



An
Bord
Pleanála

Record of Meeting ABP- 312078-21

Case Reference / Description	158 no. apartments, 256 no. bedspace student accommodation, creche and associated site works at Mariavilla, Moyglare Road, Maynooth, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	14 th April 2022	Start Time	10:00
Location	Remotely via Microsoft teams.	End Time	11:20
Chairperson	Stephen O'Sullivan	Executive Officer	Ashling Doherty

Representing An Bord Pleanála:

Stephen O'Sullivan. Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Ashling Doherty, Executive Officer

Representing Prospective Applicant:

Christophe Teevan, Cairns Homes
Sean O'Dwyer C+W O'Brien Architects
William Power C+W O'Brien Architects
Kevin Sturgeon-DBFL Consulting Engineers
Thomas Jennings-DBFL Consulting Engineers
Declan Fitzpatrick - DBFL Consulting Engineers
Rory Kunz. John Spain Associates
Declan O'Leary.
Mark McKenna, DBFL Consulting Engineers

Representing Planning Authority

Danielle Cantwell, Executive Planner
Finbar Barry, Planning Authority
Chanel Ryan, Senior Assistant Chief Fire Officer
Carmel O'Grady, Parks Department
David Hall, Senior Executive Engineer, Water Services
George Willoughby, Senior Executive Engineer, Roads 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 once the Opinion has issued,
- ABP received a submission from the PA on, 21st December 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, 26th 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 Land Use Zoning – Objective E, Community & Education

2. Design and Layout, *inter alia*, height, scale and mass
3. Integration of and impact on existing permitted development, *inter alia*, open space provision.
4. Drainage, *inter alia*, surface water treatment
5. Traffic & Transport, *inter alia*, cumulative impact
6. Any other business

1. Compliance with Land Use Zoning – Objective E, Community & Education

ABP Comments:

- Prospective applicant to demonstrate links to Maynooth University. SHDs may not contravene a use zoning objective
- Proposed applicant to demonstrate that proposed development can be justified on its own merits.

Prospective Applicant's Comments:

- In relation to the E zoning, the previous SHD permitted student accommodation on part of the site.
- Location of proposed site is adjacent to Maynooth University campus.
- Proposed site conveniently located and accessible to university but foot, bicycle or public transport.
- Current development plan supports student accommodation and states appropriately zoned lands.
- Draft development plan provides support for purpose-built student accommodation.

Planning Authority's Comments:

- There is a high demand in the town for student accommodation, so the reduction in student bedspaces from the previous grant of permission is a concern.

2. Design and layout, *inter alia*, height, scale and mass.

ABP Comments:

- Lack of visual impact of the long-range views in the visual assessment documentation.
- Further consideration to be given to the design elements of the ground floor interaction from the student amenity areas and public amenity space.

Prospective Applicant's Comments:

- Full landscape and visual impact assessment will be submitted at application stage.
- Subject site is located adjacent to town centre.
- Heights considered appropriate to the location of proposed development.
- Separate communal areas for students and residents.
- Creche to the rear of proposed development site.
- Plaza will be open to the public community.
- Further imagery will be provided for the proposed application.

Planning Authority's Comments:

- PA concerned with visual impact for near and far views.

- Concerns raised with regard location of proposed development being close to ACA and protected structures.
- Emphasis to given to quality and standard of finish to the proposed development.
- PA not objecting to height and scale of proposed development.

3. Integration of and impact on existing permitted development, inter alia, open space provision.

ABP Comments:

- Highlight how the public open space links in, with regard the timescales and phasing and rollout and delivery.
- Ensure attractive spaces fronting onto the Lyreen Avenue
- Board has seen studios and 1 bed apartments being discounted on childcare assessments but not 2-bedroom apartments.

Prospective Applicant's Comments:

- EIA was previously carried out on the entire site where it was deemed there will be no cumulative impact.
- Proposed development located on the Dunboyne Road will not be progressing further to a stage 3 application.
- Creche provision can be reviewed prior to application stage.
- Provision in guidelines for 2-bedroom apartments to be discounted for childcare assessments.
- Linear Park has been landscaped to a certain degree and will be completed as stage 3 is finalised.
- Prospective applicant has made a special contribution under previous permission towards the pedestrian cycle bridge over the Lyreen Bridge.
- Having regard to the trees along the Lyreen River, a more native tree will be planted which will take time to form and progress.

Planning Authority's Comments:

- An EIAR should be submitted with the application.
- Concerns raised with regard creche provision and school capacity.
- Deficiency in data provided with regard the cumulative impact the development will have on school capacity.
- Having regard to landscape proposals the PA state insufficient information has been provided.
- PA requesting more comprehensive detailing be provided with regard the removal of trees along the Lyreen River.
- Trees along the Lyreen River are close to the riverbank and a destabilising of the bank should be considered.
- Photo montages submitted with the proposed application should be concise and accurate.
- PA would like to see special contribution applied for previous SHD granted application to also be applied to the proposed application if granted by the Board.
- PA have clarified the prospective applicant has made a contribution which has been paid in full, towards the construction of the bridge over the Lyreen River.

4. Drainage, inter alia, surface water treatment

ABP Comments:

- Clarification sought if IW consent to the upgrade 2025 capital works programme, are IW consenting to the upgrade of the treatment.
- Clarification sought if IW require consents to the upgrade of the treatment plants.
- The Board would generally not give permission for an application where it is based on future works as per the 2025 capital works programme.

Prospective Applicant's Comments:

- Prospective applicant aware of the upgrades required as mentioned by the PA.
- Cairns are aware of the 2025 capital works programme and see the proposed site developing in line with that date.
- Prospective applicant will seek clarification from IW regarding if consent is required for upgrade to treatment plants.

Planning Authority's Comments:

- Water Services Department stage 2 Report contains all relevant points that will need to be addressed prior to the application being submitted.
- IW have identified a requirement for the wastewater network upgrade in their submission.
- IW have stated there is 2 options available which include an upgrade to the Maynooth wastewater pump station and a separate storm water separation proposal.
- Prospective applicant will have to implement and fund all upgrades to the pumping station in agreement with IW.
- Recommended in report for prospective applicant to continue communication with IW to maximise the upgrade of all works required for the delivery of the proposed development.
- Nature based suds solution should be prioritised.
- Where nature based SuDS, solution are deemed not feasible and a clear plausible rational is provided, only then should be infiltration to ground be considered.
- Having regard to infiltration to ground being the only option the prospective applicant should submit 2017 site investigation report details.
- Flood risk assessment report submitted with the application should comply with planning system flood risk management guidelines.
- Stage 2 flood risk assessment notes that the proposed buildings are in Flood Zone C.
- PA proposing the Board apply separate IW and flood risk conditions in any permission that may be granted.

5. Traffic & transport, inter alia, cumulative impact**ABP Comments:**

- Car parking location does not have a negative impact on public space.
- Applicant should have due regard to the Ballyboden judgement, with regard the public transport frequency.

Prospective Applicant's Comments:

- Application will clearly set out rational regarding car park spaces.
- A revised TTA will be submitted with the proposed application.

- Application will highlight the Ballyboden judgement.
- Any issues raised in the opinion will be fully addressed at application stage.

Planning Authority's Comments:

- PA acknowledge the work that has been completed by Cairns.
- Main points have been raised in the PA Opinion report.
- PA have proposed a reduction in car park spaces due to the public transport nearby.
- Having regard to car park, it should include visitor spaces and bicycle spaces which should be highlighted in the application.
- Electric charging points should also be included in the car park.
- Loading bays should also be located at each residential block.
- PA recommending the TTA should be revised.

6. Any other business

ABP Comments:

- Ensure there is appropriately active frontage on the Moyglare Road, along the student amenities area.

Prospective Applicant's Comments:

- No further comments.

Planning Authority's Comments:

- Requirements for a firefighting lifting platform due to the height of proposed development.
- PA requesting points raised in their opinion be addressed and responded to.

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
April 2022