



An
Bord
Pleanála

Record of Meeting ABP-312261-21

Case Reference / Description	312261 - Demolition of an existing derelict structure, construction of 125 no. residential units (71 no. houses, 54 no. apartments), creche and associated site works. Flemington Lane, Balbriggan, Co. Dublin.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	7 th April 2022	Start Time	10.00am
Location	Remotely via Microsoft teams.	End Time	11.30am
Chairperson	Stephen O'Sullivan	Executive Officer	David Behan

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Conor Mc Grath, Senior Planning Inspector
David Behan, Executive officer

Representing Prospective Applicant:

Will Mc Cabe, Moore Group Archaeological and Environmental Consultants
Joseph Corr, CWPA Planning & Architecture
Karl Stapelton, CWPA Planning & Architecture
Mike Freaney, Reddy Architecture + Urbanism
Mike Brown, Reddy Architecture + Urbanism
Robert Fitzmaurice, CS Consulting Group
Niall Barrett, CS Consulting Group
Ronan Mc Diarmada, RMDA Landscape Architects

Representing Planning Authority

Bernadette Quinn – Senior Executive Planner
Malachy Bradley – Senior Planner

John Duffy, Executive Planner
Linda Lally, Senior Executive Engineer, Transport
Gemma Carr, Senior Executive Parks Super
David Devine, Senior Executive Engineer
Christine Baker, Heritage Officer

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, 24th 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, 17th 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. Land Use and Development Principle and Masterplan requirement.**
- 2. Connectivity and Accessibility**
- 3. Design and layout**
- 4. Drainage**
- 5. AOB**

1. Land Use and Development Principle and Masterplan requirement.

ABP Comments:

- Clarification sought in relation to the area of the site and the application site boundary.
- Greater consistency to be provided across all documents
- Applicant was requested to address the basis for the development plan requirement for a Masterplan for the area and the previous refusal in 2021 in this regard.

Prospective Applicant's Comments:

- Balbriggan has been designated as a high growth core region in RSES plan, with a high capacity for growth. A new local transport plan has been developed.
- The proposed development is in line with local, regional and national planning policy.
- The projected growth rate of 8% is sustainable
- The site comprises 4.423 ha and is located close to town and local amenities. Powerlines define the southern boundary.
- The proposed development is in context with other sites in the area and should not be viewed in isolation.
- No connection to the proposed C-Ring road is available at this time.
- The open space zone at south of site will contribute to local amenity.
- 10% of residential zoned lands will be defined as open space, with additional open space provision on OS zoned land
- Partial development has already taken place on OS zoned lands
- Prospective applicant will look to wider Masterplan
- Will submit more comprehensive documents with the application

Planning Authority's Comments:

- The lands are zoned residential, and the development is acceptable in principle.
- Broadly welcome the proposed development. While it can be considered in the absence of a wider masterplan, pedestrian and cycle connectivity is still a key consideration.

2. Connectivity and Accessibility

ABP Comments:

- The prospective applicants were asked to address concerns raised regarding the accessibility of the site and the lack of pedestrian and cycle facilities on Flemington Lane.
- Clarification sought whether the prospective applicant can provide connection to the C-Ring or if the intervening strip is in 3rd party ownership.
- Clarification sought on whether local bus services will serve the development site.
- Clarification sought on PA's intention regarding the upgrading of Flemington Lane
- An update on delivery of C Road was sought from the parties.

Prospective Applicant's Comments:

- Pedestrian and cycle paths will be provided along the site frontage.

- The gap in pedestrian and cycle connection to east can be remedied in the future but the applicants can only address what is in their control.
- There is an approx. 120m stretch along Flemington Lane with no boundary set-back / verge to allow for a footpath or cycle provision.
- A connection to the C-ring road is not available at this time and intervening lands are owned by 3rd parties
- Development was previously permitted on this site and the proposed development will not preclude future connectivity.
- Delivery of the C-Ring road will not alleviate constraints on Flemington Lane.
- Greater assistance required from PA to deliver footpath at Flemington Lane.
- Housing for All provides that development should not be curtailed pending other intervening development.
- Development should be facilitated in the interim period given the uncertainty regarding the development of adjoining lands.
- The local bus route does not serve the development site.
- Other connections to east of development could be provided and will be investigated.

Planning Authority's Comments:

- This is part of a larger landbank with road proposals. Not currently in favour of the proposal.
- The planning authority has no plans for improvements along Flemington Lane in the short-term and such works are not included in the Capital Works Programme.
- The site would be best served by the new C-Ring road, rather than upgrading Flemington Lane.
- It is expected that delivery of the C-Ring and provision of footpaths / cycle facilities on Flemington Lane would be developer led.
- Prospective Applicant should consider other lands to provide connectivity.
- 2 years of the extant permission remain for delivery of C Road.
- A CPO would be required if residents on Flemington Lane were not agreeable to widening / upgrade for footpath provision.
- There should be a greater emphasis on sustainable transport provision.

3. Design and layout

ABP Comments:

- The prospective applicant was asked to address planning authority concerns regarding surface car parking and the layout of open space.
- Clarity sought on the rationale for the siting of the Creche.
- Clarification was sought regarding the demolition of the existing house on the site.
- Better section drawings demonstrating relationship with adjoining development will be required with the application.

Prospective Applicant's Comments:

- Have considered the PA comments and will soften the DMURS environment.
- Topography influences the layout, with houses cut into the slope.

- Cul-de-sac's are open for pedestrian permeability and the layout seeks to avoid gables to roads and open space.
- A reduction in car parking provision will be considered and the layout of car parking serving the creche will be reviewed.
- The required separation from the proposed pumping station limits space for housing units, so creche has been placed in this area.
- There is no desire to place the creche in proximity to road frontage. Locating it to the top of the site does not assist with permeability or connectivity.
- The Creche can be moved if necessary to provide an open space.
- The creche is proposed in a later phase of development and would not be viable in the early phases.
- The creche site is excluded from density calculations.
- A demand assessment will be undertaken to ascertain the likely requirement for such a childcare facility.
- The pumping station is a temporary feature and will be only required for the second phase of development.
- The existing entire house will be demolished, and this will be reflected in the application site boundary.

Planning Authority's Comments:

- The position set out in the PA opinion was reiterated.
- Connectivity remains a key concern.

4. Drainage

ABP Comments:

- A response to the PA comments in relation to surface water drainage was sought.
- Clarification sought as to how long pumping station will be required and proposals for its on-going management.
- Prospective applicant was advised to ensure that an application addresses any requirement for 3rd party consent to traverse lands, as identified in the Irish Water submission.

Prospective Applicant's Comments:

- The planning authority concerns in relation to surface water management will be addressed.
- SUDS features are not stand-alone and will be integrated with the open space and landscaping proposals.
- The pumping station is temporary and will be managed / operated by Irish Waster.
- Will submit a report on the water supply proposals.

Planning Authority's Comments:

- Concern pumphouse may become a permanent feature.
- If a gravity drainage solution is possible it should be pursued.
- Suggest a move to nature based solutions for surface water drainage / SUDS drainage. More work is required in this regard.

- Will continue further discussions with prospective applicant.
- It is noted that the Irish Water submission makes no comment on wastewater drainage and the prospective applicants should confirm this with IW prior to any application.

5. AOB

ABP Comments

- Clarity was sought on the status of the development of the park / recreational area to the southeast of the site and potential for connectivity thereto.
- Connectivity issues must be solved.

Prospective applicant's comments

- The park is tied into SHD development to the south and there have been discussions with the developers with regard to providing connectivity from these lands.
- Will continue to discuss issues with PA.
- The development can deliver housing and connections. The design is robust and development on adjoining lands will be delivered.

Planning Authority's Comments

- The relationship with the neighbourhood park / Class 1 open space to the south is important.
- Should consider placing existing overhead powerlines underground.
- A Tree survey is required and should inform the design.
- The development of adjoining park to the south is well underway
- Application documents should show the relationship with adjoining development and this park.

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