Prospective Applicant's Comments:

- Standard apartment units / build to sell units proposed.
- The 'co-living' / 'shared living space' is intended to raise the quality of the development; architecture led.
- 2 roof terraces and an internal amenity space is to be provided.
- The aim of the proposed amenity spaces is to raise the quality of apartment living. Larger storage spaces, rentable spaces for parties, gatherings etc in order to make the apartment's more family friendly and higher quality.
- The spaces are not intended as 'co-living' spaces as described in the 2020 Apartment Guidelines and reference to 'co-living' will be amended in any future application
- 49% of the scheme is dual aspect.

Planning Authority's Comments:

- A development that is aimed at increased standards is welcomed.

4. Any other business

ABP Comments:

- Further justification that all matters raised in the previous application are fully and comprehensively considered.
- All reports to have regard to one another and be consistent and accurate
- Each application is dealt with on a case by case basis and therefore it is imperative issues relating to dual aspect, archaeology and transportation are fully considered afresh.
- An online portal is now available on the Board's website to accept submissions on SHD applications, updated public notices which make note of this have also been published on the website for use of the prospective applicant when submitting an application.

Prospective Applicant's Comments:

- The archaeology issues pertaining to the site have been revisited and the archaeological report updated.

Planning Authority's Comments:

- The PA's archaeologist was not previously satisfied with the methodology used by the applicant in the documentation submitted however this has been relooked at and they are now satisfied.

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

Rachel Kenny
Director of Planning
February, 2021