



An  
Bord  
Pleanála

## Record of Meeting ABP-312194-21

<b>Case Reference / Description</b>	285 no. residential units (261 no. houses and 24 no. apartments). Ballymacaula, Drumbiggle, Circular Road, Ennis, Co. Clare.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	25 <sup>th</sup> April 2022	<b>Start Time</b>	10:00am
<b>Location</b>	Remotely via Microsoft teams.	<b>End Time</b>	11:00am
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	David Behan

### Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
David Behan, Executive Officer

### Representing Prospective Applicant:

David Caffrey, Applicant
Colm McEldowney, Applicant
Tom Halley, McCutcheon Halley
Eamonn Gahan, Architect
Mark Phelan, Architect
Brendan Heaney, Engineer
Peadar McCarthy, Engineer
Linda Doyle, Landscape Architect
Majella O'Callaghan, Senior Planner

### Representing Planning Authority

Helen Quinn, Acting Senior Planner
Garreth Ruane, Senior Executive Planner

Fiona Barry, Executive Planner
John Gannon, Senior Executive Engineer
Cyril Feeney, Senior Engineer
Colm Clohessy, Acting Senior Executive Engineer
Eamon O’Dea, Senior Executive Engineer
Anne O’Sullivan, Senior Executive Engineer
Ger Kett, Executive Engineer

**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, 20<sup>th</sup> January 2022, 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, 14<sup>th</sup> December 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, Core Strategy & Density
2. Design & Layout (permeability/ open spaces)
3. Drainage
4. Access & Transport
5. AOB

## **1. Land Use Zoning, Core Strategy & Density**

### **ABP Comments:**

- Clarification in relation to what is considered low density under development plan, reference to 15 uph is included in the Core Strategy and density proposed at 25 uph gross and over 30 when considering the net density
- In previous cases the board has considered the zoning of the site to relate to the use sought under the relevant objective in the LAP or development plan, which in this case is residential. Qualifiers such as those relating to built form or density were not considered to change the use zoning objective, although they are material considerations and relevant provisions of the relevant plan other than in relation to use zoning
- Clarity needed around the phasing plan

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

- Raised anomaly in density between NDP and development plan
- ABP required a higher density on the previous granted application.
- 30 number units per hectare permitted, proposed 32 units to hectare strikes a good balance
- Density much above 30 would require a typology change to achieve and there is no demand for apartments at this location
- Proposed net density is suitable for site
- Open space is in redline but not in net site area used to calculate density

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

- Raised concern that the population of Ennis is only 26,000, proposed development will add an additional 740 people.
- 15 uph is considered as low density
- New draft plan comes into effect in March of 2023, density will remain as per current plan
- Concern that 18% of allowed units for Ennis would be in one development
- No street lighting shown on pedestrian paths

## **2. Design & Layout (permeability/ open spaces)**

### **ABP Comments:**

- Pedestrian permeability not adequately reflected on submitted documents
- Clarity in relation to the location and functioning of the open space

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

- High number of 3-bedroom units, 8 different styles of units
- Apartments have been previously considered, will re-examine
- Noted that there are no other apartments in area
- Connection into the site is limited by relief road
- An additional pedestrian access is proposed onto the relief road
- Possibility of another connection via adjoining golf course
- 15% given to open spaces with short walks to local amenities

- Retained hedgerows provide strong buffer lines for pedestrian connection and have dictated the location of the open spaces
- Open spaces connected by looped walks linking to existing features
- Due to steep slope at north of site a footpath is not practical
- Will further discuss with housing section
- Have examined pedestrian routes to schools, will include in EIA

**Planning Authority's Comments:**

- Suggested different mix of unit size would open more public space
- Suggested the use of apartments to raise density
- More attention to be paid to amenity uses of open spaces
- Better use of north section of site for pedestrian access
- Clarification sought if there will be pedestrian route to schools

**3. Drainage**

**ABP Comments:**

- Clarification sought on issues raised by Irish Water in relation to the upgrades to the network and the capacity of the pumping station.

**Prospective Applicant's Comments:**

- Network and capital works issues are being discussed with Irish Water
- Minor upgrades to pumping stations required at connection stage
- 60 metres of pipework to be upgraded
- Site is downstream of river network
- Attenuation on site will be made up of swales and pools

**Planning Authority's Comments:**

- Concurs with Irish Water statement
- Clarification sought on upgrade of pumping stations
- Storm drainage will require connection to N85 network and the applicant should ensure discussions with NTA for consents.

**4. Access & Transport**

**ABP Comments:**

- Clarification sought on rationale of placement of creche
- Clarification sought if set down at creche would be at front and rear
- Query in relation to the use of one access point

**Prospective Applicant's Comments:**

- PICADY outputs show mild impact on existing traffic
- PICADY outputs will be included in TIA report, due to an oversight was not submitted
- Speed surveys are being carried out
- Will discuss traffic calming measures with PA
- Contends that majority of children at creche will be from proposed development due to its population

- Creche has been situated at entrance of proposed development to discourage illegal set down
- Not possible to drop off behind creche due to space constraints
- Will look at creche set down in more detail

**Planning Authority's Comments:**

- Raised concerns with volume of traffic
- Limited connection to Ennis town is of serious concern
- No access to bus or cycle paths
- Proximity of creche to entrance is problematic
- Concern that not all traffic to creche will be from proposed development

**5. AOB**

**ABP Comments:**

- No further comments

**Prospective Applicant's Comments:**

- Will submit EIAR and NIS (if required) at application stage

**Planning Authority's Comments:**

- No further comments

**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).

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Stephen O'Sullivan,  
Assistant Director of Planning  
May 2022