



An  
Bord  
Pleanála

**Case Reference:  
ABP-305012-19**

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

**Notice of Pre-Application Consultation Opinion**

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**Proposed Development: 110 no. residential units (42 no. houses and 68 no. apartments) with associated site works.**

**Sion House and adjoining lands, Sion Road, Co. Kilkenny.**

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. Local Development Plan Policy**

Further consideration of the documents as they relate to the planning rationale/ justification for the proposed density on the subject lands which are zoned for 'existing low density residential' and the provisions of the core strategy as provided for in the Kilkenny City Development Plan 2014-2020. In this regard consideration of section 3.3.1 and 11.4.1 of the Kilkenny City Development Plan should be evident in the design response on site.

Notwithstanding national policy, consideration should be given to the nature and scale of development relative to the local zoning and zoning objective and the materiality or otherwise of the quantum of development proposed in this context. Specific regard should be given to the provisions of Section 9 (6) (b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 as amended, whereby the Board shall not grant permission under paragraph (a) of Section 9(6) where the proposed development, or part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of the land.

Further consideration of these issues may require amendment to the documents and/or design proposals submitted.

## **2. Movement and transportation including parking**

Further consideration of movement (pedestrian, cyclist and vehicular) within and through the development site and to key transport routes (including proposed public transport/bus routes) in the vicinity of the site, and in particular how pedestrian movements will be facilitated in a safe manner across the Dublin Road and the N10 towards the City.

Further consideration of the provision of the Design Manual for Urban Roads and Streets and how the proposed layout and urban design response including the arrangement of parking spaces will contribute to the creation of attractive and safe streetscapes. Consideration should be given to the ease of pedestrian movements through the site, in particularly at key crossing points.

Further consideration of these issues may require amendment to the documents and/or design proposals submitted.

## **3. Design and Layout**

Further consideration/justification of the documents as they relate to the layout of the proposed development particularly in relation to the 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. The matters of arrangement and hierarchy of streets; configuration of layout; creation of strong urban edge with increased levels of passive surveillance to the public open space areas; provision of quality, usable open space; the creation of a sense of place; and a high-quality scheme with particular regard to the proposed materials and external finishes to the housing units and provision of street furniture should be further considered.

Further consideration of these issues may require amendment to the documents and/or design proposals submitted.

#### **4. Childcare Guidelines**

Further consideration/justification of the documents as they relate to the Childcare Guidelines, and necessity or otherwise to provide childcare on site.

Further consideration of these issues may require 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 clear statement as to how the proposed net density is calculated and consistency in all of the documentation as to the number of units proposed so as to avoid any ambiguity.
2. Photomontages and cross sections at appropriate intervals for the proposed development including details of how the proposed development interfaces with contiguous lands given the differences in levels.

3. An Appropriate Assessment screening report and/or Natura Impact Statement if considered necessary, which should address, inter alia, construction activities, landscaping proposals, surface water management proposals and in-combination effects of other plans and projects that maybe relevant to Natura 2000 sites in particular the River Nore SAC. The screening report and/or NIS should identify any source-pathway-receptor connections that may exist between the proposed development and any European sites, and in doing do, should identify the zone of influence of the proposed development and any European site that may be at risk.
4. All existing utilities that may traverse the site including any proposal to culvert/re-route/underground existing drains/utilities should be clearly identified on a site layout plan.
5. A construction and demolition waste management plan should be provided.
6. A Building Life Cycle Report as per Section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2018.
7. A phasing plan for the proposed development which also considers the delivery of public realm improvements in the vicinity of the site such as pedestrian crossings, public open space and surface water management proposals for each phase.
8. A site layout plan indicating all areas to be taken in charge.

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. Transport Infrastructure Ireland
6. Córas Iompair Éireann
7. Kilkenny County 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.

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Rachel Kenny

Director of Planning

September, 2019