



Case Reference / Description	110 no. residential units (8 no. houses, 102 no. apartments), creche and associated site works. Freeport, Bearna, Co. Galway.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	1 st April 2021	Start Time	02:30 pm
Location	Via Microsoft Teams	End Time	03:45 pm
Chairperson	Rachel Kenny	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Karen Hamilton, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Naomi Lloyd, MOLA Architecture
Niamh Murphy, MOLA Architecture
Michael Fleming, TOBIN Consulting Engineers
Michael Geraghty, TOBIN Consulting Engineers
Cathal Kelly, TOBIN Consulting Engineers
Michael McDonagh, Prospective Applicant
Pamela Harty, MKO Planning & Environmental Consultants

Representing Planning Authority

Alan O'Connell, Senior Executive Planner
Ann Dolan, Executive Scientist
Martina Connaughton, Senior Executive Engineer
Rachel Lowe, Acting Senior Engineer
Jack Houlihan, 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's on **2nd March, 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 **3rd February, 2021** 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. Village Centre Zoning**
- 2. Core Strategy**
- 3. Development Strategy, inter alia, density, height, materials, design and layout and open space provision.**
- 4. Flooding, inter alia, SSFRA, Coastal development and Riparian Corridor**
- 5. Transport**
- 6. Any Other Business.**

1. Village Centre Zoning

ABP Comments:

- All details of the commercial development should be submitted with justification for the quantum of uses proposed.
- A further level of detail is required at application stage as the documentation submitted currently is not sufficient.
- The material contravention is in relation to the planning objective not the zoning which should be addressed to satisfy the PA.

Planning Authority's Comments:

- There is a lack of clarity surrounding the 1,300 square meters of space and its specific nature
- Flag a possible material contravention of Objective ED2 Bearná Plan, this should be addressed in the statement submitted to the Board at application stage.

Prospective Applicant's Comments:

- A material contravention statement has been submitted as part of the documentation however this does not include the zoning of the lands.
- The comments are noted, and a breakdown of the units will be included at application stage.
- The final application will include further assessments including any impact on existing Bearná village centre.

Further ABP comments

- The applicant should ensure they address any material contraventions of the plan in full.

2. Core Strategy

ABP Comments:

- The Core Strategy calculations, village centre zoning and material contravention are noted.
- The material contravention statement does not include all up to date granted SHD permissions.
- Ensure concerns flagged by the PA within their report have been addressed at application stage.

Planning Authority's Comments:

- There are still concerns in relation to the over provision of housing at this location.

Prospective Applicant's Comments:

- The figures used for calculations were based on population not density, the material contravention statement will be updated.

3. Development Strategy, inter alia, density, height, materials, design and layout and open space provision.

ABP Comments:

- Concern in relation to the appropriateness of the materials located along the coastline.
- The documentation at application stage should clearly address the height strategy with reference to the Urban Height Guidelines.
- Further imagery and visualizations should be submitted to justify the scaling and height of the units.
- The communal open space to the north of the site should be further addressed, this space should relate directly to the apartments.
- Any and each area that contravenes the Local Area Plan (LAP) will need to be broken down and addressed fully within a statement of material contravention.

Planning Authority's Comments:

- The open space area to the north appears to be provided in the form of public realm.
- Clarity is required in relation to the density calculation, the inclusion of the coastal amenity park and any compliance with the development plan standards.
- Flag concern in relation to the design of blocks C, D and E as well as compliance with height guidelines.
- From the current documentation presented it is not apparent there is a concrete design strategy in place.
- Concerns in relation to maintenance works of the Riparian Buffer Zone.

Prospective Applicant's Comments:

- The density has been included within the material contravention statement; the figures can be clarified what has been included in the net development area.
- The density is above the LAP as a village centre, improved transport facilities and residential amenities to be provided.
- The plot ratio is at 0.89:1, therefore there is a higher unit density.
- Photomontages and further imagery will be provided at application stage.
- The evolution of the site can be viewed within the Architectural Design Statement.
- The orientation of the building blocks has been chosen with permeability/connectivity in mind in which draws you into the coastal park area.
- An integrated landscape scheme is being explored.
- The proposed development is cognisant of future developments within the area and the continuation of development.
- A raised garden area proposed will provide a high-quality community open space.
- Due to the sloping area of the site Block F was situated across the road.
- Mitigation measures can be sought using the OPW Section 50 Application standards.
- There is a 13-meter buffer between coastal flooding stints and Blocks C, D and E.

Further ABP Comments:

- The national guidance, Sustainable Residential Development in Urban Areas, provides guidance on the calculation for net and gross density. In general, those areas set aside specifically for public benefit can be discounted from the net calculation.

4. Flooding, inter alia, SSFRA, Coastal development and Riparian Corridor**ABP Comments:**

- Work proposed to the culvert appear to be a key issue, all works required for the proposed development should be included in the site red boundary.
- Query over the potential for coastal flooding.
- Consents should be obtained for works to the culvert; further clarity overall is needed to demonstrate the works proposed can be undertaken.
- Further consideration will need to be given to the proposed development and the impact at the Riparian Corridor.

Planning Authority's Comments:

- Concern a justification test may not be possible based on the failure of the applicant to comply with the requirements of Box 5.1 of the national guidance, the appropriate urban design.
- Offsite works impacts will need to be addressed.
- Within the flood risk assessment of the LAP there is no mention to increasing bore of the culvert, more information is required.

Prospective Applicant's Comments:

- Letter has been received from the PA consenting to the proposed works.
- The development plan allows for a case by case basis to be considered in relation to encroaching on 10 meters of the Riparian Corridor.

5. Transport**ABP Comments:**

- It is noted the shortfall in parking by 39 spaces and the material contravention addresses this shortfall.
- The dual use is noted although there are no details of the commercial uses.

Planning Authority's Comments:

- Absence of a mobility management plan within the documentation.
- A transport assessment should be undertaken with additional cars to be factored into the calculations from newer SHD schemes and impacts on the junction use.

Prospective Applicant's Comments:

- Further engagement will be sought with the PA to discuss their comments.
- The proposed commercial uses will be detailed and integrated into any carparking strategy.

6. Any Other Business

ABP Comments:

- Irish Waters letter submitted to the Board only relates to 130 residential units not commercial element.
- All documentation/ reports and figures should correlate at application stage.
- Any taken in charge documents should be submitted to the Board at application stage in agreement with the PA.
- Further details required in relation to the Part V provision, how the units will be dispersed within the site and costing details.

Prospective Applicant's Comments:

- The pumping station will be able to cater for the total development and IW have confirmed this.

Planning Authority's Comments:

- A greater level of detail is required in relation to infiltration treatments, surface water and green roofs and their design.

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
April, 2021