



An
Bord
Pleanála

Record of Meeting ABP-305560-19

Case Reference / Description	166 no dwellings (106 no. houses, 60 no. apartments) and associated site works. Kill Hill and Earls Court, Kill, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	14 th November 2019	Start Time	11:30 a.m.
Location	Offices of An Bord Pleanála	End Time	13:15 p.m.
Chairperson	Tom Rabbette	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Erika Casey, Senior Planning Inspector
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

John O'Connor, JFOC Architects
Claire McManus, JFOC Architects
Dominic Stevens, JFOC Architects
Simon Clear, Simon Clear Planning Consultants
John Kavanagh, Icon Archaeology
Seamus Nolan, NRB Traffic Consultants
Paul Moran, Consulting Engineers
Noel Mahon, Consulting Engineers

Representing Planning Authority

Patricia Conlon, Senior Executive Planner
Elaine Donohoe, Executive Planner

George Willoughby, Roads Department
David Hall, Water Services Department
Aidan Martin, 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 31st October 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 4th October 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. Principle of Development:** Having particular regard to the core strategy set out in the Kildare County Development Plan 2017 and 2023 and comments from Kildare Co. Co. that the subject development is premature pending the adoption of a variation of the Kildare Co. Development Plan in compliance with the RSES County Population target's and future population allocation for Kill.
 - 2. Development Strategy** for the site including: Overall site layout, urban design and architectural approach particularly with regard to car parking layout, disposition of open space and landscaping, treatment of urban edges and public realm, housing mix/typology, finishes and materials.
 - 3. Traffic and Access:** Having particular regard to the proposed access from the Avenue and compliance with DMURS.
 - 4. Archaeology**
 - 5. Drainage**
 - 6. Any Other Matters**
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- 1. Principle of Development:** Having particular regard to the core strategy set out in the Kildare County Development Plan 2017 and 2023 and comments from Kildare Co. Co. that the subject development is premature pending the adoption of a variation of the Kildare Co. Development Plan in compliance with the RSES County Population target's and future population allocation for Kill.

ABP sought further elaboration/discussion on:

- Status of the core strategy and proposed variation.

Planning Authority's comments:

- The core strategy variation is in preparation.
- The number of units allowed in Kill may be 149 based on population projections.
- It may be considered that there is an over allocation of units at present and a number of extant permissions in this area.
- Unsure if land will be de-zoned but may be phased.
- This site is outside the core urban area of Kill and is located on the edge of the settlement.
- It could be considered premature.
- The density proposed is 40 units net.
- This is an edge of small town and the density should be 15-20 units per hectare.

Prospective Applicant's response:

- Conscious that there needs to be efficient density, particularly having regard to Boards previous decision and National Guidelines.

- This land has been zoned for over 15 years and was tied to the delivery of the school on the adjacent lands.
- Other zoned residential land is located on the opposite side of the town and 1.6 km from the school.
- Proximity of the school makes lands category 1 and sequentially suitable for development.
- Queries whether the 2016 figures set out by the Council in their report include a planning permission on these lands. Request the P.A to check the figures for accuracy.
- The development has a net density of c. 34 units per ha.

Further ABP comments:

- Demonstrate compliance with the core strategy and address issues raised by Kildare Co. Co.
- Consider whether development is a material contravention in the context of the existing core strategy.
- Outline suitability of lands in terms of the sequential test.
- Address the issue of prematurity.

- 2. Development Strategy** for the site including: Overall site layout, urban design and architectural approach particularly with regard to car parking layout, disposition of open space and landscaping, treatment of urban edges and public realm, housing mix/typology, finishes and materials.

ABP sought further elaboration/discussion on:

- Site layout.
- Roads, car parking and compliance with DMURS.
- Landscaping.
- Housing mix.
- Finishes and materials.

Planning Authority's comments:

- Recommend a minimum of 5.5 metres for internal roads and 6 metres wide for a spine road.
- There needs to be a hierarchy of roads with reference to DMURS design.
- Shared surfaces have safety issues.
- 10% visitor parking is recommended.
- Satisfied with finishes and materials.

Prospective Applicant's response:

- Roads close to Kill Hill have been removed.
- There are 6-metre-wide roads and 2-metre-wide footpaths.
- The layout overlooking Kill Hill has been improved.
- Additional open space has been provided.

- Overhead ESB lines have be put 12-13 meters high.
- Blocks have been designed to ensure maximum passive surveillance.
- Cars are parked between houses to improve layout and ensure the scheme is not car dominated.
- Streets are defined by buildings and not cars.
- Duplexes have improved density.
- Render is being used on duplex units.
- Design ensures high quality units.

Further ABP comments:

- Follow DMURS guidelines.
- Examine the number of 2 bed house units.
- Look to provide a better streetscape with more appropriately designed corner units.
- Some open spaces lack surveillance, particularly to the south.
- Examine the car parking around open spaces.
- Set out how there is incidental open space as a result of ESB lines. Try and reduce number of incidental areas.
- Detail open space calculations.

3. Traffic and Access: Having particular regard to the proposed access from the Avenue and compliance with DMURS.

ABP sought further elaboration/discussion on:

- Traffic access from the Avenue.

Planning Authority's comments:

- There needs to be traffic calming. This will be installed when road is taken in charge.
- A footpath is needed for both sides of Earls court.
- Agree with and support proposed vehicular access from the Avenue for permeability and emergency vehicle access.
- TTA, noise study and a road safety audit need to be carried out.

Prospective Applicant's response:

- Traffic calming will be at the Avenue. This will be implemented by the time application is lodged.

Further ABP comments:

- Detail traffic calming.
- Show traffic calming on drawings at application stage.
- Justify vehicular access from the Avenue.
- There is no further information sought at application stage so address technical requirements of the PA.

4. Archaeology

ABP sought further elaboration/discussion on:

- Comments from the PA regarding the creation of a wider buffer.

Planning Authority's comments:

- There should be a wider buffer.
- Bound surfaces should be used and no timber edging.

Prospective Applicant's response:

- The buffer zone with Kill Hill has been discussed and agreed with the DAU.
- A heritage trail has also been designed and incorporated into the Buffer Zone.

Further ABP comments:

- In the landscape strategy show the treatment of the buffer, particularly at interface with housing.

5. Drainage

ABP sought further elaboration/discussion on:

- Drainage.

Planning Authority's comments:

- Issue of prematurity has been resolved (with reference to previous refusal relating to foul drainage and treatment).
- Information is needed on existing sewers and what is the run off to Earls court phase 1 & 2.
- Surface water measures seem fine.
- There is no provision for attenuation in one of the catchment areas.
- Address the maintenance of swails.
- This is not a flood risk zone however, a flood risk assessment is needed

Prospective Applicant's response:

- CCTV surveys will be made available.
- Design acceptance statement is in process.
- Attenuation for some units is difficult
- SUD's measure have been taken into account.
- There will be infiltration.

Further ABP comments:

- Detail drainage and surface water measures and liaise with KCC.
- Outline SUD's measures

6. A.O.B.

ABP comments:

- Address the dispersal of Part V units and comments from the Housing Dept.
- A rationale is needed as to why a childcare facility is not being provided.

Planning Authority's comments:

- No comment.

Applicants Comments:

- No comment.

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

November 2019