



FutureAnalytics

Statement of Response to An Bord Pleanála Opinion

**Proposed Strategic Housing Development
(SHD) at Ratoath, Co. Meath**

On behalf of

BEO PROPERTIES LTD.

May 2022

Document review and approval

Revision history

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1.0 Introduction

KPMG Future Analytics, Chartered Planning and Development Consultants, have prepared this Statement of Response to An Bord Pleanála's Opinion on behalf of the applicant, Beo Properties Ltd. of 6 Argus House, Greenmount Office Park, Harold's Cross, Dublin 6W. The statement accompanies the planning application for a Strategic Housing Development (SHD) on lands located to the south of the existing built up area of Ratoath, Co. Meath.

The purpose of this report is to summarise how the Applicant and Design Team have positively responded to, and addressed, the matters raised in the Pre-Application Consultation (PAC) Opinion issued by An Bord Pleanála.

1.1 Pre-Application Consultation Opinion

The PAC Opinion states that An Bord Pleanála *"...is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development."*

However, the opinion outlines that *"the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development."* These were generally summarised/ titled as:

1. Permeability and Connectivity
2. Design Strategy

In addition, the Opinion notes that specific information should be submitted with any application for permission, generally summarised as relating to:

1. Additional Computer-Generated Images (CGIs)
2. Traffic and Transport Assessment (TTA)
3. A DMURS Compliance Statement
4. Materials and Finishes Report
5. A Taking in Charge Map
6. Detailed Landscaping Plan
7. Sunlight/Daylight/Overshadowing Analysis
8. Information referred to in Article 299B (1)(b)(ii)(II) and Article 299B (1)(c) of the Planning and Development Regulations 2001-2018 (i.e., Environmental Impact Assessment (EIA) Screening).
9. Statement of Material Contravention

Furthermore, the Opinion states that the Applicant should notify the following authorities in the event of making an application:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. Meath County Childcare Committee

1.2 Report Structure

This Statement of Response to An Bord Pleanála's Opinion will comprise of a further three sections:

Section 2 sets out how the issues of Permeability and Connectivity and Design Strategy have been positively responded to by the Applicant and Design Team.

Section 3 sets out how the remaining specific information requested by An Bord Pleanála has been positively addressed by the Applicant and Design Team.

Section 4 concludes the Statement of Response to An Bord Pleanála's Opinion.

2.0 Response to Issues Raised

The Board's Notice of Pre-Application Consultation Opinion (attached at Appendix A) was issued in February 2022 following a tripartite meeting on 26 January 2022 between the applicant (and design team), An Bord Pleanála and the Local Authority.

The responses below describe the additional information that accompanies the planning application documentation to address concerns primarily in relation to permeability and connectivity and the design strategy for the proposed scheme. This document also directly responds to the specific information sought by the Board.

2.1 Item 1: Permeability and Connectivity

An Bord Pleanála stated the following:

Further consideration and/or justification of the documents as they relate to the movement of pedestrians and cyclists from the subject site into Rathoath Village and surrounding area. The submitted documentation should demonstrate clear pedestrian and cycle connectivity and the timescale, phasing and delivery of any infrastructure associated with the proposed pedestrian and cycle connectivity, including any third-party consents required for the works. For the cycle facilities that are proposed, the specific compliance with the particular requirements of the National Cycle Manual should be demonstrated by the documents.

Response: The Board requested that the submitted documentation should demonstrate clear pedestrian and cycle connectivity and timescale phasing and delivery of any infrastructure associated with the proposed pedestrian and cycle connectivity.

The proposed development provides for a high level of permeability and connectivity throughout. An in-depth analysis of cyclist and pedestrian permeability and connectivity has been provided by RKD within their **Architectural and Urban Design Report** which is enclosed as part of this planning application. As shown on Figure 2-1 below the cycle network is developed based on the requirements of the National Cycle Manual including a central 3m wide cycleway and pedestrian path through the site that is off-road and remote from vehicular traffic. This central route offers high comfort levels and serves both commuter and leisure functions by connecting to the R155, Glascarn Lane and the RORR to access town.

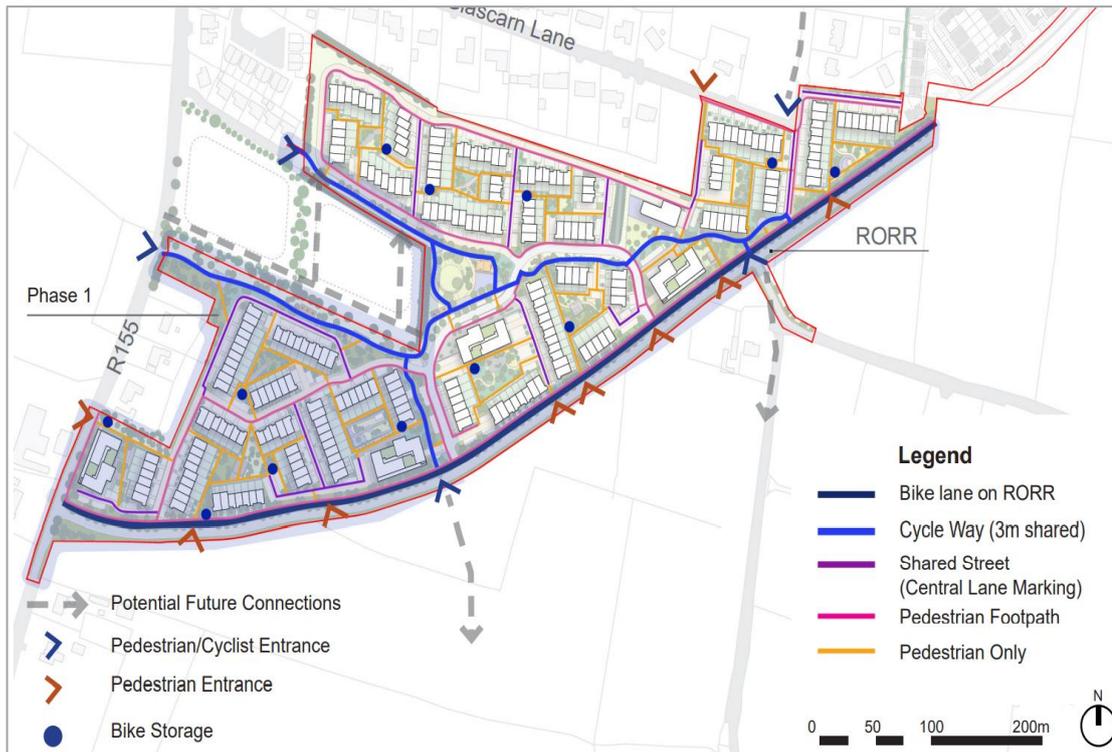


Figure 2-1: Pedestrian and Bicycle Connectivity (Source: RKD)

With regard to the timeframe for the phasing and delivery of pedestrian and cyclist infrastructure associated with the proposed development, the first phase of the development will deliver three new cycle entrance points to the site and three pedestrian entrances with connections to both R155 and the RORR. This will allow cyclist and pedestrian connection to Jamestown SHD and Ratoath College from day one and tie in with MCC’s proposed extension to the pedestrian and bicycle infrastructure of Ratoath Village.

Furthermore, the Board requests that *“For the cycle facilities that are proposed, the specific compliance with the particular requirements of the National Cycle Manual should be demonstrated by the documents”*. The design is compliant with the National Cycle Manual and all details can be found within the documentation submitted by RKD and O’Connor Sutton Cronin Consultant Engineers (OCSC). A key objective within this cycle manual is to *“Provide for two abreast where possible for safety, visibility and attractiveness”*. The proposed development provides three types of bicycle routes within the development, all providing for two abreast cycling as noted below,

- Greenway Spine: 3m wide Cycle Way shared with pedestrians
- RORR: 3m wide bike path next to 2.5m footpath separated from vehicles with 1.5m hard margin
- Shared Streets: 5.5m wide road with lane separator and bicycle marking

Please refer to the enclosed **Architectural and Urban Design Report** for further details.

2.2 Item 2: Design Strategy

In relation to the design strategy for the proposed development, An Bord Pleanála stated the following:

Further consideration and/or justification of the documents as they relate to the design approach of the proposed development and the need for a high quality, strong urban edge which integrates effectively along the proposed Ratoath Outer Relief Road (RORR). The further consideration/ justification should address the open space strategy, inter alia the need passive surveillance and functionality of open space (in particular the proposed communal courtyard spaces) and the future management and maintenance of all open space areas. Particular regard should be had 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009) and the requirement for good design and the inclusion of a sense of place.

Response: The Board requested that the submitted documentation must provide “justification of the documents as they relate to the design approach of the proposed development and the need for a high quality, strong urban edge which integrates effectively along the proposed Ratoath Outer Relief Road (RORR)”.

The remaining section of Ratoath Outer Relief Road (RORR) will be delivered in tandem with the proposed development. The section of the RORR will integrate accordingly with the already completed section to the northeast. The proposed urban edge is more open than a traditional urban edge as it allows for increased permeability and views into the proposed development. This is important as it allows the central green spine to connect back to the RORR at two key locations.

The green spine also continues along the RORR at the east of the site to connect with a future extension of the bridle path and Glascarn Lane, as well as Jamestown SHD. To accommodate this the dwellings at this location have been set back from the road. At all other locations the dwellings along the RORR have been brought forward to have a direct interface with the road, contributing to a more active urban edge, and safer road conditions. Apartment buildings are placed to mark the two main entrances to the site, the urban edge facing the R155 and the central public space

Figure 2-2 below visualises the urban edge along the RORR. Full details of which can be found in the material prepared by RKD in this planning pack.



Figure 2-2: RORR Interface & Urban Edge (Source: RKD)

Additionally, the Board also requested that “*further consideration/ justification should address the open space strategy, inter alia the need passive surveillance and functionality of open space*”. With regard to the open space strategy the proposed design has positively addressed the management of these open spaces. A taking in charge map has been prepared by RKD with outlines the future management and maintenance of all public open space areas.

The proposed design provides for passive surveillance and the central courtyard provides a functional open space for all residents. As the communal open areas are not taken in charge a collective decision was taken by the design team to reduce rear boundary walls in order for these spaces to be taken in charge by future residents. It is envisaged that these low boundary walls will provide,

- ❖ Increased visual connection to the courtyards providing surveillance / overlooking of the courtyards.
- ❖ Increased visual connection to the courtyards encouraging the inhabitants to use and take ownership of the courtyards.
- ❖ The encouragement of sociable atmosphere within the neighbourhood.

Additionally, the Board requests that particular regard is given to the 12 criteria set out in the Urban Design Manual. The ***Architectural and Urban Design Report*** prepared by RKD provides a detailed breakdown of each individual criteria and provides a response to each. Further detail on each criterion is set out throughout the ***Architectural and Urban Design Report***

3.0 Response to Specific Information Requested

3.1 Item 1: Additional Computer Generated Images (CGI)

An Bord Pleanála requested the following:

“Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential and the surrounding area including along the proposed RORR.”

Response: Additional Computer-Generated Images (CGIs) have been prepared by RKD Architects. This documentation provides numerous 3D images of the proposed development in the context of the existing residential developments and the surrounding area, including along the proposed RORR. Please refer to enclosed documentation for further details.

3.2 Item 2: Traffic and Transport Assessment (TTA)

An Bord Pleanála requested the following:

“An updated Traffic and Transport Assessment (TTA) which clearly illustrates the impact of the proposed development of the capacity of the surrounding junctions, including the Ratoath Village. In this regard the TTA should include all scenarios for the delivery of the Ratoath Outer Relief Road (ROOR) and include the impact on Ratoath and surrounding area and should be based on verifiable facts.”

Response: An updated **Traffic Impact Assessment** has been prepared by OCSC and is enclosed as part of this application. This assessment clearly illustrates the impact of the proposed development on the capacity of the surrounding junctions and on Ratoath and surrounding area.

3.3 Item 3: DMURS Compliance Statement

An Bord Pleanála requested the following:

“A statement DMURS compliance regarding permeability and connections with existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii. The internal road layout should require measures to avoid the use of parallel roads. The submitted documents should demonstrate specific compliance with the particular stated provisions of DMURS. Generalised assertions regarding principles are not sufficient.”

Response: A **DMURS Compliance Statement** has been prepared by OCSC Engineers. This compliance statement is included within this planning application and addresses all concerns raised by the board.

3.4 Item 4: Material and Finishes Report

An Bord Pleanála requested the following:

“A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and retail/ crèche area. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).”

Response: RKD Architects have provided an **Architectural and Urban Design Report** that specifically addresses the proposed materials and finishes of the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatments and retail/ crèche areas.

3.5 Item 5: Taking in Charge

An Bord Pleanála requested that “A *Taking in charge map*” be provided as part of the application documentation.

Response: An indicative Taken in Charge Plan drawing has been prepared by RKD Architects and is submitted as part of this application (please refer to drawing No. 21088-RKD-ZZ-ZZ-DR-A-1010). Principally this drawing shows the road networks and spaces as planned to be taken in charge by Meath County Council. As an indicative proposition, should An Bord Pleanála make a decision to grant planning for the proposed development, a formalised agreement with respect to taking in charge could be agreed with the Council by way of condition.

3.6 Item 6: Detailed Landscaping Plan

An Bord Pleanála requested the following:

“A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed trees survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space.”

Response: A detailed landscaping plan has been prepared by Brady Shipman Martin (BSM) and is included in this planning application. This landscaping plan outlines how the proposed development complies with section 4.13 of the ‘*Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*’.

A tree survey has been conducted by Arborist Associates which clearly indicates the quantum and designated areas of useable public open space within the proposed development. This tree survey is included with this planning application.

3.7 Item 7: Sunlight / Daylight / Overshadowing Analysis

An Bord Pleanála requested the following:

“A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable”.

Response: A Sunlight/Daylight/Overshadowing analysis has been prepared by Digital Dimensions. This report outlines that acceptable level of residential amenity for future occupiers and existing residents is achieved. Additionally, the report includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties.

Please refer to the enclosed ***Daylight & Sunlight Assessments of a Strategic Housing Development, Ratoath, Co. Meath*** for further detail.

3.8 Item 8: Article 299B Statement

An Bord Pleanála requested the following:

“The submission of all information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, as a standalone document, unless it is proposed to submit an EIAR at application stage.”

Response: The design team has prepared a full Environmental Impact Assessment Report (EIAR). This EIAR is included as part of this planning application pack

3.9 Item 9: Statement of Material Contravention

An Bord Pleanála requested the following:

Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

Response: A **Statement of Material Contravention** has been prepared by KPMG Future Analytics. The Statement objectively sets out the areas where the proposed development could potentially materially contravene a specific aspect of the Meath County Development Plan 2021-2027 and provides a justification as to why planning permission should be granted for the proposed development having regard to section 37(2)(b) of the Planning and Development Act, 2000 (as amended).

3.10 Prescribed Bodies

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the Board's Opinion requested that the applicant should notify the following authorities in the event of making an application:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. Meath County Childcare Committee

All of the authorities listed have been notified accordingly. Each of the prescribed body letters are submitted with this application.

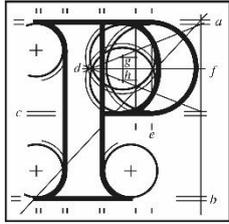
4.0 Conclusion

This Statement of Response has set out how the matters outlined in An Bord Pleanála's Opinion following the Stage 2 PAC in relation to the proposed SHD at Ratoath have been positively and robustly responded to by the Applicant and Design Team.

Each of the items has been tackled to ensure that the any elements of the development that were unknown or unclear, or of concern, to An Bord Pleanála have been adequately addressed.

Therefore, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, as well as all relevant national, regional and local planning policies and guidelines.

Appendix A – Notice of Pre-Application Consultation Opinion



An
Bord
Pleanála

**Case Reference:
ABP-311774-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 452 no. residential units (150 no. houses, 302 no. apartments). creche and associated site works. Lands immediately to the south of the existing built area of Ratoath, Ratoath, Co. Meath.

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

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

1. Permeability and Connectivity.

Further consideration and/or justification of the documents as they relate to the movement of pedestrians and cyclists from the subject site into Rathoath Village and surrounding area. The submitted documentation should demonstrate clear pedestrian and cycle connectivity and the timescale, phasing and delivery of any infrastructure associated with the proposed pedestrian and cycle connectivity, including any third-party consents required for the works. For

the cycle facilities that are proposed, the specific compliance with the particular requirements of the National Cycle Manual should be demonstrated by the documents.

2. Design Strategy

Further consideration and/or justification of the documents as they relate to the design approach of the proposed development and the need for a high quality, strong urban edge which integrates effectively along the proposed Rathoath Outer Relief Road (RORR). The further consideration/ justification should address the open space strategy, inter alia the need passive surveillance and functionality of open space (in particular the proposed communal courtyard spaces) and the future management and maintenance of all open space areas. Particular regard should be had 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009) and the requirement for good design and the inclusion of a sense of place.

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. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential and the surrounding area including along the proposed RORR.
2. An updated Traffic and Transport Assessment (TTA) which clearly illustrates the impact of the proposed development of the capacity of the surrounding junctions, including the Rathoath Village. In this regard the TTA should include all scenarios for the delivery of the Rathoath Outer Relief Road (ROOR) and include the impact on Rathoath and surrounding area and should be based on verifiable facts.

3. A statement DMURS compliance regarding permeability and connections with existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii. The internal road layout should require measures to avoid the use of parallel roads. The submitted documents should demonstrate specific compliance with the particular stated provisions of DMURS. Generalised assertions regarding principles are not sufficient.
4. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and retail/ crèche area. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).
5. A Taking in charge map.
6. A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed trees survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space
7. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.

8. The submission of all information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, as a standalone document, unless it is proposed to submit an EIAR at application stage.
9. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. Meath County Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Stephen O'Sullivan
Assistant Director of Planning
February, 2022