



An
Bord
Pleanála

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Case Reference: ABP-309037-20

Proposed Development: 184 no. residential units (90 no. houses, 94 no. apartments) creche and associated site works. College Avenue, Breagagh Valley, Wetland, 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 constitute a reasonable basis for an application for strategic housing development.

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. Further elaboration and clarification of how the proposed development is in compliance, or otherwise, with the specific objectives of the development plan in respect of Parcel P of the Western Environs Area, as set out in Table 3.5 of the Kilkenny City and Environs Development Plan 2014-2020. In this regard,

clarity shall be provided in relation to the delivery of any proposed/required road infrastructure (i.e. phasing, delivery etc of same).

2. 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.
3. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed development complies with the requirements of DMURS, in particular; (i) the relationship of the proposed corner dwellings and boundary treatments to the proposed road network, having regard to the need to avoid or minimise blank walls and fences that restrict surveillance and movement (ii) demonstration of adequate sight-lines where appropriate (iii) parking quantity and location (including compensation for any loss of existing parking, if appropriate), road hierarchy and layouts, including design and materiality of the proposed shared surfaces. To this end, matters raised in the PA submission (dated 1st February 2021) and as raised in the tri-patriate meeting, should be addressed in any report/justification relating to the outlined transport issues.
4. Further consideration and elaboration with regard to the extent of bicycle parking for the apartment/duplex units and compliance with the provisions of the Sustainable Urban Housing, Design Standards for New Apartments - Guidelines for Planning Authorities.
5. Further elaboration and clarification with regard to the relationship between the proposed development, existing residential developments, existing and proposed public open spaces, and permitted developments adjoining the site, particularly in respect of permeability/desire lines, the provision public and communal open space, car parking and pedestrian/cycle infrastructure.

6. Further consideration of the treatment and landscaping of open spaces, to provide consistency of design and high levels of residential amenity across the overall development, having regard to the matters raised in the PA submission (dated 1st February 2021) and as raised in the tri-patriate meeting.
7. Relevant drawings/reports that address the issue of residential amenity (both existing residents of nearby development and future occupants), specifically with regards to impacts on daylight, sunlight and overshadowing, overlooking, visual impact and noise. The application shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and nearby residential development. The daylight/sunlight/overshadowing analysis shall address the full extent of the requirements of 'Building Research Establishment (BRE) Report 209 "Site Layout Planning for Daylight and Sunlight – a guide to good practice, 2nd Edition, 2011' and BS8206 – Part 2: 2008 Code of Practice for Daylighting, where applicable.
8. A Housing Quality Assessment (HQA) which provides the specific information regarding the proposed apartment/duplex units as required by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December, 2020). The assessment should also demonstrate how the proposed apartments/duplexes comply with the various requirements of those guidelines, including its specific planning policy requirements.
9. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of external finishes, the treatment of balconies and boundary treatments.
10. Drainage details, including full details of any proposed foul and surface water infrastructure, and confirmation of existing water supply capacity, such as would address and respond to comments within the Planning Authority's submission on this pre-application (dated 1st February) and having regard to the submission from Irish Water (dated 19th February 2021).
11. Additional CGIs/visualisations/3D modelling.
12. All supporting technical/environmental reports to be updated as required.

13. A plan of the proposed open spaces within the site clearly delineating public, communal and private spaces.
14. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
15. A phasing plan, if applicable.
16. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

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. **Kilkenny 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.

Tom Rabbette
Assistant Director of Planning
July, 2021