



An
Bord
Pleanála

Record of Meeting ABP- 312202-21

Case Reference / Description	Demolition of buildings, construction of 468 no. apartments, creche and associated site works North west corner of Omni Park Shopping Centre, Santry Hall Industrial Estate, Swords Road, Dublin 9.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th April 2022	Start Time	10:00
Location	Remotely via Microsoft teams.	End Time	11:00
Chairperson	Stephen O'Sullivan	Executive Officer	Ashling Doherty

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Ashling Doherty, Executive Officer

Representing Prospective Applicant:

John McKeon, MKN
John Spain, John Spain Associates
Blaine Cregan, John Spain Associates
John Fleming, John Fleming Architects
Lucy Riordan, John Fleming Architects
Seamus Nolan, NRB Transport Engineers
Thomas Byrne, EirEng Civil & Structural Engineers
John Ward, Murray Associates Landscape Architects
Geraldine Kennedy, Applicant

Representing Planning Authority

Siobhan O'Connor, Senior Executive Planner
Ronan Murphy, Executive Planner
Nicola Conlon, Senior Executive Planner, 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, 2nd February 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, 14th 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. Red line boundary, *inter alia*, inclusion of car park
2. Retail Impact Assessment
3. Design & Layout, *inter alia*, mass, scale & height
4. Traffic & Transport
5. Irish Water submission
6. AOB

1. Red line boundary, inter alia, inclusion of car park

ABP Comments:

- Proposed site is a Z4 district zoning.
- Red line boundary is around the car park area, which will be further discussed under traffic and transport.
- Concerns raised with regard the quantum of parking and the use of spaces on the existing car park for this proposal.
- Having regard to the Connelly Judgement and quantum of uses, the proposed applicant must demonstrate they are in compliance with the zoning objective having regard a significant amount of car park being included in the red line.

Prospective Applicant's Comments:

- Vast majority of land under ownership of the prospective applicant.
- Proposed development site and previously submitted SHD application Omni Living, are an industrial use, which do not comply with the zoning objective.
- Having regard to the land use the proposed site and Omni Living do not change the quantum of commercial land within the Z4.
- Currently land is 77% commercial and 23% industrial use, with the proposed development taking away a percentage of the industrial land use.
- Currently in excess of 4,000 sqm of vacancy with the district centre.
- Proposed development would not affect future commercial developments if required within the Omni Park Centre.
- Part of the proposed development is to ensure there is a critical mass of people in the area to avail of the existing services and the vitality of the district centre.
- 57% commercial floor space would still be in place taking into account the proposed development.
- Prospective applicant states they are in compliance with the zoning objective.
- Omni Centre is currently lacking in residential development.
- Car Park spaces south of proposed development are being reconfigured in order to enhance the landscaping.

Planning Authority's Comments:

- Clarification sought with regard the principle of the proposed site and has to be justified having regard to the Z4 zoning.
- Proposed site is not a Z1 site and is not primarily for residential units.
- Proposed applicant has to justify it is not a material contravention.
- Issues raised with regard where the red line falls and what the intent is for the overall Z4 lands.
- The site remains as a Key District Centre in the draft development plan.

2. Retail impact assessment

ABP Comments:

- The Board consider an assessment of the proposed development on the provision of retail in the district centre should be submitted with the application.

- Retail impact assessment could be submitted within the overall planning documentation. Any EIAR should concentrate on environmental rather than economic issues.

Prospective Applicant's Comments:

- Proposed development will enhance and complement the district centre.
- Planning report will address the retail impact of the proposed development.

Planning Authority's Comments:

- PA requesting the prospective applicant clearly addresses the overall impact on the Z4 zoning rather than just the retail.

3. Design & Layout, inter alia, mass, scale & height

ABP Comments:

- Documentation submitted is lacking in the long-range visual impact.
- Further visuals to be submitted with the proposed application which should also include the permitted development.
- A visual impact of the proposal from Shailiss Avenue would be required.
- The Board are highlighting the Ballyboden judgement having regard the capacity and frequency of public transport.
- Rationale to be provided with regard the interaction of the proposal with the surrounding areas and the adjoining sites.
- Query in relation to the enhanced dual aspect.

Prospective Applicant's Comments:

- Proposed site can accommodate the scale and density the proposed development.
- Proposed site is a substantial land of 25 acres.
- Prospective applicant confident there is a very high demand for residential units in the locality.
- Layout of proposed development is an attempt to reflect the long-term plans for the lands.
- North-South orientation of the blocks is the most effective having regard to sunlight and daylight.
- Prospective applicant hopeful of further commercial development to include Lidl and Aldi in the medium term.
- Prospective applicant hopeful the demand for carparking will decrease in the future in the Omni car park, which will allow for further amenity space.
- Proposed site has adequate space in between the blocks and is an appropriate layout.
- North facing single orientation apartments have been eliminated from the proposed development.
- Proposed development will be well connected into the heart of the district centre and Omni living once completed.
- Prospective applicant hoping to achieve a regenerated development once this backland site is completed.

Planning Authority's Comments:

- PA would like to emphasis to the applicant, that the residential amenity of the backland site must provide a good quality scheme to live in.

- The site is at the end of the car park, has no street frontage and concerns with safety entering the site have been raised.

4. Traffic & Transport

ABP Comments:

- Clarity on the servicing of the site, provision of public transport, pedestrian and cycle connectivity.

Prospective Applicant's Comments:

- Route to back of Lidl and Marks and Spencer is currently permitted only for emergency and ESB.
- Proposed applicant not intending to put any pedestrian walkways or cycle lanes through the Lidl service yard.
- Residents' car park for proposed development will be located in the basement with Go cars at surface level, along with creche drop off spaces.
- With regards to control and security of the car park, there is a currently a system in place that monitors entering and exiting the car park, with a clamping system in place.
- Due to the location of the development, public transport is not required in order to avail of the commercial aspect which includes retail, restaurants etc

Planning Authority's Comments:

- Concerns raised with regard the north-eastern corner and pedestrian connectivity.
- With regard the drawings submitted it appears there is scope for the footpath to extend in through the service yard of Lidl.
- PA agree with the justification of the quantum of the car parking but would like to see a proposal put forward to show the incentive for people to not own cars.

5. Irish Water Submission

ABP Comments:

- Clarification sought if prospective applicant were aware of wastewater capacity completion date of 2026.
- The Board currently has a letter from IW dated 19th January 2022 which states there is a problem with the capacity.
- Recommending to the prospective applicant to enter into final discussions with IW to require clarification on the feasibility letter.

Prospective Applicant's Comments:

- IW letter dated 26th November 2021 is outdated and a revised confirmation of feasibility letter was reissued on 1st December 2021.
- The applicant is satisfied that the issues raised in the IW submission can be addressed.
- IW configuration project is due for completion is 2026, which will align with the completion of the proposed development subject to being granted.

Planning Authority's Comments:

- No further comments.

6. AOB

ABP Comments:

- No further comments.

Prospective Applicant's Comments:

- No further comments.

Planning Authority's Comments:

- PA satisfied that everything has been raised from their opinion and no further comments to make.

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
May 2022