



Case Reference / Description	167 no. residential units (45 no. houses, 122 no. apartments), creche and associated site works. Lands to the south of Condell Road, R527, Clonmacken, Co. Limerick.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	12 th November, 2021	Start Time	2:30 pm
Location	Via Microsoft Teams	End Time	3:50 pm
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Colm Ryan, MKO
Tony Cawley, Hydro Engineering
Keith Mitchell, Cunnane Stratton Reynolds
Alan Lipscombe, Traffic and Transport Consultants
Joe Murphy, Grangechurch Limited
Aileen Divilly, Grangechurch Limited
Arnold Leahy, Arnold Leahy Architects
Pat O'Brien, EOB Management Services
Aine Bourke, MKO

Representing Planning Authority

Donogh O'Donoghue, Senior Executive Engineer
Jennifer McNulty, Executive Planner
Seamus O'Reilly, Senior Executive Engineer

Brendan Kidney, Senior Executive Engineer
Aine Leland, Assistant Planner
Aidan Finn, Senior Executive Engineer
Darragh J Ryan, Executive Engineer

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 **23rd 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 **13th 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. Land Use zoning and Principle of Development**
- 2. Access and Parking**
- 3. Drainage and Flooding Issues**
- 4. Design and Layout, Trees, Residential amenity**
- 5. Any Other Business**

1. Land Use zoning and principle of development

ABP Comments:

- Currently zoned primarily for residential use but the draft Development Plan proposes changes to zonings in this area.
- Need to demonstrate compliance with the zoning objectives and the definition of Strategic Housing Development set out in section 3 of the Act.
- Particular regard should be had to the route of the access road.
- The relevant plan is that in place at the time of the Board making its decision on the application.

Prospective Applicant's Comments:

- Cognisant of zoning on lands.
- Comments regarding the zoning and public open space are noted.

Planning Authority's Comments:

- The development plan is currently at draft stage, due to submit CE Report to elected members end of November, final adoption date looking like May 2022.

2. Access and Parking

ABP Comments:

- Clarity sought in relation to ownership of Clonmacken Lane and the nature of the wayleave along the proposed access route identified in the application.
- Concern in relation to the route of the access road traversing lands zoned as public open space, which would appear to contravene the zoning objective.
- Clarity sought on proposals for improvements to bus/public transport in this area and the need for any entrance to accommodate such upgrades.
- The capacity of the Part 8 development to accommodate access to the subject site with or without modification.

Prospective Applicant's Comments:

- Clonmacken Lane is a public road. The wayleave refers to lands owned by PA across which the prospective applicants have a wayleave
- The proposed access arrangements / route is by instruction of the planning authority, having regard to a previous planning decision.
- The access road is substantially complete.
- Lands on the opposite side of Condell Road are owned by a third party.
- Further consultation will be organised with the PA and a road safety audit will be prepared.
- The Part 8 development and the site to the northeast do not achieve a consolidated entrance arrangement.
- Access through the Part 8 site could be achieved.

Planning Authority's Comments:

- Looking for any access to be confined to one location to reduce number of junctions along Clondell Road.

- Planning permission for the proposed entrance has expired and development on the opposite side of the Condell Road no longer requires use of this junction.
- The planning authority do not favour the proposed entrance arrangement.
- There are proposals for new Bus Connects infrastructure along the Condell Road as part of the Limerick Shannon Metropolitan Area Transport Strategy (LSMATS).
- Access through the Part 8 site could be achieved.
- This approach makes sense given the limited amount of development in this area and the flood zone traversed by the proposed access road.

3. Drainage and Flooding Issues

ABP Comments:

- Confirmation as to whether there is agreement on the basis for the assessment of flood risk and the extent of flood zones.
- Clarity sought in relation to the River Shannon embankments in terms of maintenance.
- Clarity sought in relation to the surface water drainage proposals and the functioning of the proposed surface attenuation area given the varying water levels in the area.
- IW submission identifies a need for network extensions and works on 3rd party lands.

Prospective Applicant's Comments:

- CFRAM is not the best guide with particular regard to the Limerick area. The Irish Coastal Study provides for reduced water levels.
- The 2010 Development Plan post-dated the Flood Risk Management Guidelines.
- The majority of site is within flood zone C, with very little of the site outside that zone.
- Large parts of the City are defended and the SSFRA conservatively assumes that there is no embankment in place. No breach is therefore modelled.
- The same modelling nodes have been used for CFRAM and applicant's own assessment of flood risk.
- SUDS measures will be implemented for the development.
- Surface water management options for the site include a lagoon or wetland area.
- There is a watermain to the northwest of the site which is not referenced by Irish Water which can provide a connection to the site.
- IW have issued a COF and it is proposed request consent to connect to the foul sewer through PA lands.
- Due to poor ground conditions in this area, raised ground along the route of the access road provides for access to the main drainage interceptor sewer to the south.

Planning Authority's Comments:

- The revised zoning under the Draft Development Plan is informed by CFRAMS.
- The 2010 City Development Plan was adopted with the Flood Risk Management Guidelines being fully adopted.
- Not a huge difference between the predicted flood zone levels.
- Embankments are under OPW maintenance. A review of embankments is being undertaken as part of the City Flood Relief Scheme.
- Welcome the inclusion of SUDS measures which would improve surface water management, however, a lot more detail is required.

4. Design and Layout, Trees, Residential amenity

ABP Comments:

- Flagging the extent of surface car parking particularly in centre of the site.
- Clarification sought regarding PA references to works to former garden walls of Clonmacken House.
- Query regarding the level of open space and recreational amenity.

Prospective Applicant's Comments:

- Potential reductions in car parking will be examined. There may be scope to include spaces at basement level.
- Mature trees and walls are to be retained to enhance the open space.

Planning Authority's Comments:

- Satisfied with layout, design and the different units proposed.
- Greater emphasis on connectivity for pedestrians and cyclists is required. The long access road how will the linkages work through the site is a concern and to the desire lines.
- Connection through the Part 8 site to the Condell Road cycle and footpath should be examined.
- There is an opportunity to further extend retention and works to garden walls across the site.
- The development is considered to achieve the requirements of the recreational matrix set out in Table 10.1 of the development plan.

5. Any Other Business

ABP Comments:

- The applicant needs to demonstrate how the plans meet the requirements of the development plan / land use matrix, including access and surface water management infrastructure.

Prospective Applicant's Comments:

- SuDS measures will be explored further and details included at application stage.

Planning Authority's Comments:

- There is scope to relocate the proposed attenuation tank to a more appropriate area.

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.

Tom Rabbette
Assistant Director of Planning
November, 2021