



An  
Bord  
Pleanála

## Record of Meeting TC0002

<b>Case Reference / Description</b>	10-year permission for 934 no. residential units (363 no. houses and 571 no. apartments), a childcare facility, 2 no. retail units, 1,325 no. car parking spaces, landscaping and associated works. Clay Farm, Ballyogan, Dublin 18.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Meeting</b>	1 <sup>st</sup> Meeting		
<b>Date:</b>	16 <sup>th</sup> August, 2017	<b>Start Time</b>	14:30
<b>Location</b>	Office of An Bord Pleanála	<b>End Time</b>	16:50
<b>Chairperson</b>	Anne-Marie O'Connor	<b>Executive Officer</b>	Lianna Slowey

### Representing An Bord Pleanála:

Anne-Marie O'Connor, Assistant Director of Planning
Tom Rabbette, Assistant Director of Planning
Cora Cunningham, Executive Officer
Lianna Slowey, Executive Officer

### Representing Prospective Applicant:

Dick Cuddihy, Park Developments Group
John McAndrew, Park Developments Group
Michael Hussey, OMP Architects
Thomas Jennings, DBFL Consulting Engineers (Traffic)
John Keogh, DBFL Consulting Engineers (Drainage and Services)
Thomas Burns, BSM Landscape and Ecological Consultants
Matt Hague, BSM Landscape and Ecological Consultants
John Spain, John Spain Associates
Paul Turley, John Spain Associates

## Representing Planning Authority

Louise McGauran, Senior Planner
Michele Costello, A/Senior Executive Planner
Bernard Egan, Senior Executive Engineer (Drainage)
Eoin O'Brien, Senior Executive Parks Superintendent
Anne Murray, Biodiversity Officer
Aiden Conroy, Administrative Officer, Housing Department
Claire Casey, Senior Executive Engineer (Transport)

## Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and planning authority representatives, 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, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 2<sup>nd</sup> August, 2017 providing the records of consultations held pursuant to section 247 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 they may 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 meeting 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 10<sup>th</sup> July, 2017 formally requesting pre-application consultations with ABP and acknowledged the level of detail submitted by both the prospective applicant and the PA in their documentation. It was also noted that the Inspector dealing with the Pre-Application Consultation Request would be different to who would deal with the application when it was submitted.

## Agenda

1. Traffic and Transportation issues, including, accessibility, permeability, compliance with DMURS, impact on Ballyogan Road, green links and access for adjacent development.
2. Density proposed.
3. Obligations under Part V of the Planning and Development Act, 2000 (as amended).
4. Open space provision, both public and private, and the nature and function of that open space.
5. Existing adjacent residential amenities and proposed residential amenity within the scheme.
6. Neighbourhood Centre design.
7. Drainage issues including attenuation and Site Specific Flood Risk Assessment.
8. Biodiversity.
9. Any other matters.

1. **Traffic and Transportation issues, including, accessibility, permeability, compliance with DMURS, impact on Ballyogan Road, green links and access for adjacent development.**

- **ABP sought further elaboration/discussion on:**

- Delivery of the Loop Road and potential impact on Ballyogan Road in the interim, particularly on the eastern junction at Leopardstown Valley.
- Conditions on adjacent planning histories to the south pertaining to access (temporary and permanent).
- Potential rat running from Enniskerry Road via Cruagh Wood.
- Possible ransom strip on Cruagh Wood site of proposed connecting road.
- Width of Greenway in terms of delivering cycle and pedestrian infrastructure, biodiversity protection, flood attenuation, tree and hedgerow protection.
- "Desire line" for pedestrians and cyclists from Cruagh Wood and Stepside Park to Ballyogan Road via the site.
- PA's Transportation Report and issues therein.

- **Planning Authority's comments:**

- Cruagh Wood granted temporary access on to Enniskerry Road by way of condition. Permeability will remain in place for pedestrians, cyclists and emergency service vehicles.
- Proposed design of Loop Road is not to a detailed level on drawings, 3<sup>rd</sup> party lands should be identified along the south east boundary of the site.
- Stepside Park units were granted assuming delivery of Loop Road.
- Rat running from Enniskerry Road to Ballyogan Road not envisioned.
- Issue with Taking in Charge of Phase 1, ransom strip at lands adjoining Phase 1C to access existing junction. Precautionary approach to be adopted with Phase 2.
- Propose that Phase 2 be reduced by 125 units while access from 125 units at Phase 1C to Ballyogan Road is via proposed junction with Loop Road.
- LIHAF funding available for delivery of Loop Road, 3<sup>rd</sup> party lands may require CPO.
- Flood attenuation – identify where 30-year/100-year storage will be located.

- SUDS dominates the open space, request large core open space area.
  - Would be helpful to include Phase 1 routing during Phase 2 construction with the application.
  - Bridge construction will interfere with desire line for cyclists and pedestrians from Cruagh Wood to Ballyogan Road.
  - Concern regarding width of path through open space.
  - Lack of detail of proposed roads on drawings provided.
  - Loop Road discussed at section 247 meetings, ensure enough room for right turns.
  - Provision for taxis.
- **Prospective Applicant's response:**
    - Access to 44 apartments at Cruagh Wood to be cut off from Enniskerry Road.
    - This additional loading has been accounted for in Phase 2 Traffic and Transportation Assessment.
    - Phase 2 to deliver access route up to site boundary with Cruagh Wood.
    - Access of Phase 1C to Ballyogan Road will be via a different junction than that proposed for Phases 1A, 1B and Phase 2.
    - No issue of capacity onto Ballyogan Road up to 2034, based on 50 2-way vehicle movements per hour, P.M. flows better than A.M.
    - LUAS given priority at all times.
    - Provision for bridge linking Phase 1 and Phase 2 as part of the application.
    - Proposed development of Phase 2 can be accommodated accordingly with Phase 1.
    - Reviewed layout of Greenway, propose to move some houses along the eastern boundary back, resulting in a loss of 4 houses, to provide greater setback in order to retain hedgerow. (Showed revised drawing illustrating this).
    - Greenway to be widened.
    - ESB undergrounding works in 2007 severed roots of existing trees, these works have defined the root protection area.
    - Cross sections, including ESB underground line and foul sewers, will accompany the application.
    - Flood attenuation measures within open space won't affect usability of space.
    - 100-year attenuation storage will be underground; all long term storage details will be submitted with the application.
    - Given the sloping nature of the site it is not feasible to create attenuation pond.
    - Swales and step down attenuation proposed in order to add to biodiversity.
    - Phase 2 provides double the requirement for provision of open space.
    - Greenway route to Phase 1 under discussion with PA.
    - Cycle/pedestrian route from Cruagh Wood to Ballyogan Road to be maintained during construction of Phase 2.
    - Cycle paths provided along route ways within Phase 2 (showed drawing indicating routes and connections). Routes will be clearly marked on application drawings.
    - Path through open space 4m in width. Proposed Greenway to be widened, separate lanes.
    - Bends in roads revised to be more pronounced to improve visibility.
    - Initial Road Quality Audit carried out.

- Outlined hierarchy of roads within proposed development – 6m Loop Road proposed rather than 5.5m to allow for potential future bus service; 6m link street with footpaths on both sides.
- Road markings/signage details to be submitted with the application.
- No verges are proposed, trees and landscaping provision in place.
- Right hand turns removed.
- Provision for taxi rank at neighbourhood centre.

## 2. Density proposed.

- **ABP sought further elaboration/discussion on:**
  - Densities relative to Phase 1, proximity to the Luas stop and Ballyogan Road.
- **Planning Authority's Comments:**
  - Lands lost due to flood mapping.
  - Max density of adjacent sites is 60 units per hectare, closer to Luas stop.
  - Opportunity for higher blocks in proximity to Luas stop.
  - Existing adjacent developments may pre-date Dún Laoghaire Rathdown County Council's Height Strategy.
- **Prospective Applicant's response:**
  - Proposed heights have regard to Dún Laoghaire Rathdown County Council's Height Strategy.
  - 6 storey building proposed at bridge as landmark/gateway into Phase 2.
  - Balance between density, mix of housing/apartment types and delivery of Loop Road.
  - Topography of site a factor in height density.

## 3. Obligations under Part V of the Planning & Development Act 2000 (as amended).

- **ABP sought further elaboration/discussion on:**
  - Agreement between prospective applicant and PA regarding Part V units.
- **Planning Authority's Comments:**
  - Absence of standard type housing, 3-4 bed houses, offered to PA for Part V.
  - Large open space is a requirement for certain housing needs, i.e. autism.
  - Possible for variations between Part V negotiations and delivery of units.
  - Section 7.3 of the Housing Strategy refers to provision of a mix of units.
  - Preference to obtain specific house types instead of 3 bed duplex units at neighbourhood centre.
  - Concern re. density of social housing in one area.
  - Satisfied that the type of houses required are proposed within the development.
  - Acknowledge housing demand/costs etc. are variable.
- **Prospective Applicant's response:**
  - Part V requirements for Phase 1 were 42 apartment units, no houses.
  - Proposed 3 bed duplex units at neighbourhood centre for Part V.

- Open to further discussions with PA relating to mix of units required in Phase 2.
  - Permissions typically include a standard condition re. Part V agreements to be met, prior to commencement.
  - SHD Part V requirements almost mirror standard application requirements.
- 4. Open space provision, both public and private, and the nature and function of that open space.**
- **ABP sought further elaboration/discussion on:**
    - Consideration of additional area of open space to south of the site to serve that area.
    - PA's Parks and Landscape Services Report and issues therein.
    - Tree Protection Orders or specific objectives applying to the site in relation to tree and/or hedgerow protection/retention.
    - Separation distances between proposed dwellings and existing dwellings in Stepside Park.
  - **Planning Authority's Comments:**
    - River valley cannot be considered as part of open space provision.
    - No provision for flat green space for kick about.
    - Open space dominated by SUDS, could be more integrated.
    - Earlier context map had larger green space provision at central area.
    - Jamestown Park will not contain flat open space.
  - **Prospective Applicant's response:**
    - Amended layout re. Greenway shows small area of open space created to south of the site, ties in with open space at Cruagh Wood.
    - Visual of open space links to adjoining lands was shown to the meeting.
    - 6.4 hectares of open space provided for in Phase 2.
    - 14.3 hectares of open space provided across Phases 1 and 2.
    - "Eco park" in lands between Phases 1 and 2 to be of local park status.
    - Play features in landscape to be developed without being playgrounds.
    - Multi use games area pitches are provided within Phase 2.
    - Large flat open space difficult to provide given topography of the site.
    - Proximity to PA's adjoining Jamestown Park and Samuel Beckett Civic Centre.
    - No tree protection orders in place.
    - Separation distances to rear of Stepside Park set out at 4 locations along southwest boundary.
    - Buildings along Stepside Park boundary are on higher ground, overlooking into rather than overlooking out from proposed development.
    - Levels and surveys to be submitted with the application.
    - Drawings and visuals showed to illustrate the level of detail prepared and previously agreed with the PA for Phase 1.
- 5. Existing adjacent residential amenities and proposed residential amenity within the scheme.**
- Topic discussed under agenda item 4, as above.

## **6. Neighbourhood Centre design.**

- **ABP sought further elaboration/discussion on:**
  - PA's concerns as per page 12 of their report re. proposed design of neighbourhood centre.
- **Prospective Applicant's response:**
  - Addressed PA's concern re. focal point - propose to increase height to 4 storeys to create distinctive look in neighbourhood centre and 3 storey heights proposed to create identifiable or focal point along Loop Road.
  - Overlooking/fronting proposed onto park.
  - Residential duplex units proposed above crèche – access to upper levels from side, not fronting onto private crèche play area.
  - Landscaped pedestrian area proposed to front of crèche and retail area.
- **Planning Authority's Comments:**
  - PA welcomes proposals.

## **7. Drainage issues including attenuation and Site Specific Flood Risk Assessment.**

- **ABP sought further elaboration/discussion on:**
  - Site Specific Flood Risk Assessment.
  - Stream running north towards valley.
- **Planning Authority's Comments:**
  - No reference was made to Appendix 13 Strategic Flood Risk Assessment of the Dún Laoghaire Rathdown County Development Plan 2016-2022 in documentation provided by the proposed applicant.
  - Long term storage proposals are dependent on soil conditions – tests are required to determine infiltration rates.
  - No inherent issues re. flooding on the site.
  - Confirmed that the stream referred to is not a watercourse.
  - Questioned if the application will include a hydrogeologist's report.
  - Take into account that groundwater level may be varying across the site.
- **Prospective Applicant's response:**
  - PA's concerns can be easily addressed for application stage.
  - Discussion re. run-off rates and long term storage will continue with PA.
  - Stream referred to is a land drain which has not been managed, it is proposed to create a wetland as an amenity.
  - Analysis of flows will be provided with the application.
  - A hydrogeologist has not been engaged but boreholes have been drilled.

## **8. Biodiversity.**

- **ABP sought further elaboration/discussion on:**
  - PA's Biodiversity Report and issues therein.
- **Planning Authority's Comments:**

- PA welcomed the readjustment of the Greenway boundary to keep hedgerow intact.
  - Request that the exact location of protected species such as badgers are kept confidential over concerns re. badger bating.
  - Have regard to foraging routes and potential impact of lighting.
  - Ensure all relevant licences are in place.
  - PA welcomed the proposal for installation of swift boxes on the site and will provide contact details for the Dublin Swift Conservation Group to the prospective applicant.
  - Request as much detail as possible be included in Construction Management Plan re. how measures will be controlled i.e. water quality, sloping nature of site, groundwater. NPWS derogation licence, if required, also to be included.
  - Concern re. discharge during construction works.
  - Request that storage tanks are placed 5m away from buildings.
- **Prospective Applicant's response:**
    - Breeding birds survey carried out during the appropriate season.
    - Badgers have been identified – set back/appropriate planting proposed.
    - No known bat roosts on site, surveys are ongoing - acknowledge that lighting will be an issue.
    - Informal discussions with NPWS have taken place.
    - Liaison with Inland Fisheries Ireland re. Phase 1, they have been made aware of Phase 2 proposals.
    - Propose monitoring both upstream and downstream of discharge works.

**9. Any other matters.**

- **ABP sought further elaboration/discussion on:**
  - Archaeology
  - Design issue re. side elevations of houses facing onto proposed road ways.
  - Proposed palette of materials to be used.
- **Prospective Applicant's response:**
  - Courtney Deery Archaeological and Cultural Heritage Consultants are carrying out investigations, consulting with the Development Applications Unit and mitigation measures will be proposed in their report.
  - Houses will be double fronted in locations where side elevations are facing onto road ways.
  - It is proposed to use a similar palette of materials to those in Phase 1 which were agreed with PA after permission granted.
- **Planning Authority's Comments:**
  - PA are satisfied with the high quality palette of materials which have been proposed for Phase 1.

- **ABP Comments with regard to application:**



- Connectivity scenarios from the south of the proposed development required.
  - Cross sections of Greenway required.
  - Cross sections of Home Zones required.
  - Audit/assessment indicating private open space provision per dwelling and separation distances proposed is required.
  - Taking in Charge drawing required.
  - List of Prescribed Bodies to be provided with Opinion.
  - Opinion is formed on what was originally submitted with the request.
  - Prospective applicant can have further consultations with the PA following the meeting with ABP.
- **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.
    - Prescribed Bodies to be notified in advance of lodging the application.
    - Sample notices, application form and procedures will be made available on ABP's website (sample copy of newspaper and site notice given to prospective applicant at the meeting).
    - 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)

  
Anne Marie O'Connor  
Assistant Director of Planning  
31 August, 2017