



An  
Bord  
Pleanála

## Record of Meeting ABP-310520-21

<b>Case Reference / Description</b>	115 no. residential units (56 no. houses and 59 no. apartments), and associated site works. Muirhevnamore, Dundalk, Co. Louth.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	22 <sup>nd</sup> September 2021	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:00 am
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Helen Keane

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Daire McDevitt, Planning Inspector
Helen Keane, Executive Officer

### Representing Prospective Applicant:

Brian Fahy, VHA Architects
Barry McGinty, VHA Architects
James O Donnell, Planning Consultancy
Anthony Mulligan, Tobin Consulting Engineers
Patrick Fanning, Tobin Consulting Engineers

### Representing Planning Authority

Joanna Kelly, Senior Planner
Emer O'Callaghan, Senior Executive Planner
Bernadette McArdle, Acting Senior Executive Engineer, Infrastructure

## **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 22<sup>nd</sup> September 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 16<sup>th</sup> June 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 with particular reference to open space and boundary treatment.
2. Childcare
3. Traffic/connectivity/permeability.
4. Issues raised by Irish Water.
5. Flooding
6. Any Other Matters

## 1. Development Strategy with particular reference to open space and boundary treatment.

### • **ABP Comments:**

- Justification and rationale for the development strategy with particular reference to open space, boundary treatment and interface with adjoining uses.
- Response to issues raised in the Planning Authority's Opinion.
- Provide cross-sections at application stage which show relationship with adjoining lands/developments.
- Details of raising of levels and cross-sections required.
- Have regard to residential amenities and prospective occupiers of apartments regarding proposed boundary treatment of private amenity spaces.

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

- The proposed development site is divided in two by an existing road. The 2-storey houses adjoin the northern and western boundary, and the apartment blocks are located to the south of the site.
- A play area is to be located beside the three apartment blocks.
- Open space comprises 15% of the proposed development site, thus it is compliant with the requirements.
- There will be connectivity from the open space to the public footpath along the inner relief road.
- There are some level issues for drainage.
- The prospective applicant has engaged with Creative Spark regarding the boundary, this will be developed further, and they will engage with them regarding the proposed development.

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

- The PA has concerns in relation to the functionality of the open space and further details are required.
- Creative Spark raised concerns regarding the carparking arrangements.
- A visual link between the two sites would be more beneficial than a boundary treatment.
- Detailing in terms of fencing is required at application stage.
- Liaise with Creative Spark before lodging the application.
- Address the boundary treatment issue.

## 2. Childcare

### • **ABP Comments:**

- Justification/rationale for not providing a childcare facility.

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

- There are 11 childcare facilities within a 3-kilometre radius of the site.

- The prospective applicant has consulted the most recent census. Under 4s account for only 8% of the area.
- Can liaise further with the childcare committee.
- **Planning Authority's Comments:**
- The PA acknowledges that the proposed development site is in an area that is well-serviced by creches.
- Further justification is required in relation to the childcare provision.
- The proposed development site is in close proximity to primary schools.
- Further liaison with the childcare committee is required prior to lodging the application.

### 3. Traffic/connectivity/permeability.

- **ABP Comments:**
- Details of connections to adjoining lands, local education and employment (in particular pedestrian and cycle linkages)
- Permeability through the site.
- Address any outstanding technical issues before the application is lodged.
- Have regard to Design Manual for Urban Roads and Streets (DMURS).
- Provide further detail on the sustainable modes that will be accommodated.
- **Prospective Applicant's Comments:**
- The main traffic access into the proposed development site is from the north.
- The traffic report shows what the additional traffic numbers would be.
- **Planning Authority's Comments:**
- The proposed development is restricted in terms of the main entrance.
- The pedestrian link is an important link to the town bus service.
- The cycle link to the N52 is important. The gradient is to be at an appropriate level.
- The PA is reasonably happy with what is proposed.

### 4. Issues raised by Irish Water.

- **ABP Comments:**
- The prospective applicant is to liaise with Irish Water prior to lodging the application and address matters raised in the IW submission.
- **Prospective Applicant's Comments:**
- The prospective applicant is liaising with Irish Water to get a revised letter.
- **Planning Authority's Comments:**
- No further comments.

## 5. Flooding

- **ABP Comments:**

- Address issues raised by Infrastructure Section in the PA Opinion
- Liaise with the PA prior to lodging the application. Outstanding matters to be addressed prior to any application being lodged.
- There is no recourse for further information at application stage.
- Assess potential flood risk outside the site arising from the proposed development
- The flooding issues will influence other aspects of the proposed development.

- **Prospective Applicant's Comments:**

- Will take the PA's comments into consideration. There is flooding beyond the proposed development site.
- Have submitted a Flood Risk Assessment as part of the pre-application documentation.
- Will have as many measures as possible to slow down what is going into the pipeline.
- Will review the Appropriate Assessment screening following further liaison with the PA regarding surface water and flooding downstream of site.

- **Planning Authority's Comments:**

- The PA have concerns regarding flooding issues downstream of the proposed development (tidal related).
- Seeks to ensure that no additional water is added to the network in such circumstances.
- Can liaise further with the prospective applicant.
- The prospective applicant should address the potential downstream impacts.

## 6. Any other matters

- **ABP Comments:**

- The prospective applicant should ensure all documentation correlates at application stage, for example, documentation and information should be coordinated in relation to such potentially connected matters as s.w. drainage, flooding consideration, landscaping, AA.
- Address any outstanding technical issues.
- Have regard to, inter alia, all requirements of article 299B of the Regulations in relation to EIA screening.
- Have regard to the new draft development plan as well as the current development plan.
- Address any daylight and sunlight issues.

- **Prospective Applicant's Comments:**

- Will liaise further with the prospective applicant on childcare.

- **Planning Authority's Comments:**
- Can liaise further with the prospective applicant on childcare.
- The PA is satisfied that there are no material contravention issues regarding the current County Development Plan
- The prospective applicant should have regard to the new draft development plan which is due to be adopted in November and satisfy themselves that they comply with 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).

---

Tom Rabbette  
Assistant Director of Planning  
September, 2021