



Case Reference / Description	815 no. residential units (377 no. houses, 438 no. apartments), creche and associated site works. Castlelands, in the townland of Hampton Demesne, Kilsough North and Balbriggan, Balbriggan, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	13 th May 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	12:15 pm
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:

Robert Farrell, Land Development Agency
James Donlon, Land Development Agency
Jonny McKenna, Metropolitan Workshop Architecture + Urbanism
Rachel Welsby, Metropolitan Workshop Architecture + Urbanism
Iannucci Matteo, AECOM
Brendan Mitchell, AECOM
Carolyn Rollo, AECOM
Ross Loughnane, AECOM
Anthony McCarthy, Cogent Project Management
John Spain, John Spain & Associates
Stephen Blair, John Spain & Associates

Representing Planning Authority

Linda Lally, Senior Executive Engineer
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Gemma Carr, Senior Executive Parks Superintendent
David Murray, Senior Planner
John Duffy, Assistant Planner
Philip Groebler, Executive 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 on **17th 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 **23rd 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. Compliance with Development Plan Objectives for Balbriggan & Draft Castlelands Masterplan 2019.
2. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; connection to the Regional Road, pedestrian connectivity, proximity to boundaries, boundary treatments and interaction with the existing surrounding land-use pattern. Contribution to the

character and identity of the neighbourhood. Visual Impact Analysis, use of materials and variety in design.

3. Phasing and delivery of the Link Road. Levels across the site arising from proposed access over the railway bridge regard being had to FFL of proposed adjoining apartment blocks and housing units in Neighbourhood 1 and the Main link road through the site.
4. Social Infrastructure Audit
5. Daylight / Sunlight Analysis
6. Response to Planning Authority Report dated 17th February 2021 and Issues Raised
7. Any Other Business

1. Compliance with Development Plan Objectives for Balbriggan & Draft Castlelands Masterplan 2019.

ABP Comments:

- Details of how objective Balbriggan 16 of the Fingal CDP 2017 - 2023 is being addressed. It states: 'Prepare and / or implement the Castlelands Masterplan.'
- Queried the status of Castlelands Masterplan
- Were the elected members informed of the applicant's proposals for the subject lands?
- What is the max number of units previously proposed under the draft plan.
- How the applicant is going to deal with the amendments to the Adopted Masterplan in the subject development.
 - Height
 - number of units capped at 650
 - omission of blocks
 - delivery of the Link Road

Prospective Applicant's Comments:

- The Castlelands Masterplan was adopted at the March council meeting with a number of amendments.
- The adopted Castlelands Masterplan is not yet published or in the public domain.
- As a masterplan, it is not a statutory plan – it was adopted by elected members.
- The applicant's team did give a presentation and had discussions with local Councillors, in February, prior to the Council Meeting.
- Consideration will be taken of the amendments to the Masterplan prior to lodgement of an application to the Board.
- The proposed three areas of material contravention in the pre application documentation submitted consist of the pumping station, car parking and absence of agreed masterplan.
- Advice will be sought on changes to the adopted Masterplan and implications for material contravention arising.
- Capping on numbers to 650 units came out of the blue. The initial Masterplan was for 11,00 units, subsequently revised to 850 units, now adopted 650 units.
- The density remains the same, it doesn't add up for the number of units to be reduced and the density to remain static.
- Key element of this scheme is to deliver quality housing. Homes for residents at all stages in life.

Planning Authority's Comments:

- The plan was adopted in March this year (2021) with amendments to unit numbers, was maxed previously 850 units, now 650 units. Height previously up to 6 storeys now at a max of three storeys within adopted Masterplan.
- The CE Report submitted to the board in February stands. It is considered that the subject proposal provides for an appropriate level of sustainable development on the subject lands.
- Supportive of the design proposed.

- The adopted Masterplan is a matter for the applicant. How they proceed with respect to height and numbers in the context of the new adopted Masterplan, is a matter for the applicant to address / justify.

2. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; connection to the Regional Road, pedestrian connectivity, proximity to boundaries, boundary treatments and interaction with the existing surrounding land-use pattern. Contribution to the character and identity of the neighbourhood. Visual Impact Analysis, use of materials and variety in design.

ABP Comments:

- Further detail required as to how the Link road ties into the R127.
- Details of connection to the Regional Road, pedestrian links and connectivity to the wider area.
- Ensure all drawings are comprehensive, relate to one another and do not contain conflicting details.
- Clarification as to what the red line encompasses in the area near the seafront.
- Justification of useable open spaces.
- justification of on-street car parking, car parking quantum and location within the 'green fingers'.
- Clarity with respect to cut and fill across the site and changes in levels.
- Further justification of the visual impact analysis.

Prospective Applicant's Comments:

- The Link road is being delivered to the roundabout.
- There is potential for connectivity to the north west neighbourhood however there is currently no road at this area as it needs to be built out.
- No connections are proposed into Ardgillan to the south as this is not within the applicant's control, provision will be made for possible future links. One pedestrian access is proposed onto Tanners Water Lane.
- The scheme is proposed to be predominantly two to three stories, rationale is the site is split into five neighbourhood sections, the higher density elements being placed closer to the Link road, to the TC, train and bus connections. Density and height are concentrated within the scheme.
- The priority is to have buildings facing on to the Link road creating a more activated street/public domain.
- There are five neighbourhood areas, however, these will be categorised into only four character areas due to combining of two areas (each side of the Link road) this is to ensure the area in its entirety remains cohesive.
- Opinions sought from PA Parks as to what the acceptable minimum width of the green finger areas would be. These areas aim to provide a corridor function, not necessarily a congregation area. They will also assist in providing a break in the level change across the site.
- The red line boundary at the seafront encompasses an outfall pond/basin. The lands to the east of the railway line within the site boundary are in the ownership of FCC

- The Department of Education is responsible for delivery of the school. It is envisaged that midway during the construction of the Castlelands site the primary school would be provided.
- Greater details and visual impact will be submitted with the full application.
- The ground levels fall substantially across the site and road levels has been a challenge. Change in ground levels are being dealt with at the proposed green fingers and split levels through certain buildings – need to provide for universal design.

Planning Authority's Comments:

- Character area's 2,3 and 4 are of concern, how they will interact with the landscape design.
- Green fingers of space going north and south not considered usable open space, do not appear to be wide enough, further details to be provided demonstrating how these fingers will enhance the area.
- Scope to relook at corner treatments, set-backs of units and building materials.
- A minimum of 500 square metres, 30 - 50 meters in width, would be considered more suitable and useable for the green finger areas.
- If two green fingers were joined together the layout would be more compliant with the Masterplan. Consideration should be given to reducing the size of the blocks or omitting car parking.
- Use of landscape open space areas for car parking undesirable. The green fingers binds together areas 2, 3, and 4.
- Landscaped open space needs to be safe for children, desirable to have green fingers of a size suitable for small children to play, close to their homes.
- Focus of useable open space, SuDS issues. Open spaces need to be useable and safe for children.
- There is no timeline in relation to the construction of the public pool, discussions relating to its delivery are ongoing.
- Delivery of the housing and social infrastructure is required by way of phasing of the Masterplan.
- Assessment and research for the Masterplan identified that a leisure centre was missing for the area and wider area of Balbriggan.
- No issues with the visual impact of the proposed layout and design.

3. Phasing and delivery of the Link Road. Levels across the site arising from proposed access over the railway bridge regard being had to FFL of proposed adjoining apartment blocks and housing units in Neighbourhood 1 and the main link road through the site.

ABP Comments:

- Further details/clarification required in relation to the levels of the bridge over the railway line and the existing level of the road. How it will tie together. Cross sections required.
- Details of engagement with Irish Rail and clarity in respect to their requirements for a bridge over the railway line.

Prospective Applicant's Comments:

- The proposed development is a substantial piece of infrastructure which would be required to be constructed in phases, further details on this will follow in the planning application to the Board.
- Applicant has engaged with Irish Rail and has approval in principal, advised 5.7 metres from the underside of the bridge to the railway line would be satisfactory.
- Grade separated junction proposed, stone wall to remain in-situ.
- The existing level of the road is higher relative to the rail line, however in some instances they are at similar levels.
- In relation to alternative access in the event of road blockage to the west, access to Tanners Waters Lane could be used in event of emergency. Unlikely instance that the road is blocked, further information can be submitted to address this matter.
- Phases 1 and 2 will be delivering the vast majority of the necessary road network.
- Link Road junction with R127 extends into Open Space area.
- Strongly argue in favour of the entire Link Road being delivered over two phases.
- It would be onerous on the applicant to deliver the whole of the Link Road in phase 1.
- If constructed in phase one it would require a retaining structure, expensive and onerous.

Planning Authority's Comments:

- Supportive of the design of the Link Road junction with R127 put forward in the proposals.
- The LDA has worked closely with the planning authority.
- The T junction arrangement proposed is considered most effective option.
- There is a rising main constraint, open space designation, stone wall.
- The road network should be delivered in its entirety in Phase 1 of the proposed development, it is currently unclear what is proposed to be delivered in each phase.
- Concern in relation to the resilience of the R127 to Castlelands Road in the event of emergency.
- Feel that the phasing strategy proposed is not appropriate. The Link Road should be delivered in phase 1.

4. Social Infrastructure Audit**ABP Comments:**

- The delivery of the various infrastructure throughout the Masterplan lands needs to be further detailed/addressed, including timelines of why certain elements are/are not being delivered.
- Justification is required for the omission of the 'future proposed park pavilion, swimming pool, Skerries road pedestrian / cycle bridge and playing pitches.'

Prospective Applicant's Comments:

- A clear understanding of the delivery mechanisms of the infrastructure will be provided as part of the application.

Planning Authority's Comments:

- Highlight scope to explore development contribution scheme.
- Development contribution to provide for intensive facilities and uses outside of the scheme, proposed to address the pinewood pitches.

5. Daylight/ Sunlight Analysis**ABP Comments:**

- The s.28 guidelines refer to BRE 2009 and British Standards, if the applicant is to rely on material contravention relating to SPPR3, then clearly demonstrate any shortfall in meeting the standards along with a rationale, particularly impacts on 3rd party lands.
- Critical to flag where the development does not comply with standards.
- Clarity around mitigation measures (if applicable)
- Extent of coverage and testing
- Regard to had to DNS 30 of the Development plan

Prospective Applicant's Comments:

- A comprehensive sun/daylight analysis will be included along with any impacts on neighbouring properties.
- Ministerial guidance will be followed.

Planning Authority's Comments:

- Applicant will need to ensure all/any areas of shortfall within the development are addressed.

6. Response to Planning Authority Report dated 17th February 2021 and Issues Raised**ABP Comments**

- Further details are required in order to set out how proposed SuDS along the southern boundary of the Local Park are to be integrated into the overall design.
- Details required of how public access over SuDS features into the park and their position in relation to proposed park boundary work.
- Omission of on-street car parking adjoining the 'Green Fingers' located between Neighbourhoods 3, 4 and 5.
- Further detail is required in relation to the interface.
- Connectivity, car parking discrepancy in calculations to be resolved.
- Clarify the location of the pumping station proposed relative to the flood zone area.
- Any technical details should be discussed and agreed if possible between the PA and the applicant prior to lodgement of an application.
- Raise issue of the shortfall on contribution of public open space.

Prospective Applicant's Comments:

- Buffer zone to the proposed pumping station is observed.

- The PA in their development plan have an objective for a higher degree of separation than is required as a national standard. LDA have liaised with and chosen to follow IW separation standard.
- A greater separation buffer would undermine neighbourhood 3
- The flood zone will be outside the proposed pumping station location.
- Recognise in quantum terms there is a shortfall on public open space, however, considerable discussion has taken place with PA in relation to open space, alternative forms of leisure are proposed and there is scope for a financial contribution.

Planning Authority's Comments:

- Scope for the applicant to consider boundary treatment/railing to class 1 open spaces reducing anti-social behaviour and facilitates the management of the space.
- Reiterate key areas of concern are the treatment of character areas 2,3 and 4, however, support the development proposal and acknowledge changes made by the applicant to the development.
- Emphasis the buffer zone of the pumping station will need to be considered by the applicant due to its nature and size.

6. Any Other Business

ABP Comments

- The issue of a contribution towards a shortfall in POS of 2.93 ha to be discussed and agreed where possible or justified with the PA.
- All reports/drawings to have regard to one another, be consistent and accurate.

Perspective Applicants Comments

- All reports will adhere to one another.
- A high level of engagement has taken place with PA

Planning Authorities Comments:

- There is a clear route for development contributions to be put towards intensive social infrastructure in the area such as the Bremore skate park.

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
May, 2021