



An
Bord
Pleanála

Record of Meeting ABP-311958-21

Case Reference / Description	343 no. residential units (123 no. houses, 220 no. apartments), creche and associated site works, lands at Ballyoulster, Celbridge, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	16/02/2022	Start Time	10.00am
Location	Held Remotely via Microsoft Teams	End Time	12.06pm
Chairperson	Stephen O'Sullivan	Executive Officer	David Behan

Representing An Bord Pleanála:

Stephen O'Sullivan, Director of Planning
Conor McGrath, Senior Planning Inspector
David Behan, Executive Officer

Representing Prospective Applicant:

Kieran Curtin, Receiver over certain assets of Maplewood Developments Limited (Applicant)
Deirdre O'Connor, NAMA
Derbhile Mc Donagh, O'Mahony Pike Architects
Brian Greenan O'Mahony Pike Architects
Kevin Sturgeon, DBFL Consulting Engineers
Bernard Seymour, Bernard Seymour Landscape Architects
Paul Turley, John Spain Associates
Kate Kerrigan, John Spain Associates
Maura O'Sullivan, Nama

Representing Planning Authority

Eoghan Lynch, Senior Executive Planner
Louise Murphy, Executive Planner
Tony Hogan, Municipal District Engineer
Ronan Linnane, Municipal District Engineer
Carmel O'Grady, Parks Department
David Hall, Water Services
George Wiloughby, Roads
Joe Keane, Roads
Edele O'Brien, Environment
Patrick Henderson, Housing

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 once the Opinion has issued,
- ABP received a submission from the PA on, 16th November 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, 29th November 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 Kildare County Development Plan Settlement Strategy**

2. **Land use zoning and principle of development**
3. **Design and layout & impact of revised FRA**
4. **Roads and Access**
5. **Water and Drainage**
6. **Any Other Business**

1. **Compliance with the Kildare County Development Plan Settlement Strategy**

ABP Comments:

- The prospective applicant should further elaborate on compliance with Variation no. 1 of the County Development Plan, Core Strategy.
- Confirmation as to whether any review of the zoning strategy for Celbridge has taken place or is anticipated.
- Consideration of the effect that drainage constraints have had on the commencement of permitted developments in the town.

Prospective Applicant's Comments:

- There is an acknowledgement of Variation No. 1 of the Kildare County Development Plan and the growth targets to 2023.
- The development will extend into the next plan period and a 7-year permission will be sought for the development at application stage.
- The development will assist in meeting the 2026 growth targets.
- The development comprises Phase 1 of this KDA and the LAP was not revised following the adoption of Variation no. 1 to the County Development plan.
- There have been other material contraventions of the settlement targets and this development promotes sequential development.
- Acknowledge that the proposals will warrant a Material Contravention Statement. A statement has been submitted at pre-application stage and will be included with the application.

Planning Authority's Comments:

- January 1st 2020 is the relevant date for Variation no. 1.
- The draft County Development Plan 2023 has not yet been published and no review of the LAP zonings has been undertaken
- The proposed density of 39 / ha is a material contravention of the densities provided for in this KDA.
- The site is remote from the train station and not appropriate for higher densities.
- Proposed development is in Material Contravention of the development plan.
- Irish Water have given the go-ahead for other schemes in the town.

2. **Land use zoning and principle of development**

ABP Comments:

- The prospective applicant should confirm the zoning objectives relating to the lands and compliance with the land use objectives of the LAP.
- Give consideration to the legislative requirements for SHD and the constraints relating to Material Contravention.
- Provide an update regarding the status of discussions with the Dept. of Education.

Prospective Applicant's Comments:

- All residential units, parking and ancillary areas are on residential zoned lands. The landscape buffer to the south of the boulevard is not included as residential open space.
- The creche and associated parking area, and the main boulevard are on Community and Education zoned lands.
- The road is ancillary to the school and residential development and provides two entrances to school lands.
- The KDA map shows the road on both zones.
- The development strategy has been coordinated with the Dept. of Education and no concerns have been raised.
- The location of the Shinkeen Road junction has been based on engineering and sightline requirements and the road alignment avoids long straights.
- An additional area of lands to the north, previously identified for cemetery extension, is now available for incorporation into school lands.
- Schools can be accommodated as per letter of support from Department of Education. It is intended to move to contract stage this year and school construction is included in the current capital programme.
- The application meets the definition of SHD set out in S.3. There is no requirement for ancillary works to be located on residentially zoned lands.
- Roads are not precluded within the Educational zoning.
- A legal opinion on these matters has been sought.

Planning Authority's Comments:

- This substantial access road is a significant material contravention of the zoning.
- There is a need to provide for the long-term needs of these three schools and the development will result in encroachment / loss of zoned lands.

3. Design and layout & impact of revised FRA

ABP Comments:

- Provide clarification with regard to the net and gross site areas cited.
- What was the level of involvement / engagement of the planning authority in the development of the KDA Development Strategy?
- What consideration was given to the relationship with the adjoining zoned commercial site on the Dublin Road which is within the KDA?
- Provide a rationale for the design and layout of the access road.
- Clarify when the 2021 flood study was made available and elaborate on the revisions required to address these flooding impacts.

Prospective Applicant's Comments:

- The net site area excludes phase 2 of the park, the boulevard and riparian corridors. This can be clarified at application stage.
- The Development Strategy was developed as an iterative process and comments were sought from the planning authority.
- The aim was to achieve high level agreement on the strategy.
- The layout provides for the future development of the adjoining commercial site; however, the adjoining landowners did not engage with the prospective applicants in this regard.
- The junction layout and design follows the KDA strategy and meets safety and sightline requirements. There is limited frontage available.
- The Development Strategy was based on CFRAMS in 2020. They became aware of the revised flood study in October 2021.
- There will be engagement with the planning authority in relation to the revised Development Strategy prior to lodgement of the application.
- There are other constraints on development including archaeology to the north and the LAP requirement for a necklace of open space along the river, including swales.

Planning Authority's Comments:

- Engagement in relation to the KDA Development Strategy was at a relatively high level, relating to phasing, the central spine and overall design approach.
- No detailed discussion on layout of development. The red line boundary wasn't agreed.
- The central spine of open space should be increased.
- Inclusion of the adjoining commercial lands would make the Dublin Road junction design easier, while redesign of the access route within the development could address the concerns of the planning authority.
- The Flood Study was published on the Council website in January 2021.
- Will engage with the prospective applications on a revised layout.

4. Roads and Access

ABP Comments:

- Clarity was sought on the requirement for signalisation of the Shinkeen Road and Dublin Road junctions.
- Address pedestrian and cycle connections on the Dublin Road and to the town centre.
- Clarification on the status of proposed connections to Willow Green to the south.

Prospective Applicant's Comments:

- Signalised junctions will be put in place as required by the County Council.
- Analysis shows that there is available capacity at these junctions with the schools in operation.
- Signalisation would assist with capacity issues for phase 2 of the KDA lands.
- Pedestrian demand to the east of the site on the Dublin Road is low.
- Road access is in line with KDA and a two-way bicycle path provides a link through the site to roads and schools.
- The two-way design is based on the location of open space and school sites.
- Engagement with Department of Education is ongoing.

- Willow Grove is not taken in charge. Despite contact with the management company there is no agreement to provide a link to this development.

Planning Authority's Comments:

- Priority junctions should be signalised to control traffic and allow for safe crossing by pedestrians. Will work with the applicant in relation to the design in this regard.
- A cycle track would be a challenge on the Dublin Road. There may be scope for an on-road cycle path. This is not identified as a priority project.
- The existing bridge in Celbridge not suitable for pedestrians or cyclists. A solution to address this issue is going to Part 8, with the support of the NTA.
- This will take time to deliver and is linked to the phasing of development on these lands. There may be a requirement for a special contribution.
- More analysis required on traffic impacts and connection to Celbridge town.
- Connectivity is key to the development of these lands.

5. Water and Drainage

ABP Comments:

- Clarification sought on the status of proposed network extensions and the level of engagement with Irish Water.
- Clarification required in relation to water mains crossing of the M4 referenced in Irish Water reports and the possibility of a requirement for other consents for such works.

Prospective Applicant's Comments:

- There has been engagement with Irish water since 2019 with regard to network extensions.
- Upgrade to Primrose Pumphouse and sewers required.
- Swales and necklace of open spaces will allow for drainage.
- Will engage with the planning authority in relation to improvement in surface water separation.

Planning Authority's Comments:

- The planning authority have also queried reference to a water main crossing of the M4.
- Wastewater network upgrades timelines may slip and the ability to attain capacity improvements elsewhere may be limited.
- Prospective applicant to clarify with Irish Water if 400 metres of mains upgrade is required.
- The environment department is available for consultation on the drainage and flooding issues.

6. Any Other Business

ABP Comments:

- No Further Comments

Prospective Applicant's Comments:

- Prospective to engage in further discussions with planning authority.
- School grounds will provide formal play areas.
- Confirm the intent to pursue the application under the SHD process.

Planning Authority's Comments:

- The planning authority submission referred to qualitative issues regarding the layout of development and phasing of amenity provision, as raised in their written submission.
- Concern with quality of design proposed for Site C.
- More detail is required on the design and use of open spaces and the provision of formal play areas and playing pitches.
- The design should cater for the needs of the wider area.

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.

Stephen O'Sullivan,
Assistant Director of Planning
March, 2022