



Case Reference / Description	107 no. residential units (23 no. houses, 84 no. apartments) and associated site works. Donalstown, Kilcock, Co. Meath.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	18 th September 2020	Start Time	9.30 am
Location	Via Microsoft Teams	End Time	11.00 am
Chairperson	Rachel Kenny	Senior Executive Officer	Cora Cunningham

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Ronan O'Connor, Senior Planning Inspector
Cora Cunningham, Senior Executive Officer

Representing Prospective Applicant:

Niall Kerney, BKD Architects
Conor Lydon, Prospective Applicant
Pearse Lydon, Prospective Applicant
Brendan Manning, DBFL Consulting Engineers
Dan Reilly, DBFL Consulting Engineers
Kevin Fitzpatrick, KFLA Landscape Architects
Emmi Virkki, Scott Cawley Ecologists
Caroline Kelly, Scott Cawley Ecologists
Stephen Little, SLA Planning Consultants
Conor Auld, SLA Planning Consultants

Representing Planning Authority

Billy Joe Padden, A/Senior Executive Planner
Frank O'Donnell, Executive Planner

Joe McGarvey, Senior Executive Engineer
Paul Aspell, Executive Engineer
David Keyes, Senior Executive Engineer
Aaron O'Callaghan

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) via Microsoft Teams having regard to the Covid-19 virus.

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 7th July 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 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 10th June 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. Principle (including zoning/phasing/core strategy/density)**
- 2. Transport including required pedestrian and cycle infrastructure upgrades/roads proposals/permeability**
- 3. Flood Risk/Site Services (including surface water/foul/water supply)**
- 4. Social Infrastructure (including childcare/school provision)**
- 5. Environmental Screening**
- 6. Any other matters**

1. Principle (including zoning/phasing/core strategy/density)

ABP Comments:

- Address PA Opinion having regard to phasing of lands.
- Address Core Strategy in relation to the number of housing units allocated under current Development Plan and under Draft Development Plan.
- Draft plan expected to be adopted in April 2021
- Provide justification of for development of Phase 2 lands.
- Ensure infrastructure is in place before these lands come forward.
- Development of Kilcock needs to be sequential.
- Look at Kilcock holistically, provide detailed analysis of development sites in Kilcock in both Meath and Kildare.
- Justification required if materially contravening Development Plan/Material Contravention Statement needs to be submitted with application.
- ABP can only comment on documents that have been submitted – if not provided at pre-application ABP cannot give a comment on these – need to ensure comprehensive information submitted at pre-app stage.
- Have regard to precedent of other SHD decisions.
- If materially contravening core strategy detail/reference every policy or objective that is being materially contravened.
- Some Kildare SHD cases didn't materially contravene core strategy when lodged but when decision was being taken due to the variation of Development Plan.
- Sequential development and infrastructure need to be addressed.
- Have regard to proposed development and sustainable development of Kilcock.
- Justify density and it's appropriateness at this location.

Prospective Applicant's Comments:

- Understand requirements and take on board comments.
- Material Contravention Statement to be submitted with application
- Material Contravention and Phase 2 lands have been factored in.
- Note comments of ABP.
- Hope to lodge application under current plan but will have regard to future plan.

Planning Authority's Comments:

- Housing allocation set out in PA Opinion.
- Subject lands in Phase 2 lands post 2027.
- PA feel land should remain zoned residential.
- Major infrastructure in the area.
- ABP recently refused permission on adjacent lands
- Kilcock key area in Metropolitan Area (RSES).
- Draft plan on target to be adopted in April 2021/Management Report on Draft Plan available end of September.
- Doesn't have allocation to bring forward lands to Phase 1.

2. Transport including required pedestrian and cycle infrastructure upgrades/roads proposals/permeability

ABP Comments:

- Currently no footpath to the west of site or on Local Road L6228 to the north/are there proposals to improve pedestrian infrastructure?
- Pedestrian/cycle access to north/west but joins road that has no footpath provision.
- Address future connections.
- Potential for footpath provision to northwest of proposed site.
- Address current status of Meath Bridge having regards to safety concerns/lack of footpath.
- Address timescale of distributor road construction.
- Need to include same in EIAR screening.
- Justification for site in terms location, connections, location of adjacent development/include updated aerial photographs.
- Address pedestrian/cycle times into Kilcock and what services can be accessed
- Address who will construct road, timeframes etc/Is road included in the development proposals?
- ABP may question if duplicate applications include road/if other developments permitted in advance, how does prospective applicant access this site as they do not have physical control of road?
- Address road in terms of construction traffic/can adjoining developments can use as construction road?
- Consider overall masterplan showing how development/roads will look, how they will be developed, and the timeframes involved.
- Show a co-ordinated approach.

Prospective Applicant's Comments:

- Proposed site sitting outside infrastructure constructed to date.
- Is proposed to develop new road which will provide infrastructure, section has already been provided.
- Primary infrastructure is the new link street.
- Not proposed to provide pedestrian/cycle provision to the north-east as part of this application.
- Section of road to the west tying back to proposed site being included in application including footpath provision.
- Lands further out from proposed development in 3rd party ownership.
- Have not prejudiced future links.
- Primary link for pedestrian/cyclists to south.
- Design solution approved for Meath Bridge upgrade/will be development once development completed around area.
- Road already approved but including in application as approved pre-DMURS.
- Redline boundary has road and services included.
- Will provide updated aerial photographs in application.
- Prospective applicant already has consents in place from other landowners.
- Can provide comfort to ABP in application regarding access.
- Road will have to be completed to provide for occupancy.
- Road will be put in first in order for construction traffic to gain access to the site.
- Adjoining developments can use road for construction traffic as development may be taking place at the same time.
- Can provide information in application regarding co-ordinated approach.

Planning Authority's Comments:

- Address issues raised in PA Opinion.

- PA seeking design solution for L6228, not seeking upgrade as part of this application but ensuring proposed development does not prejudice and future upgrades, design solution along northern boundary will upgrade road to regional road standard.
- Address if new road will be completed prior to the occupation of the units in the proposed development.
- PA welcome clarity on the delivery of the roads.

3. Flood Risk/Site Services (including surface water/foul/water supply)

ABP Comments:

- PA Opinion have raised issues relating to flood risk and site services.
- Comprehensive flood mapping required.
- Flooding has been an issue in a number of SHD applications due to lack of details.
- ABP would reiterate the concerns raised by the PA in their Opinion.
- PA have technical requirement for surface water (SuDs).
- Address attenuation capacity overflow having regard to off-site flooding.
- Engage in further discussions with PA.
- Ensure ecologist are keep up to date in relation to consistency of language in documents.
- Address foul water and surface water having regard to submission from Irish Water, ensure all 3rd party consents are in place.

Prospective Applicant's Comments:

- Flood risk an issue in Kilcock.
- Flood Risk Management Study CFRAMS carried out in 2009 and various developments have had regards to this study over the years.
- RPS currently carrying out updated CFRAMS which is due to be completed in October 2020.
- Prospective Applicant will engage in further discussions with the PA once CFRAMS is published.
- Attenuation basin to be relocated once CFRAM completed.
- BRE site investigation has now been completed and will be included in application.

Planning Authority's Comments:

- PA not satisfied with Site Specific Flood Risk Assessment as not comprehensive enough.
- Justification tests required.
- Proposed development currently located in flood zones.
- Culvert etc. need to be analysed in view of potential blockages.
- Address access by emergency services to proposed site.
- PA will welcome further discussions following the publication of CFRAMS.
- Part of attenuation basin in flood zone, should look again at location when CFRAMS completed.
- BRE carried out regarding ground water level confirmation.
- PA welcome further offline discussions with prospective applicant.

4. Social Infrastructure (including childcare/school provision)

ABP Comments:

- Justify non provision of creche in application.
- Provide updated childcare capacity report.
- Social infrastructure - reliant on Kildare County side of Kilcock.

Prospective Applicant's Comments:

- Will assess wider area of Kilcock in relation to social infrastructure.
- Childcare Assessment will be submitted with application.

Planning Authority's Comments:

- Lack of detail submitted.
- Robust assessment required in relation to social infrastructure serving proposed site or for any future development in area.

5. Environmental Screening**ABP Comments:**

- Road should be included in EIA screening.
- ABP cannot comment on Appropriate Assessment at pre-app stage.
- In general however, robust justification required if going to Stage 2, provide logic from moving from Stage 1 to Stage 2.
- Each stage should be robust and should not be moved on for precautionary principles, look at RTE application and associated Inspector's Report.

Prospective Applicant's Comments:

- Appropriate Assessment screened in having regard to comments from PA at section 247 meetings.

Planning Authority's Comments:

- Applicant can discuss any Appropriate Assessment issues with the PA in advance of lodging the application.

6. Any other matters**ABP Comments:**

- Documentation should clearly indicate what is indicative and what is proposed.
- ABP may have concerns with current proposals and the sudden termination of the footpaths.

Prospective Applicant's Comments:

- Co-ordinated vehicular and pedestrian access from proposed site to adjacent sites.
- Can engage in further discussions with PA.

Planning Authority's Comments:

- PA seeking design solution to incorporate access to west into future road upgrades.

Conclusion

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 [cgsdesignqa@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

Rachel Kenny
Director of Planning
October, 2020