



Case Reference / Description	222 no. residential units (108 no. houses, 96 no. duplex units, 18 no. apartments), crèche and associated site works. In townland of Season Park, Season Park Road, Newtownmountkennedy, Co. Wicklow.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	28 th September, 2021	Start Time	02:00 pm
Location	Via Microsoft Teams	End Time	03:20 pm
Chairperson	Tom Rabbette	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Tracy Armstrong, Armstrong Fenton Associates
David Smith, Davey Smith Architects
Scott Morton, Davey Smith Architects
Ronan MacDiarmada, Ronan MacDiarmada & Associates
Edwin O'Dwyer, Dwyer Nolan Developments Ltd
Noel Mahon, POGA Consulting Engineers

Representing Planning Authority

Edel Bermingham, Senior Executive Planner
Declan O'Brien, Senior Executive Engineer
Aidan Rochford, Senior Executive Engineer
Fergal Keogh, Senior Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made via Microsoft Teams having regard to the COVID-19 restrictions.

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 once the Opinion has issued,
- ABP received a submission from the PA on **3rd August, 2021** providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended 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 **6th July, 2021** formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

1. Compliance with the CDP2016 - 2022 and the Newtownmountkennedy LAP 2008 – 2018, in particular, with the provisions of:

The agreed Action Area Plan,
Phasing
Sequential development to approach.

2. Transportation & Connectivity.

Adequacy of Season Park Road – pedestrian facilities and connections.
Integration / links with the wider area and to the Main Street within the town.
Delivery of the Link Road
Interface and connectivity with adjoining lands.

3. Residential Amenity

4. Open Space, landscaping, level changes and retaining features.

5. Ecology

6. Issues Raised in the CE Report

7. Any Other Business

1. Compliance with the CDP2016 - 2022 and the Newtownmountkennedy LAP 2008 – 2018.

ABP Comments:

- Status and clarification required in relation to the Newtownmountkennedy (NTMK) LAP, where does it stand at present.
- Further elaboration and clarification in relation to phasing of the proposed housing development.
- Further justification in terms of sequential development approach of the lands.

Prospective Applicant's Comments:

- The lands to the south are subject to an extant permission, there is a significant amount of housing permitted on the adjoining lands.
- The neighbouring permitted development is building out the roads infrastructure from the south moving to the north, the two sites then meet in the north. The permission granted for the road is within the adjoining landowners application.

Planning Authority's Comments:

- The draft plan has yet to go through the full process, there is about 6-8 months left until the County Development Plan is enforced, currently working from the Newtownmountkennedy (NTMK) LAP 2008 – 2014 (as extended to 2018).

2. Transportation and Connectivity.

ABP Comments:

- Applicant's plans/proposals in relation to an upgrade or improving cycle and pedestrian connectivity via Season Park Road.
- Further consideration and justification over the delivery of the north-south distributor road and the east – west link road, back to the town of NTMK, via Fishers Cross. There is a need to include clear details and clarification at application stage for delivery of the road linkages to the town centre in tandem with the housing development.
- Further elaboration and collaboration required for creation of pedestrian and cycle links through the site, in particular, to the south east via the 'proposed future connection to permitted link road'.
- Analysis and assessment of the proposed development in terms of a traffic impact assessment.
- Issues raised by the PA in respect to compliance with the action area plan need to be carefully considered with respect to any possible material contravention issues. All material contravention issues need to be advertised as such.
- Is there a specific objective for delivery of the western distributor road.

Prospective Applicant's Comments:

- At the moment there are no specific plans for works to the Season Park Road.
- Between the two landowners at this location the north-south distributor road and east-west link road will be delivered.
- The applicant has secured a letter of consent and agreement to construct the western distributor road (incl. the north south and east west portion to Fishers Cross and back into the town), in the event that the adjoining landowner does not deliver it.
- Can deliver an integrated development 8 / 9 minutes walking distance to the town centre.

Planning Authority's Comments:

- The east-west link has not been referred to within the submitted documentation, ensure this is addressed within any application to the Board.
- The western distributor and east west link is a critical piece of infrastructure connecting the subject lands back to the town centre.
- May have to condition such infrastructure as it should be delivered prior to housing development, the applicant should not be reliant on other developments.
- Any application needs to be realistic about delivery of the road before expiry of the extant permission in 2024.
- There is a local objective to upgrade Season Park Road
- Complicated matter with tight timelines and this needs to be considered. The development needs to stand on its own and all necessary infrastructure to serve the development be delivered in tandem with housing
- The roads infrastructure is not the only stumbling block to development of these lands. Cognisance must be had to the action area plan (AA1) key objectives and requirements. There is a need to provide the park area, interconnectivity of pedestrian movements. Concern that elements of connectivity, pedestrian and cycle provision is not in place at present.
- The development needs to be justified against key objectives of the AAP.

3. Residential Amenity**ABP Comments:**

- The PA have submitted a detailed report to ABP, the applicant should ensure all comments have been acknowledged at application stage.

Prospective Applicant's Comments:

- The PA's comments raised in their report will be fully addressed at application stage.

Planning Authority's Comments:

- The location of the development within the rural urban fringe, scope to relook at existing biodiversity of the site/area which should be reflected in the building design.
- Some areas of the private open space proposed are low quality.
- Changes in levels across the site must be taken into account. There is a need to ensure that the open space area to the south is useable in terms of level changes.

4. Open Space, landscaping, level changes and retaining features.

ABP Comments:

- The presence of trees and dense growth along with changing site levels should be addressed further.

Prospective Applicant's Comments:

- Cross sections of the areas of open space will be prepared and submitted at application stage.
- The development has been designed with respect to open space, roads, creating connections, pushing the layout to achieve the density.

Planning Authority's Comments:

- No additional comments take the PA report submitted as read.
- More detail to be given on level changes and impact upon amenity

5. Ecology

ABP Comments:

- Cognisance of Natura Sites in proximity to the proposed development along with potential for ex-situ and hydrological connections.
- Further information in relation to surface water run off to be submitted at application stage.
- Green Infrastructure Plan / Landscaping Plan / Arboriculture drawings, landscape plan and engineering plans to take account of one another.

Prospective Applicant's Comments:

- Preparing all required reports/surveys alongside which will be submitted at application stage.
- The run-off will be addressed at application stage, this will probably involve a retaining feature, can work with the PA to come up with a resolution.
- Currently at stage 1 of appropriate assessment.

Planning Authority's Comments:

- Welcome any further engagement with the applicant.

6. Issues Raised in the CE Report

ABP Comments:

- It is critical that the connectivity concerns and roads infrastructure items raised in the PA's report is fully addressed at application stage.

Prospective Applicant's Comments:

- There are a number of pocket parks proposed, scope to relook at making the open space more amenable and soften the boundaries.

Planning Authority's Comments

- A significant number of cross sections should be submitted with any application detailing how the private and public amenity spaces will work considering the changing site levels and the interaction with housing units.

7. Any Other Business

ABP Comments

- There is a requirement to carry out a Daylight and Sunlight Assessment as part of any future application.
- A strong rationale should be provided addressing the following: how the connectivity can be delivered, requirements in the statutory plan, extant permission timelines and if elements cannot be delivered how will this affect the proposed development.
- The applicant should be cognisant of, inter alia, the full requirements of Article 299B in relation to EIA screening for SHD applications.

Prospective Applicant's Comments:

- If a Material Contravention Statement is required, it will be submitted.

Planning Authority's Comments:

- NTMK is considered a Level 4 Moderate growth town. The density set out on that AAP is 25u/ha and the CDP 28u/ha.
- The applicant should contact Wicklow County Council Childcare Committee in relation to the location of the creche facility.
- Concern with respect to location of the creche and possible hazardous parking of parents on Season Park Road to quickly access the facility.
- At present the opinion of the local community is that community facilities are inadequate, a community infrastructure audit should accompany the application.
- The area is deemed a moderate growth town (level 4) in the current core strategy. Hope to have the County Development Plan in place by June or July 2022.

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.
- A Schedule of Documents and Drawings should be submitted with the Application.
- 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
October, 2021