



An
Bord
Pleanála

Record of Meeting ABP-300371-17

Case Reference / Description	135 no. apartments and retail/crèche to ground floor. Mill Street, Maynooth, Co. Kildare		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	15 th January, 2018	Start Time	11.45 am
Location	Office of An Bord Pleanála	End Time	2.15 pm
Chairperson	Tom Rabbette	Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Joanna Kelly, Senior Planning Inspector
Cora Cunningham, Executive Officer

Representing Prospective Applicant:

Barry Comer, Ladas Property Company
Michael Fitzpatrick, Michael Fitzpatrick Architects
David Reilly, Michael Fitzpatrick Architects
Ronan Woods, Planning and Development Enterprise Services
Diane McGinnis, RPS
Christy O'Sullivan, ILTP Traffic Consultant

Representing Planning Authority

Liam McGree, Senior Planner
Jane O'Reilly, A/Senior Executive Planner
Stephen Willoughby, Executive Planner
George Willoughby, Senior Executive Engineer

David Hall, Senior Executive Engineer
Peter Black, Conservation Officer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 8th January, 2018 providing the records of consultations held pursuant to section 247 and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated 1st December, 2017 formally requesting pre-application consultations with ABP. Prospective applicant advised of the need to comply with definition of SHD as set out in the Act of 2016, in relation to thresholds of development. It was also noted that the Inspector dealing with the pre-application consultation request would be different to who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

- 1. Flood Risk and Surface Water Management including Appropriate Assessment (connectivity to Rye Water Valley / Carton SAC)**
- 2. Development Strategy to include impact on St. Mary's Church, a protected structure, urban design, layout, connectivity to adjoining lands**
- 3. Traffic and Assessment to include parking arrangements**
- 4. Foul sewer network capacity to include constraints in the Lower Liffey Valley Regional Sewerage Scheme**
- 5. Any other matters**

* It was noted that at the start of the consultation that the PA had not forwarded their Opinion to the prospective applicant so the meeting was adjourned from 12.15-12.45 to allow the prospective applicant to consider the PA Opinion *

1. Flood Risk and Surface Water Management including Appropriate Assessment (connectivity to Rye Water Valley / Carton SAC)

ABP sought further elaboration/discussion on:

- Potential for flooding having regard to location on flood risk zones A and B
- History of flooding in the area
- Previous planning history on site pre-dated national flood guidelines and will need to ensure consistency with provisions of these guidelines
- Site specific flood risk assessment including a justification test which will inform design approach
- Natura 2000 sites including Rye Water/Carton SAC
- LAP – specific objective regarding setback from Lyreen river, should be addressed in application
- It was stressed that agreement should be reached between the prospective applicant and the PA on technical matters prior to the lodgement of an application
- Surface water management
- Application should have regard to national and local policies

Prospective Applicant's response:

- Have retained consultant who has carried out site specific risk assessment and river modelling undertaken
- Minimal impact to area, development levels and site-specific mitigation measures will be set out in application
- Will agree details with PA prior to lodgement of application, indicated that basement level above 1:100-year flood level
- Refers to previous scheme on site
- Stage 2 appropriate assessment to be carried out by ecologist

Planning Authority's comments:

- Modelling should be robust and include 20% allowance for climate change
- Heritage report to be submitted with application having regard to impacts on Rye river
- Heritage and surface water drainage issues set out in Opinion to be addressed

2. Development Strategy to include impact on St. Mary's Church, a protected structure, urban design, layout, connectivity to adjoining lands

ABP sought further elaboration/discussion on:

- Development strategy for site having regard to the proximity of the proposal to St. Mary's Church, a protected structure, topography of the site and the need for connectivity and permeability through this town centre site and to adjoining lands
- Previous history on site has withered, proposed development should have regard to provision of national guidelines which advocate not only quantitative standards but qualitative standards such as high-quality design

- Application should have regard to the 12 criteria contained in Urban Design Manual which should be used to inform and improve the design approach where appropriate
- Issues raised in the planning authority's opinion should be addressed, in particular the potential impact on the protected structure. A visual impact assessment including photomontages and a conservation/heritage report should be submitted. Views from parklands near Pound Lane also to be considered.
- Need for better connectivity and creation of pleasant streetscapes/environment for residents emphasised
- Need to consider the layout/configuration/design of Block A including retail units having particular regard to pedestrian, vehicular and cyclist movements. Crèche location
- Elevational treatment of blocks should be further considered to ensure creation of pleasant streetscapes/residential environment
- Rationale to be provided for car parking numbers. Regard should be given to national policy
- Planning rationale for proposed density having regard to national policy and provision of high quality scheme in town centre
- Where proposals are at odds with details set out in planning authority's opinion planning rationale/justification for such should be clearly set out
- Need to detail cross-sections, existing and proposed levels/contours and photomontages/visual aids emphasised

Prospective Applicant's response:

- 3-D drawings to be included in application to show proximity to Church and to address issues raised by PA
- Previous permission on site informed the current layout
- Applicant queried if there is a requirement for retail units on these town centre lands given viability issue and whether there is flexibility regarding uses
- Plot ratio, minimal floor area provisions, open space provision all met, thus clarification sought from PA in seeking a reduction in the density
- No drop off area for crèche at ground level, users will drive into basement car park and gain access to crèche via lift from carpark thus no conflict in vehicular movements
- Provision of carpark space 1:1.5 but considering reducing to 1:1
- Applicant set out that there is no objective for bridge connection to parkland in current LAP

Planning Authority's comments:

- Cross sections, long sections, shadow casting to be included in application
- Inadequate information submitted with pre-application
- PA open to discussions in relation to Block A uses
- Concern regarding setback from river, proximity to church, permeability across site
- Long/cross/contiguous sections needed in application, concern about treatment of area to front of Block A and public footpath
- Car parking spaces 1:1.5 maximum required but lower figure can be considered

- Objective in Maynooth LAP for permeability and connectivity, include improving footpaths and cycleways

3. Traffic and Assessment to include parking arrangements

ABP sought further elaboration/discussion on:

- PA's Opinion comments on traffic and the Transportation Department's recommendation for refusal of the proposed development due to congestion in Maynooth
- Whether representative from Transport Department was at section 247 meetings
- Vehicular/pedestrian and cyclist movements through the site
- Provision of vehicular access on Mill Street in context of PA's opinion
- Access for emergency vehicles on site and measures to control access for other vehicles
- Vehicle/Pedestrian/Cycle access provided through lands to the north and connectivity through site to parklands and achieving passive surveillance
- Taking in charge – riverside walk

Prospective Applicant's response:

- Section 247 meetings did not raise any concerns regarding access from Mill Street
- PA allowing development on perimeter of town resulting in additional traffic movements through the town but refusing permission for town centre developments which is contrary to national policy
- Less traffic movements due to town centre location
- Will have regard to adjoining lands regarding access
- Fire consultants will deal with issues raised by Fire Officer in PA Opinion

Planning Authority's comments:

- Traffic Management Study carried out on Mill Street which raised serious concerns regarding access to site
- No Traffic Impact Assessment or traffic analysis included in pre-app details, need to consider alternative access to site
- Transport Department did not attend section 247 meetings and opposed to additional movements onto Mill Street
- PA acknowledge lands are zoned town centre and applicant to address concerns regarding congestion in application
- Need to address issues raised in Fire Officer's report
- Provision of pedestrian/cycleway along river will allow for taking in charge, benefit at later stage in providing access across river

4. Foul sewer network capacity to include constraints in the Lower Liffey Valley Regional Sewerage Scheme

ABP sought further elaboration/discussion on:

- Ambiguity in information provided by Irish Water and the PA's opinion. Water Services department indicated that there are constraints in the Lower Liffey Valley Regional Sewerage Scheme in particular at Leixlip and in the foul sewer network

Planning Authority's comments:

- Development cannot be looked at on an individual basis, need to consider permitted but not yet constructed developments
- Statement of Design acceptance to be obtained from Irish Water in advance of lodging application
- Some improvements works are being carried out locally to improve foul sewer network constraints. LA working with IW to address current constraints
- Have regard to issues raised in PA Opinion

5. Any Other Matters

ABP Comments:

- PA cautioned against using information, concerning third party lands, that is not currently in the public domain
- Have regard to Fire Officers report as may require re-design/change in layout
- Address issues raised in PA Opinion and provide planning rationale/justification where proposing deviation from advice of PA
- Archaeological assessment will be required
- Advised to liaise with Housing Section regarding Part V issues as raised in report
- Details of all boundary treatments should be provided in application
- Emphasised that no further information provision under SHD legislation
- Applicant to ensure all details/information is submitted for consideration at application stage

Planning Authority's comments:

- Queried whether applicant had engaged a Conservation Architect

Applicant's Comments

- Indicated they will consider the need to engage conservation architect

Conclusions

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published
- Sample notices, application form and procedures are available on the ABP website
- Irish Water would like prospective applicants to contact Irish Water at cdsdesignqa@water.ie **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is spatialplanning@water.ie

Tom Rabbette
Assistant Director of Planning
February, 2018