



An
Bord
Pleanála

Record of Meeting ABP-306944-20

Case Reference / Description	194 no. residential units (114 no. houses, 80 no. apartments) and associated site works. Western Side of Millicent Road and Southern side of Prosperous Road, Clane, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th May 2020	Start Time	09:45 a.m.
Location	Via Microsoft Teams	End Time	11:10 a.m.
Chairperson	Tom Rabbette	Executive Officer	Ciaran Hand

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Una O' Neill, Senior Planning Inspector
Ciaran Hand, Executive Officer

Representing Prospective Applicant:

Justin Dunne, Director, Applicant Company
Stephen Manning, MCORM Architects
Dan Reilly, DBFL Consulting Engineers
Declan Brassil, DBCL Planning Consultants

Representing Planning Authority:

Eoghan Lynch, Senior Executive Planner
Gary Farrelly, Assistant Planner
George Willoughby, Roads Department
David Hall, Water Services
Patrick Harrington, Architects – Housing

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, the Local Authority (LA) 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 P.A on 15th April 2020 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 LA 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 19th March 2020 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. **Planning Policy Context.**
2. **Transportation and Movement Strategy – function and design of link street; connections within and to the local street network.**
3. **Layout, Design and Residential Amenity – design of duplex units; open space design and passive supervision; boundary to Millicent Road; western boundary of site to zoned public open space; mix of unit types and dominance of three bed unit type.**
4. **Childcare Provision.**
5. **Irish Water capacity constraints and timelines.**
6. **Surface Water Management and Flood Risk Assessment.**
7. **Any Other Matters.**

1. Planning Policy Context

ABP sought further elaboration/discussion on:

- Current status of the draft variation to the Kildare County Development Plan which is before the members.
- Are there plans for a revised LAP for Clane?

Planning Authority's comments:

- The draft variation will be considered in mid-June. Delays due to Covid 19.
- A revised LAP for Clane is on the work programme, but it will not occur in the short term.

Prospective Applicant's response:

- The proposed development is still within the housing allocation of the core strategy of the current development plan.
- A rationale will be lodged.
- Applicant will consider submitting a Material Contravention Statement should the variation be adopted prior to the lodging of an application.

Further ABP comments:

- At the time of decision, the relevant policy context will be considered. If the variation is adopted, this will be an important policy consideration.

2. Transportation and Movement Strategy – function and design of link street; connections within and to the local street network.

ABP sought further elaboration/discussion on:

- Design and function of the proposed Prosperous Road to Millicent Road link street through the lands.
- Design to be in accordance with DMURS and consideration given to additional pedestrian crossing points and horizontal deflections/other methods to slow traffic down within the scheme.
- Importance of creating a positive urban edge to the street with activity onto the street from active building entrances.
- Car parking proximate to a couple of junctions with street – consider these further in terms of traffic safety.
- Dwellings to southeast from Millicent Road

Planning Authority's response:

- Some concerns with a raised table within the scheme.
- Traffic calming measures needed.
- There are 6 access points over 240 metres. A balance is needed between accommodating traffic and designing as a street for pedestrians.
- Detail the horizontal deflections and pinch points.
- Highlight the urban design side and engineering side of DMURS.
- Address issues raised in the Transportation Report.
- More detail regarding car parking is required.

Prospective Applicant's response:

- The link street contains pedestrian and cycle lanes.
- There are a number of pedestrian crossings and will consider others particularly in relation to Open Space no. 2.
- Open space onto it has been minimised.
- The duplex block F has varied projections and defensible space, presenting a frontage to the street at ground level.
- Stepped terraces in/out for variation.
- Semi-private use at ground floor level
- A raised table may be considered.
- Car speeds will be controlled.
- The carriageway is 6.5 metres in width.
- There is no intention to have it designed as a distributor road, but as a street.

Further ABP comments:

- Highlight the function of the route as a link street.
- Ensure compliance with DMURS and pedestrian permeability north-south across the link street.
- Clarify the boundary at rear of block F – concerned in relation to design, will discuss under point 3.
- Traffic calming measures needed.
- Detail the north / south movement for pedestrians crossing the street.
- Clarify the red-line boundary and allow for any necessary works to Millicent Road, particularly approaching the site from the south.

3. Layout, Design and Residential Amenity – design of duplex units; open space design and passive supervision; boundary to Millicent Road; western boundary of site to zoned public open space; mix of unit types and dominance of three bed unit type.**ABP sought further elaboration/discussion on:**

- The design of duplex blocks: This is a concern across the scheme in relation to design of duplex blocks given access to the units is from one side only, although all blocks have a street to the front and rear of the blocks. Consideration to be given to redesign of the blocks to provide for access from both sides given urban design and public realm issues arising with existing design.
- Block F backs onto the main link street, with no active frontage as a result. This is a long block and lack of direct access onto the street is a concern.
- Blocks A and B present a poor elevation to Millicent Road. Poor level of activity given the rear of the blocks are onto Millicent Road. Retaining wall to duplexes and high boundary treatment proposed, including blank boundary to dwellings at this corner. No access to communal space for these duplex blocks.
- Streets to rear of Blocks C and D are also a concern in terms of lack of direct access and activity along the street, which further limits passive surveillance, access to parking spaces, and public open space.
- Pedestrian access between Blocks C and D – consider staggering of directly opposing windows on the side elevations.

- Open space design and passive supervision: positioning of bin storage between Block D and footpath and the blank side elevation design of House Type D results in a poor pedestrian environment. Consider further the positioning of bin/cycle storage on open space no. 7, as well as on other open spaces.
- Passive supervision of open space no. 8 to northeast is a concern. Reconsider house design at this location.
- Finished ground levels to open spaces are missing from the drawings.
- Boundary to Millicent Road: Levels, retaining wall and height of boundary/railings along northeast of scheme onto Millicent Road are a concern. Very high and dominant boundary, with limited activity and passive surveillance. Approach to the provision of blocks/housing/any development at the northeastern edge requires further consideration. The boundary to Millicent Road is important from an urban design and amenity perspective.
- Design of Dwellings: Re-examine instances where blank boundary walls oppose blank boundary walls, eg D1 units east and west of OS 5.
- Western boundary of site to zoned public open space: What are the councils plan for the zoned open space, is it for use as a public park or for GAA? Boundary to the zoned POS is a consideration.
- Unit mix: Consider percentage of three bed units proposed.

Planning Authority's response:

- A drawing showing the boundary at the corner of block C1 and C2 would be beneficial so can see what treatment of Millicent Road would look like.
- Preferable to have duplexes rather than semi-detached units at C1 block.
- Boundary treatment of Millicent Road is important.
- Views from the town centre towards the site should be submitted.
- There are no plans in relation to zoned public open space.
- This area is designated small town. Larger units are welcomed by the PA as an alternative to rural housing demand. No issue with number of three bed units proposed.

Prospective Applicant's response:

- Access to both sides of the duplex is possible and design will be reviewed.
- Active street frontage issues will be addressed.
- There are level challenges to northeast corner of the site with Millicent Road and the retaining wall will be looked at again.
- Boundary to the road at corner C1 dwellings will be addressed.
- CGI's will be submitted.
- The boundary and ground floor interface of the duplexes will be outlined.
- Applicant has been in discussion with GAA in relation to boundary with the zoned open space. Zoned public open space is in applicant's ownership. GAA are satisfied with boundary proposed.
- Unit mix is due to market and typology factors. While the percentage of three bed appears high, consideration should be given to the typology as not all the three beds are houses, a number of them are apartments.

Further ABP comments:

- Duplex unit design to be reconsidered.

- Boundary with Millicent Road and associated design of blocks A and B and provision for housing at this location to be reconsidered.
- Important that link street functions as a street, in accordance with DMURS.
- Boundary to the road at corner of C1 and C2 needs to be addressed.
- A justification for the unit mix, highlighting the mix of typology (three bed houses and three bed apartments) should be submitted with any documentation.

4. Childcare Provision

ABP sought further elaboration/discussion on:

- Childcare is required in accordance with national guidance.
- Has the Kildare County Childcare Committee been contacted?
- A strong justification would be required for any omission of a childcare facility.

Planning Authority's response:

- A childcare statement is required. Do not accept that no crèche is required. There is a demand for spaces in Clane.

Prospective Applicant's response:

- There is currently capacity in the local area and no requirement for a new crèche.
- A rationale will be submitted.

Further ABP comments:

- Submit a strong justification as to why no childcare facility is being proposed, as required by national guidance and the LAP. Input from Kildare Childcare Committee advised.

5. Irish Water Capacity Constraints and Timelines

ABP sought further elaboration/discussion on:

- Irish water submission.
- Required upgrades and any third-party lands.

Planning Authority's response:

- There are constraints.
- Upgrades will be completed in the second quarter of 2022.
- Watermain upgrades will not be funded by Irish Water.
- The applicant may be required to fund.
- Phasing may be needed.
- Show timelines and ensure certainty in relation to delivery of required infrastructure.

Prospective Applicant's response:

- The sewerage scheme is currently under construction.
- 2 pumping stations are actively being upgraded.
- Watermain upgrades will be on existing pipes in the public domain.
- No third-party lands/issues arise.

Further ABP comments:

- Outline what upgrades are required.
- Clarify the timelines involved.

6. Surface Water Management and Flood Risk Assessment

ABP sought further elaboration/discussion on:

- Surface water and potential flood risk issues have been raised.

Planning Authority's response:

- Examine an existing culvert that is not sufficient to carry flows.
- The invert level is lower than the OPW prediction.
- There should be site investigations.

Prospective Applicant's response:

- The site is in flood zone C.
- It is a metre above the 1000-year level.
- Justification tests have been carried out on link street along the entrance from the north, where flooding occurs.
- There is emergency access to Millicent Road, should the link street become blocked at the exit onto Prosperous Road.

Further ABP comments:

- Ensure that all documentation is up to date. Consult further with KCC drainage section.
- There is no further information option with SHD applications.

7. Any Other Matter

Planning Authority's comments:

- A 6.5 metre road width is needed for the link street.
- Note difficulties raised by applicant in relation to width along entrance street and conflict with desire to retain hedgerow. A shared surface for cyclists and pedestrians of 3 metres may be an option. Further discussions with applicant required to reach a solution.
- Cycle and pedestrian links should be on both sides.
- The location of part v units needs to be detailed.
- There are a lot of part v duplex units.
- Provide electric charge points.
- Submit an operational noise assessment.

Prospective Applicant's response:

- Along the entrance road from Prosperous Road, to accommodate pedestrian and cyclist links would result in the entrance street being tight to the boundary with resultant loss in hedgerow and trees. Need to re-examine design solution at this location. Will discuss further with PA.
- In relation to the part V issues raised by the PA, these can be discussed further with the housing section. The staircase is the only shared space for part v units.

Further ABP comments:

- Clarify the boundary treatment around the site. The northern boundary of the main body of the site shows a wall and a fence, need to be clear on what is proposed.
- Show where hedgerow is being maintained and ensure proposals do not impact on practical retention of hedgerow. It may be that some houses are too close to the boundary along the northern edge of the body of the site.
- Further discussion with PA required in relation to design solution which accommodates cycling/pedestrian facilities on both sides of entrance from Prosperous Road as well as retaining hedgerow opposite GAA.
- Re-examine drawings to ensure mitigation in cultural heritage report in relation to the cross at the northeast boundary is implemented and retention of cross is shown on the drawings where this is proposed.

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
June, 2020