



An
Bord
Pleanála

Record of Meeting ABP-304453-19

Case Reference / Description	210 no. houses and associated site works. Branganstown - Phase 3, Kilcock, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	24 th June, 2019	Start Time	2.30 pm
Location	Offices of An Bord Pleanála	End Time	3.30 pm
Chairperson	Rachel Kenny	Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Erika Casey, Senior Planning Inspector
Una O'Neill, Senior Planning Inspector
Cora Cunningham, Executive Officer

Representing Prospective Applicant:

Hennie Kallmeyer, Declan Brassil & Co.
Eamon Doran, Doran Cray
Barry McKenna, Doran Cray
Paul McGrail, Paul McGrail
Priscila Contieri, Paul McGrail
Mark Kelly, DBFL
Kevin Fitzpatrick, Kevin Fitzpatrick
Justin Farrelly, Glenveagh Homes
Kate Moloney, Glenveagh Homes

Representing Planning Authority

Eoghan Lynch, Senior Executive Planner
David Hall, Water Services Department

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 11th June, 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 15th May, 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 with particular regard to density calculation, housing mix, layout of open space, interface with adjoining lands and crèche
2. Water and Wastewater
3. Surface Water Management and Flooding
4. Part V
5. Archaeology
6. Any Other Matters

1. Development Strategy with particular regard to density calculation, housing mix, layout of open space, interface with adjoining lands and crèche

ABP sought further elaboration/discussion on:

- Overall density increase of scheme compared to that of parent permission in particular, clarity of net density calculation
- PA looking for greater mix in variety of unit type including 1 bed units
- Location of crèche having regard to proposed school site

Prospective Applicant's response:

- F zone excluded and distributor road in density calculation
- Net density at 37.1 net
- 1 bed units to be provided in a future phase, closer to train station and existing pedestrian/cycle links; this will form part of future SHD application
- Amended application currently with PA
- Proposed layout similar to that of previously permitted scheme
- No information in relation to when school site may be developed, reserved site by Department of Education, permitted development provided spur road to school
- Proposed early delivery of crèche; required under condition of parent permission
- Land ownership will be detailed in application
- Intention to purchase site to east, layout indicative of what is proposed
- Majority of corner units are dual aspect
- Scheme addresses layout proposed on lands to east

Planning Authority's comments:

- Density at permitted level as stated in LAP
- Consider incorporating Part V units through entire site which may require provision of 1 bed units
- Address issue of passive surveillance and need for units facing directly onto open space
- Consider layout of semi-detached units on corner sites

Further ABP comments:

- Clarify in application and include diagram of areas included and excluded for the purpose of net density calculation
- Need to consider comments of Kildare Co. Co. and a more 'pepper pot' approach to distribution of Part V units
- Demand for 1 bed units in this area should be considered
- Need a holistic approach to housing mix across the site. Provide rationale and justification for proposed housing mix and unit typology and in particular proposals for future phases of development. Discuss further with Kildare Co. Co.
- Clarity of overall housing mix and amendments proposed should be provided in the application with clear drawings indicating same
- Provide layout to show what is proposed, under construction and future plans and amendments
- Address issues raised in PA Opinion
- Clear link in parent permission to school lands and adjacent residential scheme now lost in this application. Note material change to the red line boundary. No

opportunity to provide this link as proposed development will supersede previous permitted development. Concerns regarding loss of link and impact on connectivity and passive surveillance. Need to address this issue in the application including full clarity on legal ownership issues and how appropriate link/connection can be provided

- Letters of consent to be included in application

2. Water and Wastewater

ABP sought further elaboration/discussion on:

- Parent permission in particular condition 43(b)(i) and (ii)

Prospective Applicant's response:

- No foul water issues relating to 2017 permission, connection constructed under canal and railway
- Awaiting legal connection agreement with IW
- Connection proposed into and through site to provide for future connections
- Design acceptance obtained in 2019

Planning Authority's comments:

- Prospective application may need to revise pre-connection enquiry
- Need for wastewater network improvements due to ongoing and future developments
- Irish Water to carry out upgrades to wastewater in Lower Liffey Valley
- Conditions of parent permission have not been complied with in relation to wastewater constraints
- Address issues raised in PA Opinion

Further ABP comments:

- Address PA concerns relating to historical constraint issues
- Cannot use one permission to enforce conditions relation to another permission
- Proposed application will be looked at on his merits
- Consider appropriate phasing pending upgrades

3. Surface Water Management and Flooding

ABP comments:

- Address issues raised in PA Opinion relating to Flood Risk Assessment Report
- Discuss further with PA
- Include SuDs measures in proposed development
- Address surface water discharge in AA

Prospective Applicant's response:

- Updated NIS to be submitted with application

4. Part V

ABP comments:

- Discussed in Item 1 above
- Discuss further with PA
- Give rationale and justification if agreement not reached

Planning Authority's comments:

- Concern that units do not meet Development Plan standards with regard to unit size and storage.

Prospective Applicant's Response

- Acknowledge that Development Plan standards not met but proposals meet national standards.

5. Archaeology

ABP comments:

- Updated details to be provided regarding archaeological testing on site
- Liaise with DAU

Prospective Applicant's response:

- Site excavated and testing carried out on northern area of site, not yet carried out on southern area, satisfied to have condition to carry out these works

6. Any other matters

ABP comments:

- Address ownership issues raised in PA Opinion by Parks Department in relation to hedgerows, ensure no legal issues arise
- Parks department raised issue with design, consider further in landscape design
- EIAR submitted for parent permission, applicant indicates that Environmental Report to be submitted with application and updated NIS

Applicants Comments

- Hedgerows to be retained and incorporated into linear park
- Will address legal any issues in application

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

Rachel Kenny
Director of Planning
July, 2019