



<b>Case Reference / Description</b>	200 no. residential units (194 no. houses, 6 no. apartments), creche and associated site works. Coolquay Common, The Ward, Co. Dublin.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	6 <sup>th</sup> April 2022	<b>Start Time</b>	10:00
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:30
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	Helen Keane

**Representing An Bord Pleanála:**

Stephen O'Sullivan, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Helen Keane, Executive Officer

**Representing Prospective Applicant:**

Joe Corr, CWPA Planning & Architecture
Mark Whelan, CWPA Planning & Architecture
Fran Whelan, CWPA Planning & Architecture
Mark Duignan, Waterman Moylan Engineers
Ronan Mc Diarmada, RMDA Landscape Architects
Ger O'Donohoe, Moore Group Archaeological and Environmental Consultants

**Representing Planning Authority**

Malachy Bradley, Senior Planner
Eugenia Thompson, Senior Executive Planner
Gemma Carr, Senior Executive Parks & Green Infrastructure Division
Damien Cox, Executive Engineer, Water Services

**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 24<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 17<sup>th</sup> 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. Development Principle and compliance with the Development Plan Settlement Strategy.
2. Design and Layout.
3. Transport and access.
4. Drainage
5. Any Other Matters

## **1. Development Principle and compliance with the Development Plan Settlement Strategy**

### **ABP Comments:**

- The prospective applicant was requested to respond to the concerns expressed by the PA in respect of compliance with the county settlement strategy.
- The prospective applicant is to provide the rationale for the scale of development proposed, relative to existing village.
- The pre-application process is not an appropriate forum for a negotiation of the numbers of units to be provided. The documentation will be considered as submitted.
- The proposed development should acknowledge the difference between the rural village zoning and a residential zoning.
- The prospective applicant is to provide further information on how the proposed development relates to the existing settlement structure, and further detail on the masterplan approach and the vision for the village.
- There is a gap between the submitted documentation and the rationale outlined.
- There is no requirement for an agreement to be reached between the PA and the prospective applicant before proceeding to application stage.

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

- There is a lack of a Local Area Plan / Masterplan for this village.
- Development should be facilitated in the area which was designated as a rural village 17 years ago and should not be regarded as premature.
- The prospective applicant acknowledges that the development of rural villages must be carried out sensitively.
- The rural village designation has informed the rationale of the proposed development.
- The approach is to balance housing, social infrastructure and amenity provision.
- Key strategic green infrastructure will be provided as part of the proposed development which will enhance biodiversity in the area.
- There are precedents for housing development in the absence of a LAP/ Masterplan, including development at Rowlestown.
- The potential do-nothing scenario may not be consistent with regional and national legislation.
- The proposed development lands are strategically located and well-serviced.
- There will be a comprehensive phasing plan submitted at application stage.
- The scale of development appears to be consistent with the level of development provided for under Variation no. 2, spread across the designated rural villages.
- The prospective applicant is open to discussion with the PA in relation to the density and number of units to be provided.
- The development provides for a high-quality architectural design.
- Coolquay is a village, and the current housing quantum is relatively low.
- The 2009 Guidelines refer to areas where development pressure is already occurring and do not identify an LAP as being essential.
- The key strategy is to respond to the receiving area through a comprehensive phasing plan.
- A diverse range of uses will provide for a self-sustaining community.

- In the absence of a local area plan, the prospective applicant has tried to create a masterplan, to manage growth and create a new village.
- The area is very well serviced by public transport.
- The development will provide for local need from the surrounding area.
- The development layout varies from a village character to meandering roads, respecting adjoining lands.
- Within the RV zoned lands, this area is appropriate for development.
- There are flooding constraints in the surrounding area.
- The primary school is at capacity.
- If these lands are not developed there will be no foul or surface water services provided for the village.
- The PA's predicted growth of 5% for rural villages would represent an increase of 1 no. dwelling in Coolquay.

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

- The PA's concerns in relation to the principle of development and compliance with the settlement strategy are outlined in the PA's report.
- There are currently 33 dwellings in Coolquay with a population of 100 people.
- The proposed development is of an excessive scale and density. The development plan identifies growth of approx. 5% as appropriate.
- This is not plan led development and is inconsistent with national planning policy.
- There are significant issues with the excessive scale and density proposed as well as the principle of the development.
- The proposed development represents a scale of growth of 600% in a rural village.
- Rowlestown is not a suitable precedent for this development.

## **2. Design and Layout**

#### **ABP Comments:**

- The prospective applicant is to outline the rationale for the overall design and layout strategy and the masterplan / vision for the development of the village.
- The rationale for the location of commercial, creche and community centre uses within the development.

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

- The prospective applicant seeks to create a village layout, with commercial uses opposite the school.
- The existing school is at capacity but can't progress proposals for a new school without the Dept. of Education.
- The land has been zoned for the last 15 years without a LAP being put in place.
- The community centre is proposed as a cohesive part of the scheme, and the creche is at a core area for the village.
- The prospective applicant seeks to create 3 to 4 distinctive areas. The area to the north is a more formal area.
- Creation of street frontage may act as a catalyst for further development of lands along the R130.

- The serviced former prison site at Thornton Hall should be taken into consideration.

**Planning Authority's Comments:**

- The PA's comments in relation to design and layout are covered in the submitted report.
- The proposed development has limited frontage onto the R130.
- In the absence of a local area plan, the PA's core strategy predicts growth of 5% in the area.

**3. Transport and access**

**ABP Comments:**

- The prospective applicant was requested to address concerns regarding sustainability and the availability of public transport.
- An updated traffic and transport assessment is required at application stage.

**Prospective Applicant's Comments:**

- Planning authority concerns regarding the internal layout and design can be resolved.
- The proposed development is a 4–10-minute walk to 3 bus stops.
- There are 80 bus services a day are on the doorstep of the proposed development.
- Capacity surveys can be undertaken.
- The prospective applicant takes the PA's comments on board in relation to the cycle network.
- A cycleway along the R135 is identified in the Draft County Development Plan.
- The footpaths will be upgraded.

**Planning Authority's Comments:**

- The PA's concerns in relation to transport and access are covered in the submitted report.
- Design issues can be addressed by consulting with the PA prior to application stage.
- There is currently no proposed project or funding for works in this area / along the R135 as part of the Greater Dublin Area Cycle Network.
- There is a requirement for pedestrian and cycle linages to bus stops and schools.
- An upgrade of footpaths in this area is a minimum requirement.
- The PA raised a query regarding the achievement of the proposed modal switch.

**4. Drainage**

**ABP Comments:**

- The prospective applicant is to provide further detail on the proposed rising main connection to Cold Winters pumping station.
- The prospective applicant is to clarify if the on-site pumping station will be taken in charge and whether there are any issues with groundwater and the provision of a storage tank.
- The prospective applicant is to provide the rationale or justification for the scale of works required for the proposed development.

- Clarification of the risk of septicity and the necessity for dosing was sought.
- Clarity required on the treatment of drains crossing the site and along road frontage.

**Prospective Applicant's Comments:**

- The proposed rising main can be laid in the in the same trench as, and on top of, the existing non-operational rising main. This is agreed in principle with Irish Water.
- The Prison Service has control of the existing rising main to Cold Winters.
- It is intended that the proposed pumping station would be taken in charge. This is located outside the flood zone.
- The pumping station is located 11m south of the watercourse and its design will be appropriate to ground conditions.
- Dosing will not be required with full build-out of the development.
- Most of the houses adjoining the development site have their own septic tanks.
- The proposed wastewater network can serve the wider village.
- Potential for decommissioning of on-site systems in the village can be reviewed, including the school and commercial development in the village.
- Ditches traversing the site only serve the adjacent fields. All flow to the Ward River.

**Planning Authority's Comments:**

- For the riparian zone, there should be 13 metres separation for larger rivers and 10 metres would be minimum for smaller rivers. Separation should be maximised.
- A lot of infrastructure is required for this single development.

**5. Any other matters**

**ABP Comments:**

- There are very strategic questions arising in relation to the proposed development.
- A fundamental disagreement between the PA and the prospective applicant in relation to the principle of the proposed development does not stop an application proceeding.

**Prospective Applicant's Comments:**

- The prospective applicant reiterates that there are significant planning gains from the proposed.
- There is overprovision of open space within the proposed development integrated with SUDS measures.
- Three character areas are provided, each with playgrounds throughout.
- A range of screen walls will be included to reflect the different character areas.
- The prospective applicant has proposed a range of open spaces including a large open space, a formal space and a plaza area, combined with a road hierarchy in line with DMURS.

**Planning Authority's Comments:**

- The PA welcomes the layout, but the prospective applicant is to take cognizance of the rural character of the area.
- Further measures should be included to protect existing trees and hedgerows, and the riparian corridor.

- The PA is open to facilitating further discussions with the prospective applicant.
- The PA has serious concerns in relation to the open space backing onto existing residential properties.

### **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  
April 2022