



<b>Case Description</b>	165. Dwellings, Childcare facility and associated site works. Whiteland/East Kildare, Rathbridge Road, Kildare Town.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Date:</b>	24 <sup>th</sup> April, 2019	<b>Start Time</b>	10.00 am
<b>Location</b>	Offices of An Bord Pleanála	<b>End Time</b>	11.10am
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Aoife Duffy

**Representing An Bord Pleanála:**

Tom Rabbette, Assistant Director of Planning
Joanna Kelly, Senior Planning Inspector
Aoife Duffy, Executive officer

**Representing Prospective Applicant:**

Conor Furey, Engineer
Dan Egan, Landscape Architect
David Mulcahy, Planning Consultant
Jennifer Lynch, Architect
Michael Moran, Traffic Engineer
Rory O' Hare – Conor Furey and Associates
Cian Conlon – Applicant

## Representing the planning Authority:

Joe Keane, Roads Department
John O Hara, Assistant Planner
Patricia Conlon, Senior Executive Planner
Mary McCarthy, Part V
Tom Drennan, Water and Drainage

## 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 5<sup>th</sup> April, 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 11<sup>th</sup> March, 2019 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. **Development Strategy to include layout, density, unit mix and typology, open space and proximity to the Curragh - High Amenity Lands to the north-east of the development site**
2. **Movement and Legibility to include consideration of principles of Design Manual for Urban Roads and Streets**
3. **Water and Wastewater having regard to comments set out in the planning authority's opinion from the Water Services Department.**
4. **Surface water and Flood Risk to include comments set out in the planning authority's opinion from the Water Services Department.**
5. **Part V**
6. **Any Other Matters**

1. **Development Strategy to include layout, density, unit mix and typology, open space and proximity to the Curragh - High Amenity Lands to the north-east of the development site**

### **ABP sought further elaboration/discussion on:**

- The Design statement and how it addresses the site context and the 12 criteria identified in the Design Manual
- Whether prospective applicant had discussions with adjoining landowners with regards provision of access / co-ordination of plans where lands are proposed to be developed
- Density, how net density was calculated and rationale for density proposed having regard to provisions in national guidelines regarding public transport corridors
- Layout in particular location and usability of open space relative to residents it will serve including boundary treatment details

### **Planning Authority's comments:**

- Concerns with density given proximity of site to the green belt and Curragh lands
- Extant permission c. 13.5u per hectare and consider density range of 20-25 units per hectare appropriate to site
- Argue that the development would be located in a rural area and will be car dependent, residents need cars to move within the County notwithstanding proximity to train station
- Crèche lands should be included in the net density area
- Concerns re interface of hedgerows and boundary walls suggest that hedgerows are maintained

- Concerns regarding open space, pocket parks could be examined
- Crèche is an important feature for the location and should be kept in the development

**Prospective Applicant comments:**

- Cognisant of the green belt zoning and the Curragh designation
- Feel the current level of density is appropriate for the development
- Met with other landowners, proposal will tie in with adjoining lands
- Will engage with the PA and the parks department
- Will re-examine the design statement
- There are constraints at the south-eastern end of the site where open space provided, can provide a rationale for excluding from net site area

**Further ABP comments:**

- Have regard to SPP4 in the Building Height national guidelines regarding density and also previous SHD application reasons for refusal regarding density, in conjunction with local statutory policy
- Ensure clarity regarding net density calculations and have regard to Appendix A of Sustainable Residential Development in Urban Areas Guidelines
- Consider existing hedgerows/trees within site analysis and potential to contribute to sense of place within scheme
- Address hierarchy of open space and quality of same
- Provide details regarding extent of tree retention
- Maximise passive surveillance to areas of open space
- Clearly indicate extent of areas to be taken in charge and all future links/connections should be identified
- Ensure consistency across the various technical drawings i.e. roads layout; architect's site layout; drainage layout; landscape layout etc.

## **2. Movement and Legibility to include consideration of principles of Design Manual for Urban Roads and Streets**

### **ABP sought further elaboration/discussion on:**

- How scheme is consistent with the principles of DMURS in particular street hierarchy and creation of streets as attractive places
- Rationale for level of proposed parking given proximity to the train station
- Adjoining lands and how connections are to be provided

### **Planning Authority's comments:**

- Feel the level of car parking spaces can be justified as train not sufficient for every day-to-day requirements e.g. shopping, school runs etc.
- Would have concerns regarding any proposals to narrow the roads
- 6m wide carriageway needs to be examined as there is potential for speeding
- Having perpendicular parking is important as calming measure
- Concerns about visibility at the junction with Rathbride Road and visibility of traffic to the north, may need to reconsider red-line boundary
- Agree the site is in close proximity to the railway, missing footpath to the railway will need to be addressed

### **Prospective Applicants response:**

- Junction is designed to DMURS standards
- Will consult with the Planning authority
- Have agreed road connection with adjoining landowner who has extant permission

### **Further ABP comments:**

- Provide justification that the development is compliance with DMURS principal
- Demonstrate how the site will work for vulnerable users also
- Address any Planning Authority concerns
- Make argument clear if there are any discrepancies

### **3. Water and Wastewater having regard to comments set out in the planning authority's opinion from the Water Services Department.**

#### **ABP sought further elaboration/discussion on:**

- This issue having regard to Water services Department's concerns set out in the PA Report

#### **PA Comments:**

- Concerns raised in the water services report should be addressed
- Be aware of the PCE feedback and liaise with Irish Water
- Be clear on consents, capacity and liaise with any surrounding land owners
- Should include a statement of design and acceptance

#### **Perspective Applicants Response:**

- Have addressed the concerns of the planning authority's report
- Have agreed and liaised with Irish water
- Have considered PCE feedback
- Was in contact with adjoining land owners

#### **Further ABP comments:**

- Liaise with the Planning Authority to ensure that issues have been addressed as no further information request
- Ensure all cross sections and details referred to in water services report are included

### **4. Surface water and flood risk to include comments set out in the Planning Authority's opinion from the Water Services Department.**

#### **ABP sought further elaboration/discussion on:**

- Surface water and flood risk with relation to the comments from the Planning Authority's report

#### **Planning Authority Comments:**

- Levels should be clearly indicated
- Maintenance and taken in charge should be clear in the documents

#### **Prospective Applicants Comments:**

- Will engage with the Planning Authority

#### **Further ABP comments:**

- Be clear on issues raised, ensure that there are no discrepancies in the documents submitted
- Ensure all calculations are provided as set out in PA report

#### **5.Part V**

##### **ABP sought further elaboration/discussion on:**

- Planning Authority concerns with regards to Part V

##### **Planning Authority Comments**

- Would prefer if there were more of type 2 houses with regards to Part V
- Two bed houses would be preferable
- Minor issues that can be discussed with the Prospective Applicant

##### **Prospective Applicant Comment**

- Will engage in further discussions with the Planning Authority

##### **Further ABP Comments**

- Further discussions with the Planning Authority is advised

#### **6.Any Other Matters**

##### **Further ABP Comments:**

- Landscape plan, should be clear on the extent of trees to be retained
- Ensure clarity and legibility of elevations plans e.g. access to the duplex units
- Remove landscaping from elevation plans which may impede legibility of plans
- Consistency and accuracy of the drawings is important
- Liaise further with the Planning Authority

### **Planning Authority Comments:**

- Re-iterate concerns regarding density
- Consider cycle mobility

### **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](mailto: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](mailto:spatialplanning@water.ie)

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Tom Rabbette  
Assistant Director of Planning  
May, 2019