



An
Bord
Pleanála

Record of Meeting ABP-302130-18

Case Reference / Description	122 no. residential dwellings, public open space, provision of 255 no. car parking spaces, extension of the permitted and under construction roadway (KCC Reg. Ref. 15/848, ABP Ref: PL09.246859) for the creation of pedestrian and vehicular access from the Kilcullen Road (R448) and all associated site works. Kilcullen Road, Bluebell, Naas, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	29 th August, 2018	Start Time	11:15
Location	Offices of ABP	End Time	13:15
Chairperson	Tom Rabbette	Executive Officer	Lianna Slowey

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Sarah Moran, Senior Planning Inspector
Lianna Slowey, Executive Officer

Representing Prospective Applicant:

Steve Cassidy, Development Director, Ardstone Homes
John White, Project Manager, Ardstone Homes
John Fleming, Architect, John Fleming Architects
Lucy Riordan, Architect, John Fleming Architects
Dan Reilly, Engineer, DBFL Consulting Engineers
John Carr, Engineer, DBFL Consulting Engineers
Declan Brassil, DBCL Planning Consultants
Marc Campbell, Landscape Architect, Mitchell & Associates Landscape Architects

Representing Planning Authority

Patricia Conlon, Senior Executive Planner
Mary McCarthy, Housing Department
Trevor Moore, Water Services
Diarmuid Donohoe, Roads Department

Introduction

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

- A written record of the meeting will be taken; digital recording of the meeting is prohibited.
- 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.
- 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 may 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 Inspector dealing with the pre-application consultation request will not deal with the application when it is submitted.
- ABP representatives acknowledged the letter dated 20th July, 2018 formally requesting pre-application consultations with ABP.
- ABP received a submission from the PA on 15th August, 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 opinion.

*Please note agenda item no. 1: 'Status of Statutory Plan', was added to the previously circulated agenda. The following agenda and record is reflective of this addition.

Agenda

1. **Status of Naas Statutory Plan.**
2. **Residential density in the context of national and local planning policy.**
3. **Design of residential accommodation. Residential layout including open space provision, public realm. Visual impacts.**
4. **Housing mix and Part V.**
5. **Childcare provision.**
6. **Drainage and Water Supply.**
7. **Appropriate Assessment.**
8. **Any other matters.**

1. Status of Naas Statutory Plan

ABP sought further elaboration/discussion on:

- Naas Town Plan 2011-2017 expired last year, clarification sought re. status of draft plan.

Planning Authority's comments:

- The site was zoned for residential use in Naas Town Plan which has expired.
- A draft Local Area Plan (LAP) is under preparation which must have regard to national and emerging regional policy, awaiting the publication of the draft Regional Spatial and Economic Strategy (RSES) for completion of draft LAP.
- The prospective applicant's interpretation differs to the PA's regarding the zoning applicable to the site, given Naas Town Plan has expired. The site is not zoned under the CDP but the allocation for housing is referred to.
- An SHD application can only be made on residential zoned lands.
- As per section 247 meetings, suggest prospective applicant wait until draft LAP is adopted before proceeding with the application.

Prospective Applicant's response:

- Naas Town Council has been dissolved, the Naas Town Plan is a statutory development plan which will travel with the county development plan (CDP) until a new plan is adopted. Therefore, the land is still zoned under the CDP. The time frame for publication of the draft LAP is uncertain.
- Section 1.1 (2nd paragraph) of the current Kildare CDP refers to the above and states that LAPs will be prepared in respect of Naas and Athy.
- Refers to the Local Government Reform Act relating to the dissolving of town councils.

ABP comments:

- Have regard to the definition of SHD – for the delivery of 100+ houses on lands zoned for residential or mixed use.
- Suggest the prospective applicant seeks legal opinion in relation to the status of Naas Town Plan and the relevant land use zoning applicable to the site. This matter requires clarification in advance of lodging any SHD application for the subject site. The Board may be precluded from granting permission for a SHD if it is determined that the site is not zoned for residential use.

2. Residential density in the context of national and local planning policy.

ABP sought further elaboration/discussion on:

- Density is stated as 34 units per hectare, clarify discrepancies in the submitted documentation.
- PA policy re. outer suburban sites – apartments not generally permitted.
- National policy guidelines suggest 35-50 units per hectare in outer suburban sites.
- Refer to guidance provided in the draft Urban Development and Building Heights Guidelines for Planning Authorities in relation to suburban / edge locations, specifically SPPR 4.

Prospective Applicant's response:

- The proposed scheme has changed slightly since pre-application consultation request submitted to ABP – density of 35 units per hectare is now proposed, comprising 132 residential units and is the densest residential scheme in the Naas area.
- A good mix of residential units are proposed with a higher number of 2 bed units (60%).
- Location of apartment building had regard to site levels and adjoining residences.
- Apartment units are viable in Naas – The Orchard, Sallins Road an example of a successful apartment scheme in the area.
- Ardstone Homes are currently constructing a similar apartment development in Swords and are also developing a nearby housing scheme at Castle Farm, Naas.
- Proposed bin storage has been revised, individual access lanes are now proposed with a key code gate.
- A planted buffer is proposed between the front of terraced units and car parking.

Planning Authority's comments:

- Concern re. potential for anti-social behaviour at access lanes to bin storage and rear gardens.

ABP comments:

- Draft Urban Development and Building Height guidance (section 3.4 re. edge of urban development – SPPR 4 could apply in the context of any application on the site).
- ABP have recently granted higher density at edge of town sites.
- Clearly demonstrate access proposals to bin storage areas and rear gardens, address concerns of PA and have regard to adjoining residents.

3. Design of residential accommodation. Residential layout including open space provision, public realm. Visual impacts.

ABP sought further elaboration/discussion on:

- Design and layout of the proposed development.
- Connectivity/permeability with adjoining lands required if pedestrian access is proposed via Broadfield View.
- Permitted road to link site with Kilcullen Road.

Prospective Applicant's response:

- Previous owner of site secured permission for the access road to Kilcullen Road.
- Providing PA gives consent, prospective applicant is happy to provide pedestrian link with Broadfield View.
- Under the Roads Act, the PA can provide footpath along surface of lands taken in charge, alternatively, the footpath could be laid out as exempted development.
- There is no ransom strip between the proposed development site and Broadfield View.
- Housing units orientated having regard to adjoining residential open space.
- Substantial boundary treatments are proposed with adjoining agricultural lands, however, having regard to PA's comments a softer boundary treatment comprising fencing for security and hedging to soften visual impact can be adopted.
- Future connections will be made available if/when these adjoining lands are zoned for residential use.
- The permitted access road was originally a 7.5m distribution road which has been redesigned with PA by compliance, having regard to DMURS.
- The access road will now comprise a 6m carriageway, including adjacent raised cycle lanes.
- This access road will not be suitable to serve the adjacent agricultural lands, should they be zoned for residential use in the future.
- Hierarchy of open spaces outlined – centre space most active area, good distribution of open spaces throughout the scheme. Open space along access road not included in open space provision.
- It is proposed to retain existing trees at site entrance.
- High quality boundary wall treatment with planting is proposed along main pedestrian route through the site. Have delivered similar proposal in other developments.
- Revisions have been proposed at certain locations with regard to building lines.
- High quality brick finishes are proposed.
- Double fronted elevations will overlook open space.
- Proposed internal road has been realigned in order to provide increased rear gardens.
- The site can comfortably accommodate 3 storey apartment building.
- Will have regard to visual impact and will take distant views into consideration.
- Propose to place existing electricity cables underground.
- Apartment block located at lowest level of site, no visual impact concerns.

Planning Authority's comments:

- Broadfield View has been taken in charge. Landowner still owns the land; PA maintains the lands.
- Agree that a pedestrian connection with Broadfield View would be desirable.
- Proposed pedestrian connection to be included within the red line boundary.
- Preference for soft planted boundary treatment, having regard to views from Rathasker Road.
- Proposed open space should be quantitative open space, landscaped boundaries should not be included.

- Boundary wall treatment along main route through the site to be addressed at application stage.
- Have regard to building lines.
- Concern re. location of pumping station adjacent to housing units.
- Concern re. distant views towards the site, photographs were shown to illustrate.
- There are no protected views from/towards the site.
- Concern re. urban apartment block at edge of town site.

ABP comments:

- Evidence of agreement/consent re. pedestrian connection with Broadfield View to be submitted at application stage.
- Suggest prospective applicant consult with residents of Broadfield View.
- Internal road network to be brought up to site boundaries to allow for possible future connections.
- Include boundary treatment proposals in visual impact assessment.
- Prospective applicant is reminded that ABP's Opinion is based on the documentation submitted with pre-application consultation request. Proposed revisions will not be taken into consideration at this stage.
- Demonstrate examples elsewhere of similar boundary treatments along main route through site at application stage.
- Provide contiguous elevations of boundary treatments along main route through site.
- Consider relationship between car parking and play areas.
- Have regard to emerging national policy re. height.
- Visual impact assessment to be carried out, have regard to distant views from the west.
- Demonstrate how the proposed apartment block works within the scheme having regard to visual impact and ground levels, provide detailed cross sections.
- Ensure there is no conflict between proposed landscaping and SUDS measures.

4. Housing mix and Part V.

ABP sought further elaboration/discussion on:

- 12 no. Part V units proposed.

Prospective Applicant's response:

- Have designed 1 bed maisonettes in conjunction with PA, see nearby Castle Farm scheme for examples.

Planning Authority's comments:

- Preference for own door units, apartment units have not worked well in the past.
- Preference for units to be pepper potted throughout the scheme and should have the same quality finishing as the rest of the scheme.
- Two thirds of housing list are seeking one bed units.
- Happy with the 2 and 3 bed units proposed.

- In relation to overall unit mix, proposed house types are quite similar, would like to see some variety in house types and proposed finishes for visual interest, legibility and sense of place.

ABP comments:

- Provide elevations of proposed Part V units, i.e. proposed terrace units.

5. Childcare provision.

ABP comments re. application stage:

- No childcare provision within the proposed development, provide a clear rationale at application stage with regard to the capacity of available childcare services in the area.

Planning Authority's comments:

- Concur with ABP comments, justify why there is no childcare provision proposed.

6. Drainage and Water Supply.

ABP sought further elaboration/discussion on:

- Proposed pumping station located outside of site boundary.
- Proximity of pumping station to existing residences.

Prospective Applicant's response:

- Surface water discharge to be dealt with by infiltration.
- Landscaping/SuDS measures are integrated to a point.
- Open SuDS measures not suitable due to site levels.
- Proposed SuDS measures are mostly underground or shallow bioretention.
- Location of proposed pumping station is not in the ownership of the prospective applicant but will demonstrate sufficient legal interest in the land at application stage.
- Not possible to connect to existing pumping station at Broadfield View as the pipe diameter is too small in terms of Irish Water's requirements, also, partially goes through a private residence.
- Pumping station can be moved further downfield, if required, as the same landowner owns the adjacent lands towards Kilcullen Road.
- Modern pumping stations have odour reducer built in, example given of a pumping station at Blessington Road, Naas, which is open (not fenced in) with landscaping around.
- Proposed pumping station will be built to taking in charge standards.
- No opportunity for gravity connection, site levels are too low.
- 2 sections of attenuation are proposed, one within the open space and a lower section outside of the site, agreement is in place with adjoining landowner.

Planning Authority's comments:

- Concern re. proposed attenuation measures to service the scheme which are situated outside of the site.

- Concern re. odour from proposed pumping station. Irish Water require pumping stations to be 15m from nearest house, however, odour issue outside of Irish Water's remit will be reported to the PA, consider 50m from nearest house.

ABP comments:

- Demonstrate agreement with landowner re. proposed pumping station at application stage.
- Provide detailed rationale re. location of proposed pumping station, address ongoing operation and maintenance making clear reference to Irish Water requirements.
- Clearly demonstrate how the proposed attenuation measures fit together **along with landscaping proposals** in order to serve the site.
- Include details of outfall connection to Kilcullen Road within the red line boundary.

7. Appropriate Assessment.

ABP comments re. application stage:

- AA Screening Report submitted with pre-application consultation request screens Natura 2000 sites within a 10km radius, NPWS guidelines refer to 15km radius. Provide detailed rationale if not screening within 15km radius of the proposed development site.

Prospective Applicant's response:

- Will bring the AA screening radius up to 15km at application stage.

8. Any other Business

ABP sought further elaboration/discussion on:

- Archaeological report submitted with pre-application consultation request recommends that a programme of geophysical survey and targeted archaeological testing be carried out as a mitigation measure.

Prospective Applicant's comments:

- Geophysical survey and test trenching have been completed, nothing was found.

ABP invited parties to raise any outstanding matters.

PA comments:

- Once RSES has been adopted a new draft strategy will have to be prepared which will impact the entire county.
- Draft Naas LAP is dependent on the publication of the draft RSES.

Conclusion

The representatives of ABP emphasised the following:

- Have regard to new EIAR regulations
- 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.
- A stand-alone website is required for the planning application. The labelling of documents should be carefully checked.
- There is no provision for ABP to seek further information from applicants, therefore, consistent, accurate and legible documentation is required at application stage.
- Ensure there is no conflicting information between the architectural, landscaping and engineering documentation and drawings.
- A list of prescribed bodies will be provided with the ABP Opinion.
- Ensure as much agreement as possible is in place between the prospective applicant and Kildare County Council in relation to technical issues (i.e. roads/drainage, etc). Where no agreement is reached clear justification/rationale should be submitted.

Tom Rabbette
Assistant Director of Planning
September, 2018