



An  
Bord  
Pleanála

## Record of Meeting ABP-310247-21

<b>Case Reference / Description</b>	136 no. units (100 no. houses, 36 no. apartments) and associated works. Ballinderry Road, Mullingar, Co. Westmeath.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	29 <sup>th</sup> September 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:20 am
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Helen Keane

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Una O'Neill, Senior Planning Inspector
Helen Keane, Executive Officer

### Representing Prospective Applicant:

Jill Horan, Applicant, Steinfert Investment Fund
Bronagh Clarke, Stephen Ward Town Planning Consultants Limited
Jelli Monilla, Coughlan & Associates
Patrick Coughlan, Coughlan & Associates
Linda Doyle, Doyle O'Troithigh Landscape Architecture Limited
Conor Daly, Conor Daly
Alan Lipscombe, A. Lipscombe Traffic & Transport Consultants

### Representing Planning Authority

Cathaldus Hartin, Senior Planner
Paula Hanlon, Senior Executive Planner
Jonathan Deane, Senior Engineer Environment Dept.

Alan Kelly, Senior Executive Engineer Roads & Transport Dept
Sean Reilly, AE Municipal District Mullingar Kinnegad
Alan O'Neill, Chief Fire Officer
Antonia Smyth, Senior Executive Officer Housing Dept.
Barry Kehoe, Director of Services Planning & Transportation

## 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 14<sup>th</sup> June 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 17<sup>th</sup> May 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 Strategy – street layout and design; open space strategy; phasing of delivery of avenue
2. Design and Public Realm – character areas; passive surveillance
3. Residential Amenity
4. Surface Water Management and Flood Risk Assessment
5. Transportation Issues
6. Any Other Matters

## **1. Development Strategy – street layout and design; open space strategy; phasing of delivery of avenue**

### **ABP Comments:**

In relation to Development Strategy, ABP representatives sought further elaboration/discussion/consideration in relation to the following:

- Boundary with Ballinderry Road – question over ownership of 70m section of road frontage with Ballinderry Road and impact of this on creation of an urban edge; implications on future development potential of this zoned strip of land given layout of the development.
- Elaborate on proposal not to underground the 38kv powerline.
- ‘New Avenue’ Link Street – consideration of its function and horizontal alignment with regard to DMURS and against location of the central open space; Link Street width and design, including cyclepath design options of on street, raised, segregated from road, or on one side only; proposal for chicanes/speed ramps not supported by DMURS; provision for pedestrian crossing selection to be considered; location of verges, parallel car parking and cyclepath; consideration of cyclepath design against National Cycle Manual and DMURS; footpath missing along section of OS along the link street; link street should be developed up to the boundary of the site to the west.
- Pedestrian link west into neighbouring land and issues of passive surveillance and legibility of this connection in the streetscape. Consideration of context of neighbouring site.
- Open Space Strategy, including location of open space areas; consideration of scale of open space at northern boundary and utilising changes to topography in the location and design of this open space; extent of overlooking onto southeast open space; extent of overlooking on northern side of central open space; opportunity to maximise number of units orientated towards and with direct access to open spaces across the site.
- EclA not undertaken.
- Proposed topographical changes, level of alteration of levels/is development working with the levels, and consideration against levels on neighbouring lands.

### **Prospective Applicant’s Comments:**

- The 70m section of road frontage with Ballinderry Road is not in the ownership of the prospective applicant. Unsuccessful attempts have been made to purchase it.
- There is an opportunity to have an S-shaped bend through the proposed development.
- It is proposed that the Ballinderry Road is extended to the western boundary in order to avoid the creation of a ransom strip.
- The entrance to the proposed development is maximised.
- The prospective applicant can obtain further details on development plans for the lands to the west of the proposed development.

### **Planning Authority’s Comments:**

- The LAP was extended by 5 years to 2025.
- The PA is currently preparing the urban area plan for Athlone and the LAP for Mullingar.

- The PA has a preference for a strong streetscape on the Ballinderry Road.
- The PA has a long-term vision for the urban expansion of the area.
- The PA advises the prospective applicant to provide a 2-metre cycle track.

## **2. Design and Public Realm – character areas; passive surveillance**

### **ABP Comments:**

In relation to Design and Public Realm, ABP representatives sought further elaboration/discussion/consideration in relation to the following:

- Character Areas and their further refinement to include different house designs, including potential for full three storey design for duplex units, in place of proposed 2 storey plus dormer/attic level).
- Design of buildings at the entrance into the development should provide for strong active urban edges and a contemporary design.
- Duplexes at southwestern boundary should address the new Link Street.
- Orientation of apartments to the north of the central open space – potential to improve overlooking and activity at this edge, issues of security and safety having regard to public realm, rear garden boundary walls, bin storage area, alley to north side of units.

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

- The prospective applicant aims to create a sense of space and to enhance the adjoining existing open space.
- The hedgerow would be tightened in order that more open space is available.

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

- The open space provision is compliant but the PA has concerns in relation to its configuration and usability.
- Have consideration for the layout within phase 6 of the southwest corner of the site.

## **3. Residential Amenity**

### **ABP Comments:**

In relation to Residential Amenity, ABP representatives sought further elaboration/discussion/consideration in relation to the following:

- Sunlight-daylight analysis required in accordance with Building Height Guidelines and Apartment Guidelines.
- Cross section of site to include dwelling 74 to the north on the adjoining site.
- Bin location for duplexes 130-136 and impact on adjoining residential amenity.

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

- The prospective applicant seeks to protect the residential amenity of number 83.

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

- Refer to section 4.7 of the PA's report.

#### **4. Surface Water Management and Flood Risk Assessment**

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

In relation to Surface Water Management and Flood Risk, ABP representatives sought further elaboration/discussion/consideration in relation to the following:

- SuDS - examine incorporation of more nature based solutions alongside engineered solutions.
- Have regard to development plan policy, in particular CPO 10.105 Have regard to the "Guidelines for Planning Authorities on the Planning System and Flood Risk Management" (DoEHLG/OPW 2009) and Circular PL2/2014, through the use of the sequential approach and application of the Justification Tests in Development Management; and CPO 10.119 Require that planning applications are accompanied by a comprehensive SUDs assessment that addresses run-off quantity, run-off quality and its impact on the existing habitat and water quality.
- Clarify on drawings where surface water ditch is located.
- Clarify characteristics of the soil on site and infiltration rates.
- Consideration of level changes proposed on ground water.
- Consideration of pluvial flooding in submitted assessment.
- Environmental Considerations – AA to be clear and robust in its assessment.
- IW submission in relation to wastewater.
- Submitted engineering report to elaborate on where wastewater is treated, PE arising, capacity of treatment, and where it discharges to.

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

- The prospective applicant will have further consideration for the pluvial flooding.
- Will prepare a more specific addendum to the report on SUDs compliance.
- Discussions with Irish Water are ongoing.

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

- The PA prefers if attenuation tanks are not used as they are difficult to maintain.

#### **5. Transportation Issues**

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

In relation to Transportation, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Strategic function of The Avenue and its role under DMURS as a link street.
  - CPO16.35 of the development plan and transportation assessments to be submitted with an application.
- ##### **Prospective Applicant's Comments:**
- There are currently no issues with the phasing, but the prospective applicant will further consider same after consideration of the open space requirement.

- The prospective applicant seeks to have no gaps in development. Delivery of the proposed development will be over several months.
- Can have further discussions with the PA in relation to the phasing.
- Have taken the PA's views on board regarding connectivity for pedestrians.
- Proposing to extend the footpath from the proposed development to the town. This is not included in the redline boundary.
- **Planning Authority's Comments:**
- Further information is required on the phasing of the avenue.
- Have consideration for a mobility management plan.
- Refer to the PA's report.

## **6. Any other matters**

- **ABP Comments:**
- EIAR screening required, which should include compliance with article 299B of the Regulations.
- Address requirement for a childcare facility.

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

- The prospective applicant does not envisage any Material Contraventions.
- Will have consideration for article 299B of the Regulations.
- Have consulted with Westmeath Childcare Committee.

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

- The prospective applicant has not made any provision for a creche and should provide a justification for same.

## 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](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  
October, 2021