



Case Reference / Description	Demolition of the existing buildings on site, construction of 242 no. apartments, creche and associated site works. Lands at Broomhill Road, Tallaght, Dublin 24.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th January 2022	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	11:30 am
Chairperson	Rachel Kenny	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Conor McGrath, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Gareth Mac Hale, Applicant
John Fleming, John Fleming Architects
Deirdre Hargaden, John Fleming Architects
Laura Brock, Brock McClure
Seamus Nolan, NRB Consulting Engineers
Declan O'Sullivan, Kavanagh Burke Engineering
Bartosz Kedzierski, Kavanagh Burke Engineering
Andrew Bunbury, Parkhood Landscape Architects
Miriam Porter, Parkhood Landscape Architects
Angel Axson, 3D Design Bureau.com

Representing Planning Authority

Jim Johnston, Senior Executive Planner
Ronan Toft, Assistant Engineer (Drainage)
John Hegarty, Senior Executive Engineer (Roads)

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 19th November 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 21st October 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 and Development Principle – Zoning and proposed mix of uses
2. Development Strategy, Design and Layout, including
 - Building Height
 - Density
 - Layout
3. Residential Amenity
4. Access and Transport
5. Drainage
6. Any Other Matters

1. Land use and Development Principle – Zoning and proposed mix of uses

ABP Comments:

- The prospective applicant was asked to confirm the residential tenure of the scheme.
- The PA have concerns in relation to the mix of uses and the specific objectives in the Local Area Plan.
- The prospective applicant is to demonstrate compliance with Objective BH1.
- The prospective applicant should demonstrate not only that the site can accommodate residential development but also that it should accommodate residential development.
- Demonstrate that the location is appropriate for the proposed mix and have regard to the objectives of the LAP.
- The PA is asked to clarify the nature of public realm works referenced in their submission and the possibility of special development contributions in respect thereof.
- Any recommendation for a special development contribution should be fully supported and justified at application stage.
- Consideration should be given to connectivity and linkages in this area for pedestrians and cyclists.

Prospective Applicant's Comments:

- The proposed development comprises a Build-to-Sell scheme.
- The proposal is predominantly residential but includes other uses to address the development mix including tenant amenities.
- The mix of uses is regarded as appropriate.
- The prospective applicant also has an option to acquire the adjoining site to the south.
- Broomhill Road is attractive, well-kept with mature trees and wide grass verges.
- The proposed development site has the benefit of a location on two roads identified in the LAP.
- Permitted developments at either end of Airton Road, on its southern side, are being progressed which contributes to the issue of sequential development.
- The current buildings on the subject site are vacant and the viability of commercial uses on these lands is questionable.
- Further commercial floorspace would contribute to existing vacancy levels in this area and would further undermine the objectives of the LAP.
- The current demand is for residential units.
- The proposed development is consistent with the local area plan.
- The existing footpaths and environment is quite good relative to locations such as Cookstown.
- The application documentation will demonstrate that the linkages are good and that pedestrian safety is facilitated.
- The proposed development site is unencumbered, and the applicant is fully funded to commence the development.
- There are services and facilities quite close to the proposed development.

Planning Authority's Comments:

- The PA is not opposed to a residential scheme but has concerns in relation to the ratio of residential proposed.

- Residential use is permissible in principle.
- The prospective applicant is referred to page 61 of the 2020 LAP for the key objectives for the Broomhill area.
- The LAP is more recent than the County Development Plan which is under review.
- The proposed balance of uses on the site is not aligned with the objective.
- The PA notes the prospective applicant's desire to acquire the site to the south, but the pre-application documents must be considered as they currently stand.
- The intention of the LAP is clear and Objective BH1 relates to the entirety of a building and not just the ground floor.
- The development would set a precedent for further development which would undermine the Local Area Plan.
- The environment is not ideally suited to residential development.
- The character and environment of the surrounding road network needs to be changed from industrial to provide a more attractive, safer environment suitable for residential scale development
- There is no contribution scheme in place for works in this regard.
- The application should have regard to use of the surrounding roads by heavy goods vehicles, the hours of usage of surrounding development and high kerbs and parking along the roads.
- The roads issue is to be addressed and give consideration to improved pedestrian and cycle connectivity.

2. Development Strategy, Design and Layout, including

- **Building Height**
- **Density**
- **Layout**

ABP Comments:

- The prospective applicant is to outline the development strategy, having regard to the development parameters set out in the LAP for this neighbourhood.
- The prospective applicant is to provide further detail on the communal and residential open spaces.
- Public and communal spaces are to be clearly identified at application stage.
- The prospective applicant is to provide further detail at application stage on the open spaces and how they meet the development plan standards.
- The management of spaces should be clearly addressed in the application.

Prospective Applicant's Comments:

- The site is rectangular with a tree lined verge and is set back from the road, which lends itself to a courtyard layout.
- The scale of development is reasonable and does not push the limits of the site.
- Underground parking is not viable but the courtyard will remain free of cars.
- The proposed east-west road could facilitate access to adjoining lands.
- The courtyard is spacious and the proposed development has no difficulty in meeting the daylight standards.

- Ground floor creche, café, gyms and other amenities provide active frontage.
- The courtyard area will be fully public and there is no intent to restrict access.
- The true public open space is 10%.
- Communal open spaces are provided throughout the proposed development site as well as defensible open space areas.
- There are internal residential amenity spaces.
- The plaza in the southwestern corner will be an accessible public area.
- The prospective applicant can provide further clarity at application stage on the open space strategy.

Planning Authority's Comments:

- A creeping deviance from the development standards of the LAP can set a precedent for other developments and undermine the strategy of the LAP.
- The PA has concerns in relation to the access road. There should not be carparking that may prevent access from the adjoining sites.
- The prospective applicant is to provide further information on the management of the public open space and maintenance of public access in the future.

3. Residential Amenity

ABP Comments:

- The prospective applicant is to provide further detail on the insertion of residential uses into this commercial area and how satisfactory levels residential amenity can be achieved e.g., in terms of noise.
- Provide further detail on ground and first floor units in Block A units facing onto Broomhill Terrace.

Prospective Applicant's Comments:

- The carparking located around the south and east of the development site creates a buffer between the residential units and the commercial zone.
- Building design, including the use of acoustic vents, will address the risk of noise impacts, as well as building setbacks.
- Broomfield Terrace is identified in the LAP as a future secondary route.
- Dual aspect apartments will also benefit from windows on quieter facades.
- The preliminary noise analysis will be reviewed at application stage.

Planning Authority's Comments:

- An appropriate level of residential amenity is to be provided within the proposed development. Such issues are common in development in transitional areas.

4. Access and Transport

ABP Comments:

- The prospective applicant is to provide further detail and clarity on the level and allocation of car parking within the development.

- The prospective applicant is to have regard to potential issues that may be raised at observation stage, such as concerns in relation to overspill carparking.
- Parking provision of 0.6 / unit may not be sufficient for a Build to Sell scheme. Further detail on the allocation and management of spaces should be provided, e.g. which spaces are shared and which are to be sold.
- The prospective applicant should provide further detail on public transport frequency and capacity, having regard to previous high court judgements in this regard.
- Further detail on cycle parking should be provided. If guideline standards are not reached, this should be justified in the application documentation, particularly in the context of a reduced level of car parking.
- Ensure operational requirements for stacked bicycle parking are met.
- Have regard to the servicing requirement of the various uses on the site.
- Clarify potential requirements for landtake or building set-back to facilitate the identified cycle route on the Broomhill Road.

Prospective Applicant's Comments:

- There is an appropriate level of parking provided with 142 carparking spaces, including 4 no. GoCar spaces and mobility impaired spaces.
- The proposed development site is well located, close to buses, the Luas, the Square Tallaght and the Greenhills Road which is subject to Bus Connects proposals.
- Carparking spaces for the creche can double as visitor spaces outside of hours.
- A carparking management strategy will be provided at application stage.
- The management company can arrange for further Electric Vehicle facilities if required and electric wiring is provided for all carparking spaces.
- The parking management report will be further reviewed.
- There are currently 426 bicycle parking spaces proposed and this will be further considered in the light of the Apartment Design Guidelines.
- Servicing requirements will be accommodated within the car park / internal roads.
- The Broomhill Road is quite wide and cycle lanes can be accommodated therein.

Planning Authority's Comments:

- There is a difference between shared car parking and an allocated parking scheme. If spaces are allocated, then the number of spaces should be increased.
- Parking provision is a little low for this type of development.
- There is ample space to accommodate future cycle routes within Broomhill Road.
- The prospective applicant is to consult the PA's active travel team.
- There are serious capacity issues on the Luas.
- The PA welcomes the regeneration of these areas but they will have a dramatic impact on the public transport system.

5. Drainage

ABP Comments:

- There are constraints on downstream, wastewater networks.

- The prospective applicant is to provide an estimated timeline for resolution of the constraint and reliance on temporary measures.
- The prospective applicant is to address the issues of maintenance, management and the switchover of the temporary storage and pumping facilities.
- Provide details on the PA's surface water drainage requirements.

Prospective Applicant's Comments:

- The prospective applicant acknowledges that Irish Water have identified the network constraints, but they have also identified that an upgrade will be provided.
- The pumping station can be decommissioned when the Irish Water solution is provided.
- The prospective applicant will carry out further consultations with the PA in respect of surface water drainage.
- The development has incorporated as many Sustainable Urban Drainage Systems (SUDS) measures as possible.

Planning Authority's Comments:

- There is a timescale of 3-4 years for the Irish Water works to be completed.
- The prospective applicant is to provide details of the mechanism for the switchover from the temporary on-site solution.
- The PA welcomes the use of green roofs and permeable paving. Underground tanks should be avoided where possible.
- The courtyard could have its own attenuation system.
- The prospective applicant is to ensure the drainage drawings are coordinated at application stage.

6. Any other matters

ABP Comments:

- Be mindful of previous high court judgements.
- Address points raised by the PA.
- ABP is expecting a surge in Strategic Housing applications in March/April 2022 which may impact on the date of decision by the Board. Any Material Contravention statement should take this into consideration.

Prospective Applicant's Comments:

- The prospective applicant is considering the use of the HeatNet system (accessing heat from data centres).

Planning Authority's Comments:

- The PA encourages the use of the HeatNet system but the prospective applicant should also consider future-proofing in the event that the HeatNet system fails.

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.

Rachel Kenny

Director of Planning

February, 2022