



An
Bord
Pleanála

Record of Meeting ABP-312243-21

Case Reference / Description	168 no. residential units (69 no. houses, 99 no. apartments), creche and associated site works.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	20 th April 2022	Start Time	10:00 am
Location	Remotely via Microsoft Teams	End Time	11:00 am
Chairperson	Stephen O'Sullivan	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Aodan Bourke, Applicant representatives
Katherine Flattery, Applicant representatives
Joe Gibbons, Waterman Moylan Engineers
Paul Turley, John Spain Associates
Yvonne McMahon, John Spain Associates
Siobhan Holohan, O'Mahony Pike

Representing Planning Authority

Anne-Marie Wood Wolfe, Senior Executive Planner
Laura Creagh, Assistant Planner
Tom Kilbride, Executive Engineer
Mary Hegarty, Senior 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 4th 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 12th December 2022 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. Compliance with specific objectives of the Kiltiernan LAP 2013 - 2023 for Land Parcel 31A.
 - Phasing
 - Height & Massing
 - Daylight, Sunlight, Overshadowing Assessment.
 - Visual Impact
2. Transportation and deliverability of connectivity and the GDDRS
3. Any Other Matters

- 1. Compliance with specific objectives of the Kiltiernan LAP 2013 - 2023 for Land Parcel 31A.**

- **Phasing**
- **Height & Massing**
- **Daylight, Sunlight, Overshadowing Assessment.**
- **Visual Impact**

ABP Comments:

- Further justification of the proposal with respect to compliance with specific objectives of the Kiltiernan LAP 2013 - 2023 for Land Parcel 31A.
- Further justification for the phasing of development given that the LAP outlines that provision for the development of up to 700 no. housing units can be accommodated on an upgraded road network in advance of construction of the GDDRS and that the development of additional units in excess of these 700 dwelling units would require the construction of the Glenamuck District Distributor Road Scheme (GDDRS).
- ABP representatives requested that clarity is provided on the timeline of the road.
- No daylight/sunlight overshadowing assessment was submitted at pre-application stage.
- Clarity is required on the transitional zoning. Further justification in light of the PA comments that the height and massing is appropriate at this transitional area.
- General planning principles are better served by a clear distinction on rural and urban boundary.
- Any new information can only be submitted at application stage and cannot be considered at this point in the process.
- More visuals and cross-sections are to be provided at application stage.
- Further consideration that all material contravention matter are identified, justified and advertised accordingly.

Prospective Applicant's Comments:

- The prospective applicant acknowledges that there is a phasing restriction.
- The Glenamuck District Roads Scheme is expected to be completed in Q3 or Q4 of 2024.
- The programme for the road is a 2-year programme but the PA have stated that the east-west road will be upgraded in 12 months.
- Housing is located predominantly on the western and northern edge.
- Separation distances and appropriate setbacks are provided.
- The layout and height strategy proposed development has consideration for existing typography. Houses are proposed adjoining existing housing and the apartments are proposed at the lower levels of the site and have cognisance to the transitional zone and topography.
- Welcome the PA opinion with respect to visual impact, location of additional views, additional CGI's and cross sections. Will engage further with the PA on the matter and expand on the landscape and visual impact assessment at application stage.
- The prospective applicant will include a daylight and sunlight assessment of neighbouring properties and will assess external amenity spaces.
- Open spaces within the scheme will be assessed and the prospective applicant is looking to achieve 2% Average Daylight Factor in kitchen, dining and living rooms and 1% in bedrooms.
- There are no north facing units.

Planning Authority's Comments:

- When the Glenamuck Local Area Plan (LAP) was reviewed in 2018, an interim proposal allowed for up to 700 units. Up to 900 units have now been permitted.
- The site is zoned for residential use. The development plan has a general provision regarding adjacent zonings.
- The LAP states that a maximum of 4 storeys can be accommodated.
- The eastern side of the proposed development is to be restricted due to the elevation of the site.
- Provide as many cross-sections and views as possible so that there is clarity on how the proposed development will relate to the lands east and south of the site.
- The prospective applicant is to ensure that the amenity space serving the creche facility is included in the assessments.

2. Transportation and deliverability of connectivity and the GDDRS**ABP Comments:**

- ABP representatives sought clarity and further discussion on access through Cairnbrook estate, the degree of permeability to the creche and pedestrian and cycle access.
- There are some deficiencies in the drainage details further meetings should be sought to resolve outstanding issues.
- ABP representatives note that the Irish Water submission states that 3rd party consents are required.
- Further consideration that drainage and landscaping plans and proposals are integrated, consistent and take account of one another.
- Consideration that there is no further information facility available to the Board, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.
- The prospective applicant to include any Material Contraventions at application stage.
- Have consideration for the Ballyboden high court judgement.

Prospective Applicant's Comments:

- The prospective applicant acknowledges the discrepancies in the pre-application documentation, these will be ironed out at application stage.
- Connectivity will be provided to the north.
- Pedestrian and cycle access will be provided.
- There will be primary access through the Cairnbrook site, consents will be provided at application stage.
- The prospective applicant is happy to have further discussions with the PA.
- Arborist surveys have been carried out.
- The unit mix changes will be addressed at application stage. This change in policy will affect schemes which are currently in the pipe line.
- The flexibility surrounding the unit mix required under the new DCP was queried.
- There are no trees in the southern section of the site. There is a hedgerow and this will be set out clearly in the documentation and justified in terms of the new SLO to preserve trees and woodlands.

Planning Authority's Comments:

- The PA's comments as outlined in their submitted report still stand.
- The PA have a rapid build housing project near the proposed development site, a connection to this from the proposed development can be discussed with the prospective applicant.
- There are some inconsistencies in the submitted reports.
- A public lighting plan is to be submitted at application stage.
- The Dún Laoghaire-Rathdown County Development Plan 2022-2028 comes into effect on 21st April 2022. The prospective applicant is to note the changes on the map in the new plan and the objective to protect trees and woodlands on the southern corner of the proposed development site.
- The prospective applicant is to be cognisant of the unit mix changes in the new plan.
- The new CDP will stand and is supported by a HNDA
- The drawings submitted at application stage must be clear.
- PA happy to engage further with the applicant on drainage, biodiversity, ecological and landscaping matters.
- The new objective to retain trees is a general objective and not a TPO

3. Any other matters**ABP Comments:**

- EIA and AA screening reports are required at application stage.
- Further consultation and engagement with the PA is required.
- Details of taking in charge are required at application stage.
- A construction management plan is required.
- Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.
- Further consideration that the SHD process does not allow for further information, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.
- Consideration that any possible material contravention issues are advertised accordingly, and the application documentation should refer to the statutory Development Plan in place at the time the application is made.
- Consideration that consultation and engagement with the biodiversity section, ecology and parks and landscape services would be beneficial to address any issues arising.

Prospective Applicant's Comments:

- The prospective applicant will review the new Dún Laoghaire-Rathdown County Development Plan 2022-2028.
- The prospective applicant intends to engage further with the PA.
- All standards will be met and any that are not met will be included in a Material Contravention statement at application stage.

Planning Authority's Comments:

- The PA's main concerns are in relation to the phasing, the road infrastructure, height and compliance with the Dún Laoghaire-Rathdown County Development Plan 2022-2028.

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
April 2022