



Case Description	120 no. apartments and associated site works. Mill Street, Maynooth, Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	12 th February, 2019	Start Time	14:30 p.m.
Location	Offices of An Bord Pleanála	End Time	16:30 p.m.
Chairperson	Tom Rabbette	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Stephen Rhys-Thomas, Planning Inspector
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

Barry Comer – Comer Properties
Michael Fitzpatrick – Michael Fitzpatrick Architects
David Reilly – Michael Fitzpatrick Architects
Ronan Woods – Genesis Planning Consultants
Christy O Sullivan – ILTP (Traffic Consultant)
Andrew Jackson – RPS (Flood Risk Design & Drainage Design)

Representing Planning Authority

Caroline O'Donnell, Senior Executive Planner
George Willoughby, Roads Department
David Hall, Water Services

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 28th January 2019 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 21st December 2018 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. Site Context**
- 2. Integration with existing and permitted development**
- 3. Lyreen River - amenity and connections**
- 4. Car parking quantum**
- 5. Public Realm – Mill Street interface**
- 6. Flood Risk Assessment**
- 7. Any other matters**

1. Site Context

ABP sought further elaboration/discussion on:

- Whether all aspects of the reasons for refusal have been addressed
- The impact on the protected structure and refusal reason number one on the previous SHD application.

Prospective Applicant's response:

- Proposals have been revised
- The new guidelines concerning building height have been considered
- A light and shadow analysis impact on the church has been undertaken
- The context of this site to the recently permitted site to the north has been considered
- The height has not been altered significantly from the previous application but the layout and treatment of buildings has
- There is no overshadowing
- There is agreement with the P.A regarding the site entrance
- A car parking justification will be lodged
- There will be contextual elevations with regards to the Church
- Block B1 is a 3-storey step down to the church
- An amenity space has been proposed for block B2
- Drawings showing the boundary wall and shadow referencing can be submitted

Planning Authority's comments:

- Open space has been amended to contain higher usable space
- A pedestrian and cycle walkway has been included along the river and out onto Mill Street
- The prospective applicant must examine and address the reasons for refusal on the previous application
- Not entirely satisfied with the separation of block B with the Church
- The church is a protected structure and it's difficult to determine if its impacted
- There is no shadow and sunlight analysis submitted

Further ABP comments:

- Essential to address the reasons for refusal on the previous application
- Submit cross sections, CGI's and photomontage images
- Show the boundary wall and its relationship to open space and apartment amenity
- Ensure relevant apartment guidelines are met
- The documentation does not adequately address the previous reasons for refusal relating to the impact on the church, a protected structure, nor adequately addresses the interface with the Lyreen River

2. Integration with existing and permitted development

ABP sought further elaboration/discussion on:

- How this development integrates with the existing permitted development to the north

- Connections between this development and the permitted development to the north is important
- Cyclist and pedestrian connections need to be clearly indicated

Prospective Applicant's response:

- Cyclist and pedestrian routes to the other developments can be shown
- Drawings will show that there are no level differences
- Drawings can be provided showing connections

Planning Authority's comments:

- No details of connections are contained in the drawings
- Consultation with the developer of the recently permitted site to the north are important
- Very important that there is a connection for cyclists between this site and the site to the north and Mill Street
- Compliance with DMURS is very important
- Information is required regarding level differences
- A footbridge will be built over the Lyreen River, the site will provide a link from Mill Street to the development site to the north and Pound Park
- This is a Local Area Plan objective

Further ABP comments:

- The lay out of the permitted development to the north is not shown and should be
- Explain how the site ties in with the wider area
- Show the interface and connections with the development site to the north
- Illustrate cyclist and pedestrian routes
- Pre-app documentation does not provide adequate detail and response to the previous reason for refusal on the site to the north in terms of connectivity and context

3. Lyreen River – amenity and connections

ABP sought further elaboration/discussion on:

- The proposed footpath and cycle lane between proposed apartments and along the Lyreen river
- SUDS proposals along the river strip should be shown in detail, if proposed

Prospective Applicant's response:

- There will be a cycle route along the Lyreen river onto Mill Street
- Discussions have taken place with the P.A regarding access to the cycle route
- The linkage pathway will be a 5% gradient with no platform level
- All work will be done to taken in charge standards

Planning Authority's comments:

- Discussions will have to take place with the prospective applicant regarding taken in charge
- Access to the Cairns site is important

Further ABP comments:

- Submit cross sections of the proposal that illustrate the context of the river and bank (existing and as granted on the site to the north)
- Clarify how the amenities and connections are all linked and integrated
- If there are areas to be taken in charge this needs to be addressed and specified in documentation

4. Car Parking Quantum

ABP sought further elaboration/discussion on:

- Rationale for the provision of car parking, the town centre location and the proximity of public transport

Prospective Applicant's response:

- 135 car parking spaces are being provided
- GoCar and visitor parking is included
- County standards are being met
- The commercial car parking element is also per county development standards
- Car parking can be reduced to a manageable level
- 200 cycle parking spaces are being proposed

Planning Authority's comments:

- The entrance to Mill Street is between two traffic light junctions
- There will be queuing and turning movements into and off the site
- Recommend no right turning, a left in left out arrangement is preferred
- Agree to parking for the creche and restaurant
- Reassessment of car parking for apartments and impacts for traffic flows
- Public transport is in close proximity

Further ABP comments:

- Pattern of car use is important to understand
- Submit a rationale for car parking, given the town centre location
- If car clubs are being proposed have regard to the long term management of the development
- Submit a building lifecycle report, in which a car parking management strategy should form part

5. Public Realm – Mill Street Interface

ABP sought further elaboration/discussion on:

- Urban space
- Access in/out of the site for cars, pedestrians and cyclists

Prospective Applicant's response:

- There are currently two access points from the site onto Mill Street
- Part 8 "North South Maynooth Project" is happening

- There will be a bus recess and shelter at the proposed plaza area on land owned by the applicant
- Talks are needed with the P.A to agree an access strategy to the site
- The entrance as proposed must not change as a result of Part 8
- The P.A needs to explain if the Part 8 encroaches on lands in ownership of the applicant
- Appropriate access with cycle and pedestrian will be delivered
- Questioned the lack of local authority proposals regarding the front of the site, design impacts were not provided and incorporated into the current proposal

Planning Authority's comments:

- It is possible the Part 8 could be approved and may even be at the tender stage
- Need to confirm the status of Part 8 proposals for Mill Street
- Bus stops will be the main change
- This will occur at the Mill Street section at the front of the site

Further ABP comments:

- Clarify exactly what is proposed for the treatment of Mill Street along the front of the site, the status of the Part 8 needs to be confirmed, and whether CPO will follow
- If a Part 8 is approved ensure that proposals in this application tie in with local authority plans
- The application could be considered premature if other consent procedures have not been completed
- Further discussions to take place with both parties
- Submit a rationale if there is disagreement to the site entrance coming under Part 8

6. Flood Risk Assessment

ABP sought further elaboration/discussion on:

- In light of the previous application has the flood risk assessment been addressed?

Prospective Applicant's response:

- Raises issues with regard to the public use the CFRAM Model to assess flood risk
- A new model has been built which includes additional cross sections and any flood plain changes
- This model is more efficient and specific
- There is no increase in flood risk either up or down
- Any varies are a maximum of 0.5%
- OPW writing may be sought to point out that private developers cannot use the CFRAM Model
- No objection to an independent assessment regarding the use of bespoke models

Planning Authority's comments:

- The OPW state that the CFRAM Model must be used
- There is very little additional flood risk information in this pre-application
- Flood storage and compensatory measures should be used
- Cross sections, existing site levels and new site levels need to be shown
- Clarity is required for what is the lost volume of flood plain storage
- An independent assessment regarding the use of bespoke models might have to be sought

Further ABP comments:

- Submit a robust flood risk assessment
- Address the reasons for refusal on the previous application
- Layout your rationale if there is a disagreement between both parties

7. Any other matters

ABP comments:

- Clarify the open space

Prospective Applicant's response:

- The open space is 15% at the request of the P.A

Planning Authority's comments:

- Clarify the open spaces and ensure quality
- The applicant was advised to address with the required amount of detail, all of the issues raised by the reasons for refusal in the previous application, the pre-app documentation falls significantly short of what is required to address the deficiencies of the previous proposal

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
March, 2019