



<b>Case Reference / Description</b>	131 no. residential units (21 no. houses, 110 no. apartments), creche and associated site works. Stocking Lane, Ballyboden, Dublin 16.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	23 <sup>rd</sup> June 2021	<b>Start Time</b>	10:05 a.m.
<b>Location</b>	Via MS Teams	<b>End Time</b>	11:03 a.m.
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Ciaran Hand

**Representing An Bord Pleanála:**

Tom Rabbette, Assistant Director of Planning
Una O' Neill, Senior Planning Inspector
Ciaran Hand, Executive Officer

**Representing Prospective Applicant:**

Jerry Barnes, MacCabe Durney Barnes Planning Consultants
Sybil Berne, MacCabe Durney Barnes Planning Consultants
Rosemary McLaughlin, MacCabe Durney Barnes Planning Consultants
Matt Barnes, Matt Barnes Architects

**Representing Planning Authority**

Colm Maguire, Assistant Planner
Graham Murphy, Senior Executive Engineer (Roads)
John Hegarty, Senior Executive Engineer (Roads)
Oisín Egan, Executive Parks Superintendent
Ronan Toft, Assistant Engineer (Drainage)

## **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 28<sup>th</sup> 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 30<sup>th</sup> 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. Development Plan Policy and Height**
- 2. Residential Amenity, including Sunlight Daylight Analysis**
- 3. Transportation Issues, TTA, and Access**
- 4. Ecology**
- 5. Any Other Business**

## 1. Development Plan Policy and Height

- **ABP Comments:**
- Address issues of policy and height as raised in recent refusal under application ABP-308763-21.
- Documentation should fully demonstrate how the previous reason for refusal has been addressed in relation to H9 Objective 3, including the form, height and layout, as raised in the Board Order for ABP-308763-21.
- Note proximity of duplexes to southern boundary.
  
- **Prospective Applicant's Comments:**
- Proposed height will be addressed in Material Contravention Statement.
- The layout is the same as previously submitted and was accepted in the previous Inspectors Report (ABP-308673-21).
  
- **Planning Authority's Comments:**
- Have regard to the P.A. report regarding policy and height.

## 2. Residential Amenity, including Sunlight Daylight Analysis

- **ABP Comments:**
- A Sunlight-daylight analysis was not submitted with the documentation.
- Consider submitting a sunlight and daylight analysis. This report should address the full extent of requirements of BRE209/BS2011, as referenced in the Building Height Guidelines and Apartment Guidelines.
- Ensure guidelines are being met and where they aren't that compensatory measures are set out.
  
- **Prospective Applicant's Comments:**
- A sunlight and daylight analysis was not needed on the previous application, however, will consider the point raised.
- The house to the north east may be reduced to a bungalow. This will address shadow and improve the relationship with adjoining properties.
  
- **Planning Authority's Comments:**
- Shadow analysis concern was specifically raised in relation to the proposed house to the north east.
- If this is reduced to a bungalow that would be acceptable.

## 3. Transportation Issues, TTA, and Access

- **ABP Comments:**
- Access through Springvale is proposed as a pedestrian/cycle connection only. Applicant to consider setting out the transport rationale in relation to restricting this route for vehicles and consider extent of TTA assessment.

- **Prospective Applicant's Comments:**
- Inserting a new link road into the network via Springvale is a significant problem.
- This will impact on traffic distribution in the area, providing an alternative connection between the regional roads that people would use to avoid two sets of traffic lights, resulting in a rat run through this development.
- Cycle, pedestrian and emergency access is being provided for.
- The emergency access will have bollards that can be removed in the event of emergencies.
- **Planning Authority's Comments:**
- Request that a full vehicular access be provided through Springvale. This is not intended to be utilised as an alternative to main roads or as a main connection between two regional roads. The access from the application site would be narrower and not an equal access to the main access point from Stocking Lane. It is requested to be provided as an emergency/secondary access only, it is not being sought as a through-route connecting the 2 regional roads.
- The access through Springvale is intended as alternative route which would be used in the case of an emergency on surrounding road network, in the case of traffic being blocked due to an accident etc. It is not intended that it would be designed as a alternative to the access from Stocking Lane.
- The provision of two accesses to such a development would be in line with council policy.
- Access would be required at all times (no bollards) and for permeability.

#### 4. Ecology

- **ABP Comments:**
- Applicant to consider further the time lapse since surveys were undertaken for the Ecological Impact Assessment, in accordance with CIEEM guidance.
- **Prospective Applicant's Comments:**
- The timings for surveys will be checked
- **Planning Authority's Comments:**
- Concerned with a potential roosting site next to the proposed development.
- Welcome the proposal to reduce the amount trees being removed.
- Extra detail is needed for the MUGA and kick about area.
- Seek to incorporate SUD's feature.
- Submit a taken in charge drawing.

#### 5. Any other matters

- **ABP Comments:**
- No further comments

- **Prospective Applicant's Comments:**
- No further comments
  
- **Planning Authority's Comments:**
- Satisfied with the drainage
- Examine the location of the attenuation to the east of the site
- Detailed SUD's for the western catchment area, including planting.
- Have regard to other minor issues raised in the CE report.

## **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 [cgsdesignqa@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