

Statement of Response to An Bord Pleanála Opinion

In respect of

SPECIFIC INFORMATION

for

Proposed Strategic Housing Development

at

Dunlo & Pollboy, Ballinasloe, Co Galway,

ABP – 312236-21

Prepared for : **LIMEHILL ESKER LTD**

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DATE: AUGUST 2022

Rev	Status	Date	Author(s)	Approved By
01	Final	23/08/2022	RGG	WMG

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A. INTRODUCTION

The **Pre-Application Consultation Opinion** from An Bord Pleanála (ABP) in relation to the proposed strategic housing development for residential development on lands at Dunlo, Ballinasloe, Co Galway was received on 12th May 2022- **Case Reference: ABP-3122636-21** (the “Opinion”).

The Opinion states that *‘Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following **specific information** should be submitted with any application for permission:*

1. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant’s opinion, the proposal is consistent with local planning policies and objectives of the relevant statutory Galway County Development Plan and Ballinasloe Local Area Plan.
2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where/if the proposed development materially contravenes the statutory plan/LAP for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
3. A detailed statement demonstrating how the proposed development ties in with the wider development strategy for the landholding and the overall Ballinasloe Area, with regard to a phasing strategy and delivery of pedestrian/cycle/vehicular accesses through the site.
4. Justification of quantum and quality of open space provision, both communal and public open space (POS). Clarity with regard to change in levels, compliance with Development Plan standards and planting details.
5. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
6. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering Plans that take account of one another.
7. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - (a) Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - (b) Impact to any neighbouring properties.
8. A childcare demand analysis, including but not restricted to the justification for omission of a crèche, the likely demand for childcare places resulting from the proposed development and how it will be accommodated.

9. Submission of a Traffic and Transport Assessment to include car parking and cycle parking and access rationale.
10. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with arrangement and quality of surface water discharge.
11. A response to all matters raised within the PA Opinion submitted to ABP on the 21st January 2022.
12. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in Article 299B(1)(b)(ii)(II) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
13. An AA screening report which considers potential impacts on the Qualifying Interests of any Natura 2000 site.
14. An up to date Ecological Impact Assessment, inclusive of a Bird and Bat Survey.
15. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
16. Site Specific Construction and Demolition Waste Management Plan.
17. Details of public lighting.
18. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority

An Bord Pleanála considers that the above matters need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

This Statement is made pursuant to Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 and sets out a response in respect of each item of specific information .

1. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with local planning policies and objectives of the relevant statutory Galway county Development Plan and Ballinasloe Local Area Plan.

RESPONSE: A **Planning Report & Statement of Consistency** has been prepared by R. G. Greene & Associates in partial fulfillment of the requirement for an application to be made on behalf of Limehill Esker Ltd to An Bord Pleanála, under the Planning and Development (Housing) and Residential Tenancies Act, 2016 and pursuant to a Notice of Pre-Application Consultation Opinion issued by the Board on the 12th May 2022, in respect of a proposed a Strategic Housing Development on the lands which are in their full ownership at Dunlo, Ballinasloe, Co Galway.

This report has demonstrated that all of the conditions can be fulfilled whereby a Decision from An Bord Pleanála can be issued under Section 9(4) of the Strategic Housing Provisions of the Planning and Development (Housing) and Residential Tenancies Act, 2016 to grant permission for the proposed development.

This Report includes a statement setting out how the proposal is consistent with the objectives of the Galway County Development Plan 2022-2028, the Ballinasloe Local Area Plan 2022-2028 and relevant Section 28 Ministerial Guidelines.

2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where/if the proposed development materially contravenes the statutory Plan/LAP for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in Section 37(2)(b) of the Act of 2000.

RESPONSE: It should be noted that the pre-application submission was made when the 2015-2021 County Development Plan (CDP) and 2015-2021 Ballinasloe Local Area Plan (LAP) were in force.

The subject SHD application is now being made having regard to the provisions of the current 2022-2028 County Development Plan & 2022-2028 Ballinasloe Local Area Plan.

However, in the interest of due diligence, and to respond to the validation requirements of the Board, a **Material Contravention Statement** has been prepared by Planning Consultancy Services in support of the application.

In this regard, the scheme as proposed may be determined to materially contravene the Local Area Plan with regard to "Roads/ access" objectives. It is considered that there is sufficient justification for An Bord Pleanála to grant permission for the proposed development, notwithstanding any material contravention of the LAP, by

reference to Section 37(2)(b) of the Act for the reasons set out in detail in the said **Material Contravention Statement**.

3. A detailed statement demonstrating how the proposed development ties in with the wider development strategy for the landholding and the overall Ballinasloe area, with regard to a phasing strategy and delivery of pedestrian/cycle/vehicular accesses through the site.

RESPONSE: Refer to the **Statement on Development Strategy, Connectivity & Phasing** which has been prepared by R. G. Greene & Associates in support of this application for a detailed review of the features of the proposed scheme on the subject site dealing with the issues masterplanning of the applicants lands, phasing of the development, and their connectivity with the surrounding neighbourhood environment in the Dunlo area.

4. Justification of quantum and quality of open space provision, both communal and public open space (POS). Clarity with regard to change in levels, compliance with development plan standards and planting details.

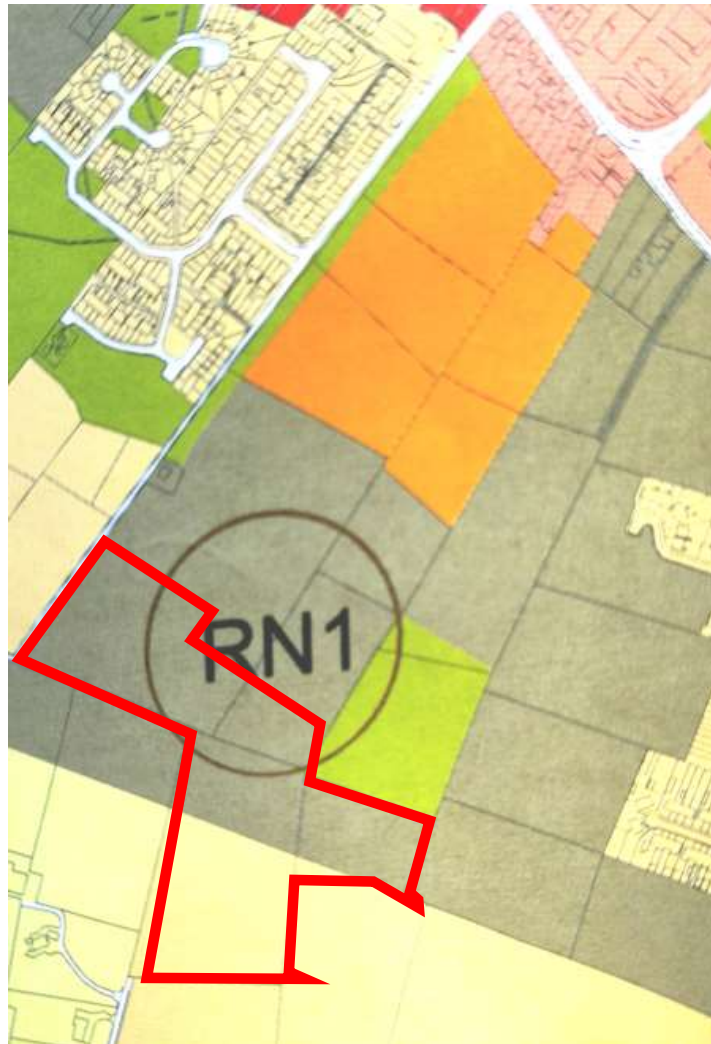
RESPONSE: Refer to Section 3.3 of the enclosed **Planning Report and Statement on Consistency** prepared by R. G. Greene & Associates for details on the justification of the proposed quantum and quality of open space provision, including both communal and public open space and the demonstration of the consistency of this provision with the Galway County Development Plan 2022-2028 and the Ballinasloe LAP 2022-2028.

In addition to the above, refer also to the enclosed landscape drawings and associated report prepared by Cunnane Stratton Reynolds which have also been presented in support of this application and outline further details the quantum and quality of the hierarchy of open space integrated into the layout of the proposed development.

It is to be noted that there is an isolated tract of land (1.1218 ha) zoned **OS-Open Space/Recreation & Amenity** and which is entirely located within the lands which are in the ownership of the applicant.

The tract of land has enjoyed this zoning over a succession of LAPs, ranging from 2003-2009, when it was an isolated area remote from any adjoining roads, services or development, and then through the period of the 2009-2015, and 2015-2021 LAP as development began to progress in the vicinity of Dunlo generally, especially to the east and west.

It is submitted, given that this OS tract is now largely enclosed by development on adjoining lands, that this is the appropriate juncture to incorporate this area into the proposed scheme on the subject site and to realise its overall development as an important element of public realm for the residents of the surrounding neighbourhood and for the people of Ballinasloe generally.



Extract from MAP 7- ZONING , Ballinasloe LAP 2003-2009

5. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.

RESPONSE: Please refer to the enclosed landscape drawings and associated **Landscape Design Report** prepared by Cunnane Stratton Reynolds which have been prepared in support of this application and outline all the aspects of public realm

design which have been integrated into the layout of public and communal open space within the proposed development.

Please also refer to the **Architectural Design Statement** prepared by R. G. Greene & Associates which sets out the rationale for the provision of meaning and useful public realm spaces throughout the proposed layout which are accessible, permeable and are designed and located to support natural surveillance.

6. Details of a green infrastructure plan, landscaping plan, arboriculture drawings, and engineering plans that take account of one another.

RESPONSE: The following documentation has been prepared in support of this application and in response to this item and is enclosed with the submission to ABP as follows:

- Prepared by Cunnane Stratton Reynolds Landscape Architects – **Landscape Design Report** and associated landscape drawing package.
- Prepared by R. G. Greene & Associates Consulting Engineers - Full engineering drawing pack.

Please refer to the above enclosed documents which form part of the submitted application.

7. A daylight and shadow impact assessment of the proposed development, specifically with regard to:

- (a) impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.**
- (b) impact to any neighbouring properties.**

RESPONSE: A **Sunlight/ Daylight & OverShadowing Study** has been prepared by Integrated Environmental Solutions Ltd in support of this application and it confirms that the proposed development complies with the requirements of the BRE guidelines in relation to skylight availability for neighbours.

(a) The proposed development complies with the requirements of the BRE guidelines in relation to Average Daylight Factor light distribution. The proposed development complies with the requirements of the BRE guidelines in relation to Sunlight availability and careful layout design. All of the proposed new public amenity spaces comply with requirements. The majority of communal spaces also receive qualifying sunlight.

Overall, the IES Report concludes that the sunlight provision results to the proposed development in accordance with IS EN 17037:23018 are considered excellent in the context of a suburban environment, due to the fact that not all living rooms can face south and the inclusion of balconies

(b) The proposed development also complies with the requirements of the BRE guidelines in relation to both annual and winter sunlight availability to neighbours as it applies to living rooms.

The proposed development complies with the requirements of the BRE guidelines in relation to both annual and winter sunlight availability to neighbours as it applies to living rooms.

The tested spaces generally comply with the requirements of the BRE guidelines.

8. A childcare demand analysis, including but not restricted to the justification for omission of a crèche, the likely demand for childcare places resulting from the proposed development and how it will be accommodated.

RESPONSE: Refer to the **Child Care Demand Analysis Report** has been prepared by Planning Consultancy Services in support of the application.

This report sets out the analysis and the justification for use of the Creche, which is presently under construction, as being satisfactory to serve the needs of the proposed development on the subject site in relation to child care.

9. Submission of a traffic and transport assessment to include car parking and cycle parking and access rationale.

RESPONSE: Refer **Traffic And Transport Assessment Report** which has been prepared by CST Consulting Engineers in support of the application.

CST Consulting Engineers have also prepared a **Road Safety Audit** in support of the application.

10. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with arrangement and quality of surface water discharge.

RESPONSE: Refer to the **Hydrological Impact Assessment Report** prepared by Hydros Consultants, in support of the application.

Also refer to **The Engineering Services Report**, prepared by R. G. Greene & Associates in support of the application, for a detailed account of the surface water management, including SUDS features.

11. A response to all matters raised within the PA Opinion submitted to ABP on the 21st January 2022.

RESPONSE: Please refer to the **Statement on PA Opinion** which has been prepared by R.G. Greene & Associates Consulting Engineers in support of this application and which outlines a response to all of the matters raised in the PA Opinion received from Galway County Council on the 21st January 2022.

12. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in Article 299B(1)(b)(ii)(ii) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.

RESPONSE: Refer **Statement on Article 299(B)** which has been prepared by Planning Consultancy Services in support of the application.

13. An AA screening report which considers potential impacts on the qualifying interests of any Natura 2000 site.

RESPONSE: Refer to the **EIAR Screening Report** which has been prepared by Aster Environmental Consultants in support of the application.

A **Natura Impact Statement** has been prepared by Aster Environmental Consultants in support of the application.

14. An up to date ecological impact assessment, inclusive of a bird and bat survey.

RESPONSE: Refer **Ecological Impact Assessment Report** which has been prepared by Aster Environmental Consultants support of the application.
Refer to the **Bat Assessment Report** prepared by VEON in support of this application

15. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority. AND SIMILARLY.....

18. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority

RESPONSE: NOTE-The subject matter of Item 15 is repeated at Item 18 of the ABP Schedule of Specific Information.

Please refer to the enclosed drawing numbered **Drawing No 2521-006** titled **Proposed Taking in Charge Plan** which has been prepared in support of this application by R. G. Greene & Associates for full details of the areas to be ultimately taken in charge by the planning authority.

16. Site Specific Construction and Demolition Waste Management Plan.

RESPONSE: Please refer to the enclosed **Site Specific Construction and Demolition Waste Management Plan** prepared on behalf of the applicant by R. G. Greene & Associates Consulting Engineers for full details.

17. Details of Public Lighting.

RESPONSE: Please refer to the enclosed **Public Lighting Report** and Public Lighting Layout prepared on behalf of the applicant in support of this application by Veelite Lighting Ltd. for full details of the proposed public lighting for this scheme.

The recommended mitigating measures for bats ,as set out in the Bat Assessment Report, have been considered in the design of the public lighting system.

The design uses 97 x Metro Streetlight 19w 12LED 2700K (46 x Street Optic R03, 43 x Forward Throw A Optic and 8 x Street Optic R02) mounted on 6m columns with no tilt.

Light levels as follows:

- Road Section 1 – 5.5 lux average, 1.0 lux minimum (0.20 uniformity)
- Road Section 2 – 5.2 lux average, 1.0 lux minimum (0.20 uniformity)

These levels comply with class P4 of IS EN 13201-2 / BS 5489-1 for residential roads (5 lux average, 1 lux minimum).

A lower colour temperature of LED is recommended for bats and other light sensitive species. The streetlights used in the design are LED 2700K colour temperature in line with recommendations for reducing the impact of lighting on wildlife & bats (ILP GN08).

All of the proposed luminaires are full cut off/flat glass type, all with no tilt (0% uplight) so glare and light spill are minimized minimising and excellent directional control is proposed by the use of quality optics.