



An
Bord
Pleanála

Record of Meeting ABP-310235-21

Case Reference / Description	172 no. residential units (150 no. houses, 22 no. apartments) and associated site works. Station Road, Portmarnock, in the Townlands of Portmarnock and Maynetown, Portmarnock, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	9 th July, 2021	Start Time	10.00 am
Location	Remotely via Microsoft Teams	End Time	11:30 am
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Elaine Power, Planning Inspector
Hannah Cullen, Executive Officer

Representing Planning Authority

Donal Kellegher, Quintain Ireland Limited
Niall O'Boyle, Quintain Ireland Limited
Stephen Little, Stephen Little and Associates
Michael O'Sullivan, Stephen Little and Associates
Jacques D'Arcy, BKD Architects
Jerome O'Brien, J.B. Barry and Partners Limited
Colman Horgan, J.B. Barry and Partners Limited
Thomas Martin, Brady Shipman Martin Planning & Landscape Specialists

Representing Prospective Applicant:

Sean Walsh, Senior Executive Planner
Kathy Tuck, Senior Executive Planner

Mark Finnegan, Parks Superintendent
Niall Thornton, Transportation Executive Engineer
Damien Cox, Executive Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and the Planning Authority (PA) via Microsoft Teams having regard to COVID-19 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, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 22nd June, 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 14th May, 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 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. Planning Context – Density and Phasing
2. Open space
3. Social Infrastructure – Childcare
4. Water Services
5. Transportation / Car Parking
6. Environmental Considerations
7. Any Other Matters

1. Planning Context – Density and Phasing

ABP Comments:

- Further information is required in relation to the calculation method of the density figure, having regard to previously permitted density of Phase 1C and the overall density of St. Marnocks Bay development.
- The proposed phasing in context with the phasing as set out in the LAP.
- Any material contravention of the local area plan must be addressed in a statement at application stage, this must also be advertised in the public notices prior to lodgement of an application.

Prospective Applicant's Comments:

- Density is in accordance with the outer safety zone for the airport.
- The density figures can be reviewed again prior to lodging any application to the Board.
- All material contraventions will be addressed

Planning Authority's Comments:

- The density proposals would be seen as appropriate given the location.
- The proposed phasing is acceptable

2. Open Space

ABP Comments:

- The applicant should ensure they address all comments raised by the report of the PA.
- Clarification is required regarding the quantum of open space to serve this development and open space provision for the overall LAP lands.
- Any further conversation to discuss technical details is also recommended between the applicant and the PA.

Prospective Applicant's Comments:

- The quantum of open space is fully compliant with the requirements of the LAP.

Planning Authority's Comments:

- Linear tracks and tree retention areas are not accepted as open space.
- For clarity Class 1 open space should be identified and quantified on a map at application stage

3. Social infrastructure - Childcare

ABP Comments:

- Having regard to, inter alia, the site's location in the outer safety zone for the airport and the limited uses permissible within this area, the application should address the cumulative impacts of the overall St. Marnocks Bay development lands on demand for childcare and school places.

Prospective Applicant's Comments:

- Lists of various creches and schools within the LAP including details of their capacity/availability of places can be supplied at application stage along with surrounding developments' facilities.
- The lands are zoned for residential use.

Planning Authority's Comments:

- Nothing additional to comment.

4. Water Services**ABP Comments:**

- The applicant should address all comments raised by the PA regarding the level of detail required for the Flood Risk Assessment.
- Clarification on the status of Irish Water infrastructural upgrades to accommodate the proposed wastewater network for the subject site and all lands within the LAP area.
- Clarification of the capacity of the temporary pump station and associated infrastructure currently serving wastewater from the previous phases of development.
- In the absence of IW infrastructure, consideration of long-term proposals to accommodate foul water network of the LAP lands is required. This should also be addressed in the EIAR.
- Consideration of long-term maintenance of any infrastructure that may be required.
- Clarification of surface water drainage network and potential impact on designated sites.
- Note previous concerns raised regarding the potential negative impact on aviation activities from the use of attenuation ponds which attract birds.

Prospective Applicant's Comments:

- The flood risk assessment can be reviewed and all detail and information will be provided
- The regional wetland is completed. All surface water drains via attenuation to the wetland and would not impact on any designated site. This is a consistent approach to all phases of development.
- A confirmation of feasibility has been received from IW dated October 2019, new documentation has since issued to IW, applicant is awaiting a response.
- An Environmental Impact Assessment Report (EIAR) will accompany the application.
- The attenuation ponds have been sized and constructed in line with the overall development. Consideration of levels / slope of ponds can be examined to ensure safety.
- The filter drains are not proposed to be exposed, examples of this will be included within the application.
- In relation to attenuation ponds and birds issue, it is noted that the subject lands are adjacent a SPA.

Planning Authority's Comments:

- Further details are required regarding the flood risk assessment. Technical details can be discussed and agreed with the PA prior to lodging an application.
- Concerns regarding the capacity of the temporary pump station to serve foul water from the LAP plans. Further clarification is required in this regard.
- Alternative pumping stations / arrangements should be considered so there is not sole reliance on IW infrastructural updates.
- Rationale for the use of filter drains, having regard to ponding issues in earlier phases of the development
- Risk assessment of attenuation areas and potential safety implications is required.

5. Transportation / Car Parking**ABP Comments:**

- Clarification regarding the new internal road which links to Moyne Road and the previously approved temporary haul road within the site.
- Clarification of upgrade works at Station Road / Drumnigh Road conditioned under Phase 1C.
- Traffic Impact Assessment needs to assess the cumulative impact of the overall development and be clearer regarding the impact of this stand-alone development as compared to the impact of what has already been approved and the existing situation.
- The TIA should be clear, evidence-based and robust.
- There is a lot of road works in the area, scope to clarify in a document what schemes the road works relate to and if they have any positive benefit to traffic movements generated by the proposed development.
- Clarify if there are any additional upgrades required on the surrounding road network.
- Other areas such as internal layout, road network, traffic calming measures and potential overspill car parking will need to be addressed further.

Prospective Applicant's Comments:

- The previously approved haul road is the same location as the proposed new internal road. However, they are to a different spec. The haul road would provide construction access for Phase 1C.
- Once constructed all phases of the development can access the LAP lands from Moyne Road.
- The applicant has engaged with the PA in relation to the upgrade of the signalised junction at Station Road / Drumnigh Road. Compliance has been submitted and it is envisioned that these works will be completed prior to the subject site being developed.
- Details can be provided in relation to the wider context and an estimation of the completion of such works can be included to try and create a timeline.
- Goal is to minimise raised elements; traffic calming can be further explored.
- Phase 1A had a different parking provision which is lower than the current proposed 2 per unit.
- Local facilities are proposed to be delivered within 6-8 months. Having regard to the mixed-use nature of these units it is hoped that it would reduce car ownership, which is currently high in Phase 1A.

Planning Authority's Comments:

- Engaged with the applicant on the upgrading of the Station Road / Drumnigh junction, currently down to the costing details.
- Majority of the road works are taking place is Dublin City Council lands.
- Residential overspill parking is a serious issue in this area.

6. Environmental Considerations**ABP Comments:**

- The cumulative impacts of the overall LAP area should be addressed in the Appropriate Assessment and EIAR.

Prospective Applicant's Comments:

- All relevant topics will be addressed within the documentation submitted.
- A Natura Impact Statement will be submitted at application stage.

Planning Authority's Comments:

- Nothing further to add.

7. Any Other Business**ABP Comments:**

- Ensure correlation between all documentation and consistency between reports submitted at application stage.

Prospective Applicant's Comments:

- Comments noted, nothing further to add.

Planning Authority's Comments:

- No further comments, the applicant should ensure all concerns raised in the PA report have been addressed at application stage.

- **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
- The Board will shortly be making online submissions available on SHD applications. Please note that new public notices will be available on the Board's website once the online submissions web portal goes live. Please ensure you refer to the Board's website for the most up to date forms and public notices when preparing to lodge your application.

Tom Rabbette
Assistant Director of Planning
August 2021