



An  
Bord  
Pleanála

## Record of Meeting ABP-309599-21

<b>Case Reference / Description</b>	1007 no. apartments, childcare facility and associated site works. Townland of Stapolin-Baldoyle, Coast Road, Baldoyle, Dublin 13.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	20 <sup>th</sup> May 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11.50 am
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Helen Keane

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Helen Keane, Executive Officer

### Representing Fingal County Council

Sean Walsh, Senior Executive Planner
Kathy Tuck, Howth/Malahide Area Planner
Kevin Halpenny, Senior Parks Supt
Mark Finnegan, Executive Parks Supt
Niall Thornton, Executive Engineer
Damien Cox, Executive Engineer

### Representing Dublin City Council

Diarmuid Murphy, Dublin City Council
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### Representing Prospective Applicant:

Raymond O'Malley, Kieran O'Malley & Co. Ltd.
Arthur Hickey, CCH Architects

Jerome O'Brien, JB Barry Consulting Engineers
Mark Boyle, Murray & Associates
Mark Boyle, Murray & Associates
Brian Delahunt, Delahunt Solicitors

### **Introduction**

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) 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 30<sup>th</sup> March 2021 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 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 4<sup>th</sup> March formally requesting pre-application consultations with ABP. 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. Public Open Space provision**
- 2. Core Strategy**
- 3. Design and Layout, inter alia, scale and massing**
- 4. Social and Physical Infrastructure**
- 5. Drainage Issues**
- 6. Any Other Matters**

## 1. Public Open Space provision

### **ABP Comments:**

- Provide the rationale for not including public open space and how it will be addressed at application stage
- Provide clarity on ownership of any public open space to be delivered
- Provide details on the phasing of the open space and compliance with the local area plan and confirm at application stage
- Residential amenity is to be provided for future occupants
- Provide clarification on the permission for, and delivery of, the public open space
- The onus is on the applicant to submit documentation that shows that the required open space will be provided in a timely manner
- Liaise further with the planning authority on the phasing strategy

### **Planning Authority's Comments:**

- Have previously liaised with applicant
- Address the objective to provide for a parkway on the lands
- Provide clarity on public open space and what the agreement with the adjacent owner is
- Updated correspondence from the owner of adjacent lands on provision of public open space is required
- Reassurance that class 1 public open space will be provided with the proposed development is required
- The reliance on a third party to provide public open space is not ideal
- Further discussions with the adjacent landowner and a timeline of delivery are required
- There is a tree group of 13 mature, mostly sycamore trees, within a highly sensitive landscape. The PA has a strong preference to retain the trees that are there and to incorporate them into the proposed development
- Mature trees on this landscape are uncommon
- Complex planning history on the site of the proposed development

### **Prospective Applicant's Comments:**

- The landowner of the adjacent lands will provide the public open space
- The owner of the adjacent lands is legally required to provide class 1 and class 2 public open space, details of which are in correspondence from November 2007. The public open space will be provided as and when it is required
- Have already agreed details of the public open space with the PA
- Updated correspondence is not required but will consider acquiring same
- Will liaise further with the PA on tree retention

## 2. Core Strategy

### **ABP Comments:**

- Material contravention submitted with pre-application documentation
- Justification required for the need to increase population at this location and the rationale for the additional 400 units, noting the CS allocation
- Provide further detail on the provision and/or delivery of social infrastructure at application stage

### **Planning Authority's Comments:**

- No further comments beyond what is provided in PA opinion
- No social infrastructure is proposed within the proposed development
- There is an over-reliance on the inclusion of J1 and J3 lands that are owned by a separate developer

### **Prospective Applicant's Comments:**

- Will have consideration for provision of a residents' communal space
- Do not wish to provide retail units within the proposed development

## 3. Design and Layout, inter alia, scale and massing

### **ABP Comments:**

- Provide rationale at application stage for the increased density and how this is addressed within the scale and character of the proposed development
- Address scale and design
- Provide visual impact assessment and further justification for scale and massing
- Provide evidence of high quality materials to be used for higher density development
- Quantity and quality of communal open space to be delivered
- Highlight in the application documentation if the proposed development does not meet the BRE/BS guidelines
- Refer to BRE/BS guidelines

### **Planning Authority's Comments:**

- The materiality of the buildings is the same as existing neighbouring residential areas
- The proposed development does not comply with the 12 urban design guidelines
- There are too many 1-bed units in the proposed development
- Have consideration for the character areas

### **Prospective Applicant's Comments:**

- 1 courtyard is marginally below the 50% sunlight provision guidelines, but this will be dealt with at application stage
- Will consider revising the unit mix
- Will have further consideration for the proposed palette of materials
- Will have consideration for above comments

#### **4. Social and Physical Infrastructure**

##### **ABP Comments:**

- Query over the carrying capacity of the social and physical infrastructure having regard to the increased density

##### **Planning Authority's Comments:**

- Take an audit of the school places available
- There is an issue with school places in the area
- The school permitted may not be able to accommodate additional growth
- Contact the Department of Education regarding school provision in the area

##### **Prospective Applicant's Comments:**

- Will have consideration for above comments

#### **5. Drainage Issues**

##### **ABP Comments:**

- Irish Water has indicated that updates are required
- PA have raised issues regarding the size of the wetland for the Sustainable Drainage Systems

##### **Planning Authority's Comments:**

- Can liaise further with the applicant on the size of the wetland

##### **Prospective Applicant's Comments:**

- The size of the wetland is based on the size of the site
- There is some opportunity to provide permeable paving
- There is no issue on provision of upgrades

#### **6. Any Other Matters**

##### **ABP Comments:**

- Address the carparking issues raised by the PA
- Provide a traffic impact assessment at application stage

##### **Planning Authority's Comments:**

- Refer to PA's opinion for comments on the carparking
- Due to the population increase, lots of the roads in this area are full
- There is a traffic issue at Sutton Cross
- Can liaise further with the prospective applicant on carparking
- Provide clarity on the fire access arrangements in application documentation

**Prospective Applicant's Comments:**

- There is a low level of parking provided in the proposed development, but the development site is close to a major transport node, high quality cycling links and buses
- Have full compliance with the provision of cycling facilities
- There will be an Environmental Impact Assessment Report included at application stage
- Will have consideration for above comments

- **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](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](mailto:spatialplanning@water.ie)

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Tom Rabbette  
Assistant Director of Planning  
June, 2021