



Case Reference / Description	108 no. residential units (68 no. houses, 40 no. apartments) and associated site works. Waller's Lot, Clonmel Road, Cashel, Co. Tipperary.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	1 st November, 2021	Start Time	2:30 pm
Location	Via Microsoft Teams	End Time	3:45 pm
Chairperson	Stephen O'Sullivan	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

John Downey, Downey Planning
Donna Ryan, Downey Planning
Sandy Williams, Downey Planning
Joe McCallion, Downey Planning
James Flynn, J. Osoina Ltd.
Deirdre Ryan, OCSC Consulting Engineers
Patrick Raggett, OCSC Consulting Engineers
Declan Byrne, J. Osoina Ltd.

Representing Planning Authority

Paddy Crowley, Senior Executive Engineer
John Fitzgerald, Acting Senior Staff Officer
Will Power, Executive Engineer
John Fogarty, Executive Engineer

Lauren Butler Ryan, A/Assistant Planner

Caroline Conway, Senior 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 **6th 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 **9th August, 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. Compliance with Cashel & Environs Development Plan 2009, as varied.

- Principle of development of Phase 2 lands.
- Justification test
- Mat Con Issues – Zoning & Density
- Development Impact Assessment

2. Design and Layout

3. Transportation & Connectivity

4. Open Space and Landscaping

5. Issues Raised in the CE Report

6. Any Other Business

1. Compliance with Cashel & Environs Development Plan 2009, as varied

ABP Comments:

- Timeframe for the masterplan.
- Further justification to be submitted by the applicant to satisfy comments raised by the PA.
- Justification for principle of putting open space, serving the residential use, on lands zoned to 'provide for industrial and employment and related uses.'
- Justification of locating public open space on lands identified under specific local objective 9 of the Coopers Lot Masterplan for expansion of the GAA facility.
- Further elaboration and clarification in relation to specific objectives of the Masterplan being adhered to.
- Further justification for development of Phase 2 lands. There is a requirement to carry out a justification test and Development Impact Assessment (DIA).

Prospective Applicant's Comments:

- There are 3 zonings on the site. It is proposed to remove the industrial zoned lands from the proposed development. 15.5% open space would still be proposed.
- GAA are in the process of looking at alternative lands for their proposed extension which will not be on the proposed development lands.
- It was not proposed to submit a Masterplan however this can be investigated further.

Planning Authority's Comments:

- Comments will only be given in relation to the proposals submitted at part as the pre-application.
- Masterplan for the overall lands are very clear. Sets out phasing, primary access and extension of the GAA facility.
- Development Impact Assessment and Justification test must be carried out and stack up.
- The PA are not aware of any proposals or agreements by the GAA not to extend in this location.
- The layout as proposed conflicts with the specific objectives that the development plan says that a Masterplan should provide, in particular density requires justification, location of open space on employment zoned lands and conflict with objective 9 extension to the GAA facility.
- No issue per se with density.
- Acknowledge cultural impact assessment submitted.
- A masterplan has not been submitted by the developer.
- The County Development Plan is under review, hope to have adopted by next year.

2. Design and Layout

ABP Comments:

- The Board can only comment on the proposals submitted.
- Any statement submitted at application stage should be specific to DMURS and should demonstrate compliance with its actual provisions, including section 4.3.3 in relation to roundabouts
- Moving the access to the site further east along the Clonmel Road and further from the town centre might have implications for sequential approach to development.
- Justification test to address that the overall amount of development proposed within Cashel is in accordance with national guidelines.
- With respect to density proposed, regard is had that Cashel, is a 'District Town' with a population between 1,500 and 5,000 and the provisions of section chapter 6 of the sustainable urban residential guidelines, 2009, should be observed.
- Connectivity, linking pedestrian and cycle access are all critical to the extension of a built-up area. The site is zoned as part of the town and its access and layout should reflect this fact rather than its current rural situation
- Regard needs to be had to the statutory plan review, in any application submitted to the Board, as the plan that is in place at the time of decision is the relevant plan.

Prospective Applicant's Comments:

- The central spine road has been created in a curved design to reduce linear concerns.
- Would not envisage there being major change in the layout/design if the zoned lands are removed as proposed.
- A DMURS statement will be submitted.
- It is the applicants preference to seek a change to speed limits and this will be pursued further.
- Have carried out speed surveys and sensitivity surveys and can demonstrate that the proposed design is suitable.
- Propose a new pedestrian crossing across the main road, further discussion will be sought with the PA.
- The layout proposed seeks to have regard to the Masterplan lands and not prejudice future development

Planning Authority's Comments:

- Don't have an issue with density or mix proposed.
- Confusion in relation to some units housing 6 or 7 people, however it is acknowledged it meets the relevant standards.
- Not in favour of the use of cul-de-sacs, as they do not promote permeability and connectivity.
- Lack of individual character areas within the scheme.
- Separation distances not meeting standards in relation to opposing 2nd floor windows.
- Land use zoning appears to have dictated the developments layout, open space proposed is not close to units or useable.
- Concern the main entrance to the site it in an 80km road speed zone.
- A DMURS compliance statement is required.

- Details are to be provided at application stage in relation to pedestrian crossings and traffic calming measures.
- The traffic assessment must take account of the tourist traffic to the Rock of Cashel and also covid figures, the junction has to be appropriate for coaches and tourism related traffic.
- More consideration of road crossings within the development itself. Raised tables needed, connectivity to open spaces, traffic calming.
- Offline meeting will be facilitated to discuss connectivity.
- Discrepancies in some of the drawings, with regard to footpath / road widths.

3. Transportation and Connectivity

ABP Comments:

- Transportation and connectivity issues were discussed in full under the foregoing Item 2 of the agenda.

4. Open Space and Landscaping

ABP Comments:

- Ensure all PA concerns raised are addressed at application stage, put all justifications forward in relation to the location of the open space.

Prospective Applicant's Comments:

- A 1.4-meter-high stone pillar wall is proposed to fit in with the area.
- Lots of native trees proposed, grass verges 2.5m in width with whip planting.
- Permeable paving, buff coloured paving, gravel and pebble.
- The courtyard is a private space but will be designed to be accessible.
- Play equipment and exercise equipment will be incorporated into the development.

Planning Authority's Comments:

- Concerns in relation to the location of the open space have been fully detailed in the PA report submitted to the ABP which should be addressed at application stage.
- Table 9.5 of the Development Plan makes reference to the different type of facilities to be incorporated in the area.

5. Issues Raised in the CE Report

ABP Comments:

- Technical details should be discussed further offline between the PA and the applicant prior to an application being submitted to the Board.
- Further clarity in respect of water supply and wastewater upgrades required.

Prospective Applicant's Comments:

- Have received a Confirmation of Feasibility Letter from Irish Water.

- Permeable paving to a gravity system is proposed for wastewater, these details are being discussed with Irish Water.
- With respect to surface water the applicant has met with the PA and have discussed concerns of discharge to the swallow hole. It is the applicants preference to discharge to the road – public system.

Planning Authority’s Comments:

- IW have responded and are looking for an upgrade of 100mm to 150 mm in water main and 400m extension for waste water.
- Applicant has to design storm water system in agreement with the PA. given the gravity it is problematic to connect to the public system on the roadway. A pump system is not ideal
- The PA are not sure if there is capacity in the public sewer, or whether the discharge of surface water runoff to groundwater is feasible. This needs to be further assessed.
- Increase in the size of the watermain is sought.

6. Any Other Business

ABP Comments:

- Ensure there is consistency throughout the varying reports, drawings and other documentation submitted as part of an application to the Board.
- The applicant should be cognisant in particular to smaller scale developments the ongoing maintenance burden to residents.

Prospective Applicant’s Comments:

- Part V details can be discussed further with the PA.

Planning Authority’s Comments:

- Part V units appear to be grouped together in one area in 1 block, costings submitted to ABP have not been previously viewed by the PA and are not agreed.
- PA would prefer Part V units pepper potted throughout the scheme.
- Happy to have further discussion on Part V proposal offline.

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.

Stephen O'Sullivan
Assistant Director of Planning
November, 2021