



Case Reference / Description	428 no. residential units (401 no. houses, 27 no. apartments) and associated site works. Kilmartin Sites 2 and 3, Hollywoodrath, Dublin 15.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	1 st September, 2021	Start Time	10:00 am
Location	Via Microsoft Teams	End Time	12:00 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:

Pauline Byrne, Brady Shipman Martin
Justin Farrelly, Glenveagh Homes
Kevin McCormack, Glenveagh Homes
Aimee Dunne, DBFL Consulting Engineers
Brendan Manning, DBFL Consulting Engineers
Stephen Proctor, Proctor and Matthews Architects
Eamonn Gahan, Deady Gahan Architects
Melanie Sharkey, Bernard Seymour Landscape Architects

Representing Planning Authority

Deirdre Fallon, Senior Executive Planner
Colm McCoy, Senior Planner
Philip Grobler, Executive Engineer

Annie Meagher, Executive Parks Superintendent
Jennifer Casserly, Executive Planner

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made via Microsoft Teams having regard to the COVID-19 restrictions.

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 **21st May, 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 **12th April, 2021** formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, 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 Reasons for refusal on foot of 303956 (June 2019).**
- 2. Compliance with Development Plan / LAP & Objective LO 72**
- 3. Phasing, connectivity and overall integration with wider area.**
- 4. Visual Impact Analysis**
- 5. Landscaping and Open Space strategy**
- 6. Address Issues raised in the:**
 - Transportation Department Report,
 - Water Services Report,

- Landscape Report
- Parks and Green Infrastructure issues.
- Environmental, Health, Air and Noise

7. Any Other Business

1. Response to previous Reasons for refusal on foot of 303956 (June 2019).

ABP Comments:

- The previous refusal included a portion of the proposed development lands, the two reasons for refusal will need to be addressed fully within any future application.
 - Transport, permeability, access & car parking
 - Layout, place making and character areas
- Clarity required in relation to the double road arrangement along the southern boundary with Bellingsmore.
- Cross sections should be submitted as part of an application to the Board demonstrating the relationship of Bellingsmore and the proposed development.
- The interface of the housing requires further information, a strong justification should be submitted on the proposed housing 'dual frontage' typology with examples given.
- Justification is required for the new 3/4 bed housing typology with in-curtilage car parking integrated into the plot, courtyards, and integrated terraces.
- Justification for such house design and possible implications arising for visual amenities of the area if exempted development allowed for under the P & D Regs is availed of by future owners/occupiers.
- Clarity required that housing typology proposed meets the County Development Plan Standards. Challenges here, considering the raft of exemptions which apply to houses and not to apartments or duplexes.
- Examples of other attempts at 'dual frontage' houses referred to that proved problematic over the long term.
- Give examples of where/if such typology has been successfully implemented.

Prospective Applicant's Comments:

- An entire masterplan of the phased development of the applicant's lands will be set out within any application for clarity.
- Applicant owns a significant landbank in the Hollystown area, which is an importance land bank for Fingal County.
- The previous refusal was in relation to the design layout and its relationship with the R121, revised proposals now show a strong urban edge to address this issue.
- Character areas have been created within the site. Two different architects involved in the design.
- Hierarchy of streets with primary and secondary streets proposed using a clear hierarchy. New courtyard type typologies, strong entrance connections, dual frontages at key positions within the site
- Upgraded facilities along the R121 at the entrance to the site, a cycle path and 2 new toucan crossings.
- There is no double road as they do not link anymore, there is a hedgerow riparian buffer, this is deliberately created to tackle that issue.
- The PA's comments are noted in relation to the hedgerow and scope to create additional pedestrian and cycle connections.
- The 'dual frontage' housing typology proposed has been built out already and has proved successful, examples in the U.K. A justification will be submitted.

- The new typology is innovative in design, it includes 3 / 4 bed homes with in-curtilage car parking integrated into the plot, courtyards, large terraces within the footprint of the building.
- The new typology meets and exceeds the Development Plan standards.
- Design addresses the R121 and eliminates the need for a second road, car space integration discourages car journeys.
- Innovative design and use of external terraces which track the sun better, better for daylight / sunlight throughout the year than conventional houses, which only have one orientation. Design eliminates overlooking to neighbouring conventional rear gardens from first floor rear windows.
- E.g. of a scheme is Great Kneighton in Cambridge started 10 years ago completed 5/6 years ago. 40 % affordable and 60% private. Very successful has won awards.

Planning Authority's Comments:

- In relation to the hedgerow and connectivity into the Bellingmore site, there is an existing large ash tree which could be removed due to its health. Recommend an onsite meeting with the arborist and the applicant to discuss further possible connections through the hedgerow.
- No issues with additional connection to Bellingsmore development.
- Permission has been granted for the new typology of housing by the PA under FW21A/0042 on the site to the east. FCC have accepted the design strategy subject to de-exempting development rights for houses.
- This is an outer suburban site albeit Tyrrellstown village centre is close by. In-curtilage car parking removes surface car parking issues and is encouraged.
- There will be a perceived front and back to the new housing typologies.

2. Compliance with Development Plan / LAP & Objective LO 72

ABP Comments:

- Further detail on the narrow strip leading up to the playing pitches.
- Advised that documentation be provided from GAA as part of the application if possible.
- A strong phasing plan will need to be provided as part of any application to the Board containing details such as a timeframe of delivery and a construction management plan.
- A condition restricting occupancy of Sites 2 and 3 until childcare in the LC development is operational could address PA concerns about the delivery of childcare facilities to serve this development, alternative options could be explored also.

Prospective Applicant's Comments:

- Of the opinion Glenveagh Homes are satisfying the local objective, 9.25 hectares north of the land has been transferred over to the GAA, it is for them to provide the pitch and associated facilities, therefore there is no material contravention.
- The connectivity up to the future playing pitches will consist of a large public open space area containing a dog park, play spaces and seating areas.

- The nature of the remaining land is deemed class 1 open space which is located above (to the north) of site 1. This is sufficient to cater for sites 1,2 and 3.
- The POS proposed is useable and of significant width. Provides adequate linkages not just pathways. There is a network of pedestrian and cycle pathways proposed.
- The applicant is providing a significant amount of Class 1 POS for sites 1, 2 and 3. Over 7 hectares with 3.5 ha provided with Site 1 alone. The proposed POS connects in with this permitted POS. The applicant is committed to phased delivery of quality landscaped POS
- Options being explored into providing a standalone childcare facility in the local centre lands and included as part of any application on the subject lands.
- Childcare will be provided in tandem with housing.

Planning Authority's Comments:

- As per the PA report submitted to the Board the opinion would be the proposal is a material contravention of the plan.
- LO 72 is a map/area-based objective. It is the opinion of the PA that the GAA pitches should be provided within the subject application lands.
- The function and useability of the proposed POS for recreation as playing fields is limited, given linear shape, size and configuration, there is also a concern in relation to the boundary treatments and security of the POS area.
- A contribution in lieu of POS is applicable in this instance.
- A condition limiting the occupancy of the units prior to childcare being available to the residents is an option that can be considered.
- Childcare facility to cater for demand in all age groups incl. under 2 years in age as surveys have shown that there is under provision for this type of childcare in the area.

3. Phasing, connectivity and overall integration with the wider area.

ABP Comments:

- Clarity required as to what dictates the red line boundary around the area of open space to the north connecting to the pitches and details required of its boundary treatment.
- Further clarity in respect of a phasing plan for overall Kilmartin lands within applicant's ownership.
- Clarity in how the subject proposal connects with the development granted on foot of FW21A/0042.
- Justification that the proposal is not adhoc development of the site. Number of pedestrian and cycle path connections to adjoining lands should be prioritised and clearly detailed, in particular to Bellingsmore.

Prospective Applicant's Comments:

- The red line boundary is mainly dictated by providing quality linkages up to the future GAA pitches.
- Biodiversity areas on site have dictated the landscape strategy proposed.

Planning Authority's Comments:

- Further discussion will be sought with the applicant in relation to the boundaries to POS and their treatments.
- FCC will be taking the POS in charge, to facilitate the operation of a park. Therefore, there is a need to ensure that the POS will fit with their Class POS requirements. Important it has a physical boundary/railing for security purposes. Proposed shape and its linear nature are causing concern with respect to maintenance into the future.

4. Visual Impact Analysis

ABP Comments:

- The documents submitted are light in material regarding possible visual impacts, views from the wider area should be submitted as part of the application.

Prospective Applicant's Comments:

- Additional views from the wider area addressing the site will be included.

Planning Authority's Comments:

- Nothing further to add, take PA report as read.

5. Landscaping and Open Space Strategy

ABP Comments:

- The applicant should ensure all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.

Prospective Applicant's Comments:

- Welcome further discussion and meetings with the PA, will seek to address all outstanding matters prior to making any future application.
- Tyrrellstown Park was developed by others, it is in place and has been taken in charge.

Planning Authority's Comments:

- Any further engagement from the applicant is welcomed.
- Details of detention basis required with objective comparison of the basins with other attenuation devices. To ensure that best practice is observed.

6. Address issues raised in reports

ABP Comments:

- Any further engagement from the applicant is welcomed in respect of any outstanding issues relating to infrastructure in particular water services.

- Justification of the proposed development in light of the 'Nature Development Area' designation, consideration for the requirement of Ecological Impact Assessment.
- Elaboration of the risk of possible noise nuisance in light of noise zone B designation and heavy reliance on closed windows.
- Concern in relation to heavy reliance on closed windows to mitigate noise, further scope to explore this issue, provide more documentation/reports.

Prospective Applicant's Comments:

- A full EIAR will be submitted as part of the application along with noise surveys.

Planning Authority's Comments:

- Generally happy with the drainage strategy, details and the location of the basin needs to be further clarified, scope to compare with other attenuation methods to ensure the best option is provided.

7. Any Other Business

ABP Comments:

- Material Contravention Issue (if applicable) in relation to provision of GAA pitches on the subject lands and LO72 to be addressed. The applicant to satisfy its position in this regard.
- There is a requirement to carry out a Daylight and Sunlight Assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Cognisance should be had to Objectives of the FCC County Development Plan 2017 - 2023. Including:
 - DMS30 Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.
 - Objective DMS31 Require that sound transmission levels in semi-detached, terraced, apartments and duplex units comply as a minimum with the 2014 Building Regulations Technical Guidance Document Part E or any updated standards and evidence will need to be provided by a qualified sound engineer that these levels have been met.

Prospective Applicant's Comments:

- No additional comments.

Planning Authority's Comments:

- No additional 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.
- A Schedule of Documents and Drawings should be submitted with the Application.
- 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
September, 2021