



An  
Bord  
Pleanála

**Case Reference:  
ABP-303315-18**

---

**Planning and Development (Housing) and Residential Tenancies Act 2016**

**Notice of Pre-Application Consultation Opinion**

---

**Proposed Development: Proposed Development: 120 no. apartments and associated site works.**

**Mill Street, Maynooth, Kildare.**

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. Context**

The pre-application consultation documentation has failed to adequately demonstrate an appropriate response to the issues set out by reason for refusal one of the previous SHD planning application. Further consideration is required in respect of the documentation relating to the context of the site and specifically, the adjacent church, a protected structure. This further consideration should include a

planning justification and architectural rationale for the proposed development. The prospective applicant should satisfy themselves that the proposed apartment and mixed use buildings provides the optimal architectural solution for this prominent town centre site. In this regard, the proposed development shall be accompanied by an architectural report and accompanying drawings that outline the design rationale for the proposed building height having regard to inter alia, National and Local planning policy including the national guidance document 'Urban Development and Building Height' (*section 3.0 Building Height and the Development Management Process*), the site context and locational attributes. In addition, a comprehensive suite of photomontage images shall be prepared that takes into account any important views and vistas and/or buildings of note in the vicinity. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage

## 2. Site Integration

The pre-application consultation documentation has failed to provide an adequate amount of material to allow any meaningful assessment of site integration if submitted as a full planning application. No documentation has demonstrated how the development will successfully integrate with the character and amenities of the town centre or recently permitted development to the north. The documentation fails to address the issues raised by refusal reason two and three of the previous SHD application. Further consideration should be given in relation to the design rationale/justification outlined in the documents as it relates to the integration of the proposed development with adjacent permitted and emerging development. Layout drawings should show recently permitted development to the north in the context of conditions attached to ABP-301230-18 regarding the provision of a future pedestrian route, position of apartment buildings and open space. In addition, contiguous elevations, levels and cross sections should show permitted development on those lands to the north and the relationship of the proposed development to the Lyreen River. There should be seamless physical connectivity between this site and the site to the north, as a means of providing a usable pedestrian/cyclist access route to and from the town centre. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

### 3. Residential Amenity and Connections

The documentation fails to satisfactorily address the issues raised by refusal reason two, three and four of the previous SHD application. Further consideration of documents as they relate to the layout of the proposed development particularly the relationship to the Lyreen River and the provision of a usable and safe riverside amenity together with appropriately scaled public open spaces that are well supervised. Reference should be made to permeability and the criteria set out in the Urban Design Manual relating to 'Connections' which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and the Design Manual for Urban Roads and Streets. Through connections to the recently permitted development to the north should be shown and integrated into design proposals. Additional photomontage images and a series of suitably detailed drawings, specifically and most importantly cross sections at appropriate intervals to illustrate the topography of the site, showing proposed buildings, the Lyreen River and interactions with any other landscape elements as necessary. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

### 4. Car Parking

The pre-application consultation documentation has failed to satisfactorily address issues set out by reason for refusal three of the previous SHD application on the site. Further consideration of the documents as they relate to the quantum of car parking, trip generation and the access and egress to the site based upon likely traffic volumes and the receiving street network. A suitably detailed mobility management strategy that specifically addresses the proposed amount of car parking should be prepared. The amount of car parking should reflect the town centre location of the site in accordance with the advice given at section 4.19 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in March 2018. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

## 5. Public Realm – Mill Street Interface

Further consideration is required in respect of the documentation relating to the interface of the development with Mill Street and specifically the provision of a high quality new public space. Proposals for new public realm should be suitably detailed in terms of the proper selection of high quality and durable materials. The pre-application consultation documentation has not shown any proposals prepared by the local authority. Reference should be made to any proposals by the planning authority, if known, and what impact such proposals would have on the delivery of a quality urban space. The further consideration should have regard to the requirements of the Planning Authority of Kildare County Council in relation to this matter and specifically reference should be made to any formal consents that may have already been secured, such as Part 8 Development or any CPO process. The prospective applicant should be entirely satisfied that their proposed development and specifically any entrance and new urban square proposals are not premature pending the design of a new road layout for the area and the possibility of land acquisition for proposals led by the Local Authority. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

## 6. Flood Risk Assessment

Further consideration of the documents as they relate to surface water management for the site. This further consideration should have regard to the requirements of the Drainage Division as indicated in their report dated 18 January 2019 and contained in Appendix B (page 27) of the Planning Authority's Opinion. Any surface water management proposals should be considered in tandem with any Flood Risk Assessment, which should in turn accord with the requirements of 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'). In addition, documentation should address the issues raised by reason for refusal number five of the previous SHD application on the site. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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 landscaping plan for the site which also clearly sets out proposals for hard and soft landscaping along the Lyreen River and the public realm area along Mill Street. Details of the recreational area for children should also be submitted including any proposals for play equipment provision, surface and boundary treatment to this area.
2. A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, 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.
3. A sufficiently detailed phasing arrangement for the proposed development should be provided.
4. A construction and demolition waste management plan should be provided.
5. A site layout plan, which clearly indicates what areas are to be taken in charge by the Local Authority.

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:

1. Irish Water
2. The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
3. The Heritage Council
4. An Taisce – the National Trust for Ireland

5. Fáilte Ireland
6. An Chomhairle Ealaíon
7. Inland Fisheries Ireland
8. Transport Infrastructure Ireland
9. National Transport Authority
10. County Kildare Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, 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 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

---

Tom Rabbette  
Assistant Director of Planning  
,2019