



An
Bord
Pleanála

Record of Meeting ABP-311382-21 ABP-311438-21

Case Reference / Description	ABP-311382-21 - Demolition of agricultural sheds and structures, construction of 184 no. apartments, creche and associated site works. Bessborough, Ballinure, Blackrock, Co. Cork. ABP-311438-21 - 283 no. apartments, creche and associated site works. Bessborough, Ballinure, Blackrock, Co. Cork.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	23 rd November, 2021	Start Time	2:30 pm
Location	Via Microsoft Teams	End Time	4:40 pm
Chairperson	Stephen O'Sullivan	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Glen Barry, ShipseyBarry Architects
Ilsa Rutgers, I Rutgers Landscape Design
Ken Manley, MHL Consulting Engineer
John Cronin, John Cronin & Associates
Craig van Deventer, DK Partnership
Tim Finn, JB Barrys
Richard Barker, Macroworks
Liam Ormond, Estuary View Enterprises
Harry Walsh, HW Planning
Conor Frehill, HW Planning

Representing Planning Authority

Eoin Cullinane, Assistant Planner
Fiona Redmond, Senior Planner
Simon Lyons, Senior Executive Engineer
Tony Duggan, City Architect
Gary Smith, Engineer
Gillian Tyrrell, Assistant Planner
Ciara Brett, City Archaeologist
Liam Casey, Parks Superintendent
Adrienne Rodgers, Director of Services

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 submissions from the PA on **11th October, 2021 (311382) and 15th October, 2021 (311438)** providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinions 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 applications.
- 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 letters dated **14th September, 2021 (311382) and 21st September, 2021 (311438)** 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. **Principle of Development**
 - Land use objectives
 - Landscape and conservation objectives.
 - Planning history and legacy issues
2. **Development strategy, design and layout.**
3. **Residential amenity – daylight and sunlight, aspect, development plan standards**
4. **Transportation, access and parking**
5. **Drainage**
6. **Any Other Business**

Items 1 and 2 were dealt with together

1. **Principle of Development**
2. **Development Strategy, design and layout**

ABP Comments:

- Clarify the nature and the basis for the consultations undertaken with survivors' groups.
- Further details required in relation to the recommended monitoring of site works - if a discovery is made what are the next steps, recommendations and mitigation measures.
- Address the designation of the lands as an Area of High Landscape Value and potential impacts on the setting of the protected structure, due to the height and massing of development.
- Address the need for a masterplan or overall development strategy for the lands given there are 2 separate applications on the same landholding.
- Address whether residential use is permissible within a Landscape Preservation Zone and whether there is any issue of material contravention of provisions of the plan other than the zoning objectives
- Address severance of the relationship between the original house and its demesne lands.

Prospective Applicant's Comments:

- The CSSA were the most prominent grouping in the previous planning case and oral hearing, and brought evidence of historic mapping.
- There have been 3-4 meetings with the CSSA, who raise no objections in principle to the proposed developments. Their focus would be on the area to the north of the folly.
- As the context of the lands are different from the previous application there is lesser risk involved. Neither site is regarded as being of concern.
- Note that permission for ref. ABP-309560-21 did not refer to the presence of burials.
- Monitoring and independent testing will take place, a forensic archaeologist and osteologist will be working alongside the proposals and can provide commentary at application stage.
- Further work on developing a methodology in this regard is underway.
- Dependent on the opinions issued by the board, there may be scope to amalgamate the 2 pre-application developments in one application / masterplan.

- A masterplan has been prepared and the design statement can be expanded at application stage to reflect this.
- There will be 1 EIAR prepared for the overall project, the meadows are more advanced while the farm contains more conservation sensitivities.

311438

- Archaeological testing was undertaken in Meadows resulting in no findings.
- In the previous SHD case ABP-308790-20, the inspector identified no significant landscape visual concerns, noting the proposals would be in line with the height and scale of the area.
- The proposals are informed by the existing geometries on the site of Bessboro House.
- This is gateway scheme to enable further development within the area.
- The buildings have been arranged with the higher elements North and East to reduce impacts to Bessboro House.
- Building heights will be considered as a potential Material Contravention.
- Buildings A + D flagged by the PA are deemed appropriate for the location and work within the scheme.

311382

- The Farm is not dependent on the Phase 1 Meadows development.
- The bulk of the site is within Bessboro House landscape preservation zone. These lands are not currently accessible and will be opened up to the public.
- The prescriptive objectives of the development plan have informed the development.
- The proposals recognise the former open space nature of the area.
- The visual connection between the house and grounds was historically severed by trees. Later planting was contrary to the original design intent.
- There are routes through the private amenity spaces which might be more clearly identified.

Planning Authority's Comments:

- If the two applications are pursued separately, it is important that they are coordinated in terms of timing, TTA, baseline studies and permeability to the greenway.
- An overall masterplan could address densities across the lands. The draft development plan provides for +/- 100 units / ha in this area.

311438

- Further consideration should be given to the impacts of the 7-storey building on the setting of the protected structure.
- Further rationale for the heights proposed to be provided and it should consider any possible effects on high landscape value area.
- The density is slightly excessive at the Meadows Site, if the height of blocks A + D were reduced the overall density would be reduced and could be more acceptable.
- The design and layout is generally satisfactory

311382

- The Planning Policy Section regard the use as permissible.
- A key aspect of the SE4 zone is the grouping of trees and tree canopy. There are proposals for the removal of a number of trees to facilitate block A.
- Development plan reference to permissible development to the immediate north of the protected structure is not clear or defined.

- There are large areas of private residential amenity space to the north of the protected structure which will sever the lands.
- There is scope for building A to be omitted and the re-orientation of the remaining buildings which would assist in creating an edge to the park.

3. Residential Amenity – daylight and sunlight, aspect, development plan standards

ABP Comments:

- Clarity sought in relation to the status of the draft development plan and compliance with the development management standards of the current plan.
- Rationale for the level of dual aspect apartment provision.
- Compliance with BRE daylighting guidance and the level of analysis submitted.
- Further assessment of the studio ground floor units sought.
- Greater clarity / legibility in the plans and drawings submitted sought.
- Consider the viability of childcare proposed between the 2 schemes and the scope to address this as part of the overall masterplan.

Prospective Applicant's Comments:

- Cognisant of the timeframes of draft plan.
- Dual aspect provision currently at 43% can be looked at further. There is a precedent for sub-50% provision at Jacob's Island.
- Ground and first floor units are proposed to be assessed for compliance.
- Further detail and sections of the studio units will be provided.
- Further consideration will be given to provision of childcare, cognisant of compliance issues.

Planning Authority's Comments:

- The chief executives report is being prepared in relation to the draft plan with an expectation that it will be adopted in c. June 2022.

4. Transportation, access and parking

ABP Comments:

- Absence of detail in the transport assessment.
- Further detail required link access to greenway, can it be achieved independently.
- Clarify the nature of any works to the original gateway and entrance avenue.

Prospective Applicant's Comments:

- The engagement with the PA has been very clear.
- The parking ratio complies with their requirements and all issues raised can be addressed at application stage.
- Further discussion required on the bridge crossing and letter of consent.

311382

- Independent access from the Farm site to the greenway is not possible.

- The nature of any required works to the entrance avenue and original gateway remains to be determined.

Planning Authority's Comments:

- The parking ratio works out at c. 0.35 spaces per unit. Without a full traffic & transport assessment, it is hard to know if the ratio will work on this site. The figure proposed is in the region of what would be sought.
- The importance of permeability and accessibility is a key element, details in relation to distances and desire routes to be submitted.

311438

- The most desirable route to the greenway would be through the Meadow Site. Other options are not attractive.

5. Drainage

ABP Comments:

- Clarification in relation to status of works identified in IW submission.

Prospective Applicant's Comments:

- There has been a number of discussions with IW. Upgrades are required to pumps with full information to be submitted at application stage.
- Satisfied that the works will not require further statutory process.

Planning Authority's Comments:

- The two developments require 13/14 Litres per second, capacity is currently limited.
- Will seek further discussion with the applicant in relation to technical issues.

6. Any Other Business

ABP Comments:

- Any further items not raised as part of the agenda can be flagged for discussion or clarity.

Prospective Applicant's Comments:

- No further comments.

Planning Authority's Comments:

- The applicant should ensure in relation to both sites that the comments raised in the CE report are noted, further discussion with the applicant is also welcome.

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
December, 2021