



An
Bord
Pleanála

Record of Meeting ABP-308915-20

Case Reference / Description	218 no. residential units (176 no. houses, 42 no. apartments), creche and associated site works. Duckspool, Dungarvan, Co. Waterford.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	16 th April 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	12:40 pm
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Sarah Moran, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Peter Daly, Prospective Applicant
Tony Horan, Floton Consulting
Stephen M. Purcell, KPMG Future Analytics
Daniel Moody, KMPG Future Analytics
Tom Mulligan, Lafferty Architects
Patrick Tay, Lafferty Architects
Anthony Horan, O'Connor Sutton Cronin Civil Engineers
Niall McMenamin, O'Connor Sutton Cronin Civil Engineers
Bryan Deegan, Altemar Environmental Consultants
James Whelan, Stephen Diamond Associates Consultant Landscape Architects

Representing Planning Authority

Hazel O'Shea, Senior Executive Planner
Hugh O'Brien, Senior Executive Planner

Bernadette Guest, Heritage Officer
Josephine McGrath, Senior Executive Engineer
Gabriel Hynes, Senior Engineer
Paul Johnston, Senior Resident Engineer

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's on **1st February, 2021** 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 **16th December, 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. Flood Risk
2. Appropriate Assessment and Ecological Issues
3. Land Use Zoning and Residential Density
4. Design and Layout of Development
5. Roads, Traffic and Transportation Issues. Pedestrian and cycle connections.
6. AOB

1. Flood Risk

ABP Comments:

- Asked the PA for an indicative timeframe for the publication of the new County Development Plan and any subsequent LAP or Town Plan for Dungarvan
- Fundamental issues in relation to flooding have been flagged by the PA in their report submitted to the Board that will need to be addressed.
- The flood zones within the site will need to be mapped in detail along with their relationship to the site layout of the proposed development.
- Prospective Applicant will need to submit a Site Specific Flood Risk Assessment that considers adjacent wetlands and watercourses and any potential downstream impacts
- Any technical issues should be discussed further between the PA and applicant prior to lodging an application to the Board.

Prospective Applicant's Comments:

- There has not been sight of previous flood reports relating to the development site as mentioned by the PA.
- The site is within a defended flood zone. Floor levels of the development will be raised to avoid flood zones. Additional flood water storage will be provided on site.
- The floor levels proposed are 3.42 m which is well above the recommended figure by the PA.

Planning Authority's Comments:

- Main concern would be cumulative impacts on the wider residential area.
- The draft development plan is due June/July, which will include a strategic flood risk assessment.
- There are historical instances of flooding/fluvial flooding in the area, the site is highly vulnerable, and it is difficult to see it passing a justification test.
- There was modelling prepared for this specific site, maps are available for the applicant to view.
- A retention pond is located south of the site which controls fluvial discharge to the bay, additional stormwater storage is also required.
- 3.12 m was the floor level figure advised to the applicant.

2. Appropriate Assessment and Ecological Issues

ABP Comments:

- The wider context of the site should be considered in relation to ecological issues, including Designated Sites and their Conservation Objectives.
- As much information as possible will need to be provided at application stage.
- Applicant to consider other ecological issues at the site also, e.g. bat impacts.

Prospective Applicant's Comments:

- There is a specialist carrying out further site surveys and an examination of the geese's movements, foraging and roosting in the wider area, which is ongoing.

Planning Authority's Comments:

- The proposed site is adjacent to a Special Protection Area (SPA)
- Detailed consideration should be put forward in relation to alternative feeding grounds for brent geese.

3. Land Use Zoning and Residential Density**ABP Comments:**

- All of the concerns raised by the PA and the Board are interlinked, ensure that all reports and documentation submitted at application stage are comprehensive and correlate in addressing issues.
- Several zoning objectives apply at the site. A justification of the development of the R3 zoned lands will need to be supplied.
- The applicant is advised to consider incorporating the R1 zoned lands to the west of the site into the proposed development, within the redline boundary.
- The applicant is advised to consider the inclusion of an indicative masterplan within the documentation at application stage, there should be no preclusion of future developments or undue impacts at adjoining R1 zoned lands.

Prospective Applicant's Comments:

- There are four zoning designations throughout the site.
- The inclusion of the R1 zoned lands can be explored.
- The parcel of land at the south west corner is R1 land, there is an active edge facing onto this.

Planning Authority's Comments:

- Appreciate why the land was excluded due to the flood zones, scope to introduce more of an active/useful area here for example a biodiversity park, any possible proposals should be detailed.

4. Design and Layout of Development**ABP Comments:**

- Encroachment of parking on the open space, hierarchy is to be further considered.
- Rationale should be provided in relation to the drop off point and the positioning of car parking proposed for the creche.

Prospective Applicant's Comments:

- The Boards comments and the PA report have been noted.

Planning Authority's Comments:

- Usability of the open space proposed poses a concern.

5. Roads, Traffic and Transportation Issues. Pedestrian and cycle connections**ABP Comments:**

- ABP notes the proposed vehicular, pedestrian and cycle accesses to the development.
- The provision of a new pedestrian / cycle connection to the established residential areas to the south would be highly desirable in terms of improving connectivity in the wider area.
- Prospective applicant should be fully aware of any planned road upgrade works proposed by the PA adjacent to the school access and should incorporate them into the proposed roads layout if possible.
- Prospective applicant is advised to ensure that any figures provided within the traffic impact assessment are robust in the context of temporary changes in traffic patterns associated with Covid issues.

Prospective Applicant's Comments:

- There is a traffic warden in the area at peak hours.
- The proposed layout will promote active modes of transport by way of walking and cycling.
- Information was taken pre-Covid on the traffic flow in the area, counter data has also been obtained by TII which will included at application stage.

Planning Authority's Comments:

- There is significant congestion around this area, scope for the applicant to include a pedestrian crossing and or bus set down area.
- Open to further liaising with the applicant to discuss any technical details.

6. Any Other Business

ABP Comments:

- The Board will consider the development in relation to, inter alia, the current Statutory Plan in place when the application is decided.

Prospective Applicant's Comments:

- Nothing further to add.

Planning Authority's Comments:

- Justification to be provided for the R3 zoned lands, R1 zoned land should not be addressed solely there is also the inclusion of the R2 lands to be cognisant of in terms of releasing that land.

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
Director of Planning
April, 2021