



An
Bord
Pleanála

Planning and Development (Housing) and Residential Tenancies Act 2016
Notice of Pre-Application Consultation Opinion

Case Reference: ABP-310244-21

Proposed Development: 359 no. units (13 no. houses, 346 no. apartments), creche and associated site works. Naas West, Finlay Park, Naas, Co. 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 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. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely

to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act. In this regard the implications of the likely adoption of the Draft Naas LAP 2021-2027 on the acceptability, or otherwise, of all aspects of the proposed development should be clearly set out in the submitted documentation.

2. A Housing Quality Assessment (HQA) and Design Statement which provides the specific information regarding the proposed apartments/duplex units as required by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December, 2020). In particular the documentation should set out further details in relation to the proposed triplex blocks, in terms of their functionality and access to the private amenity spaces. The documentation should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
3. 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. Particular regard should be had to the requirement to provide high quality and durable finishes and materials which have regard to the surrounding context of the site.
4. 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.
5. Justification, and where appropriate amendment, to demonstrate that the proposed car parking quantity is appropriate, having regard to local, regional and national policy on same. In addition, it should be demonstrated road and pedestrian layouts, including footpath provision, permeability, design and materiality of the different street types within the street hierarchy complies with DMURS, and have had sufficient regard to the relevant infrastructure objectives of the relevant statutory plans, and the Naas/Sallins Transport Strategy. To this

end, matters raised in at the Tri-Partite Meeting and as set out in the Planning Authority's submission on this proposal, including that as set out within the report of the Roads, Transportation and Public Safety Department (dated 04/06/2021) should be addressed in any report/justification relating to the outlined transport issues. In addition, in so far as is applicable for the making of a planning application, the following is required – A Stage 1 and 2 Road Safety Audit/Assessment; a public lighting plan and a Construction Management Plan.

6. A revised Site Specific Flood Risk Assessment that comprehensively addresses the issues raised in the submission from Kildare County Council (dated 14/06/2021) including the issues raised in the associated internal report from the Water Services Division (dated 04/06/2021) including, but not limited to, the need for a site-specific hydraulic modelling report. Regard should be had also to the currently ongoing Naas Flood Relief Scheme which may have implications for the proposed development.
7. Drainage details, including layouts, relevant consents and reports, such as would clearly address and respond to comments within the internal report from Water Services (dated 04/06/2021), and having regard to the submission from Irish Water (dated 21/06/2021).
8. Landscaping Proposals, including a report that provides appropriate rationale and details, and addresses the comments contained within the Planning Authority's submission on this pre-application (dated 14/06/2021), including those comments within the internal report from the Parks Section of Kildare County Council.
9. Additional CGIs/visualisations/3D modelling.
10. All supporting technical/environmental reports to be updated as required.
11. A plan of the proposed open spaces within the site clearly delineating public, communal and private spaces.
12. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

13. 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.
14. 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:

1. **Irish Water**
2. **Inland Fisheries Ireland**
3. **Transport Infrastructure Ireland**
4. **Fáilte Ireland**
5. **An Chomhairle Ealaíon**
6. **An Taisce**
7. **The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs,**
8. **Waterways Ireland**
9. **The Heritage Council**
10. **Kildare 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.

Tom Rabbette
Assistant Director of Planning
November, 2021