



Case Reference / Description	123 no. dwellings, 1 no. creche, 2 no. vehicular connections, a pedestrian link and all associated and ancillary site development works. Kill Hill and Earls Court, Kill, Co. Kildare.		
Case Type	Section 5 Pre-Application Consultation Request		
Meeting	1 st Meeting		
Date:	6 th October, 2017	Start Time	15:10
Location	An Bord Pleanála	End Time	16.45
Chairperson	Rachel Kenny	Executive Officer	Lianna Slowey

Representing An Bord Pleanála:

Rachel Kenny, Director of Planning
Stephen Kay, Senior Planning Inspector
Lianna Slowey, Executive Officer

Representing Prospective Applicant:

John O'Connor, JFOC Architects
Claire McManus, JFOC Architects
Nora Shortall, JFOC Architects
Paul Moran, POGA Consulting Engineers
Eamonn Mahon, POGA Consulting Engineers
Simon Clear, Simon Clear and Associates

Representing Planning Authority

Peter Minnock, Director of Services
Michael Kenny, Senior Planner
Patricia Conlon, Senior Executive Planner

George Willoughby, Senior Executive Engineer, Transportation
Brigid Loughlin, Heritage Officer
Mary McCarthy, Administrative Officer, Housing
David Hall, Senior Executive Engineer, Water

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and planning authority (PA) representatives, introductions were made. The procedural matters relating to this 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 26th September, 2017 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 they may 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 meeting nor 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 1st September, 2017 formally requesting pre-application consultations with ABP and acknowledged the level of detail submitted by both the prospective applicant and planning authority. It was also noted that the Inspector dealing with the Pre-Application Consultation Request would be different to that who would deal with the application when it is submitted.

Agenda

1. **Development density and compatibility with core strategy.** (Density relative to Table 4.2 of County Development Plan. Compliance with National policy).
2. **Residential layout** (Set back from boundaries and usability of open space areas. Issues relating to integration with existing residential properties and impact of road noise).
3. **Archaeology and impact on Kill Hill** (Note comments of Planning Authority and

Heritage Officer regarding impact of development on recorded monuments).

4. **Traffic and transportation** (Note comments of Kildare County Council regarding quantification of potential impacts on J7 of the N7. Compliance with DMURS).
5. **Drainage** (Note the restrictions placed on the 2006 permission due to infrastructure constraints. Clarification of status of projects referred to in 2006 permission and current issues referred to by Irish Water and by Kildare County Council at Monread).
6. **Any other matters**
 - Ecology – (requirement of Heritage Officer that habitat survey be undertaken. Intention to undertake ecological assessment).
 - Flood risk assessment.
 - Part V (Note Housing Section KCC raise issues regarding proposed unit mix and costs).

1. **Development density and compatibility with core strategy, and**
2. **Residential layout**

ABP sought further elaboration/discussion on:

- Noted that development follows a similar layout to previously permitted application in 2006 - change in context with guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual (UDM) introduced since then. Justification required re. 12 criteria of UDM – i.e. context, efficiency, distinctiveness, public realm, parking etc.
- Statement of Consistency focuses on density and Development Plan residential standards. Further emphasis on the UDM and other aspects of the Sustainable Residential Development Guidelines is required.
- PA's report re. set back to development boundaries, i.e. Kill Hill and existing development
- Density – is the site considered as outer suburban or a site within a small town/village. Justification for low density.
- Core Strategy provides for 422 units over plan period, it appears that 355 units have been granted permission but not yet built. Implications of this development for sequential development of new residential lands in Kill.
- Crèche location/necessity.
- Proximity of units to site boundaries/existing development.
- Noise – implications of the proximity to the N7.

Prospective Applicant's response:

- Similar layout to 2006 application is proposed having regard to a number of constraints on site, i.e. proximity to Kill Hill and adjoining recorded monuments, proximity to Earl's Court, an existing residential development; in addition to this part of site is sterilised by 110kV overhead line.
- Engagement with Department of Culture, Heritage and the Gaeltacht re. recorded monuments. Requirement for stand-off area of 10m to eastern and southern boundary of site.

- Earl's Court delivered and built by same developer and is at an advance stage of taking in charge.
- Density set out in LAP accorded with.
- DMURS – one block is slightly over suggested limit, if split it will be slightly under suggested limit.
- Outlined considerations taken re. UDM and relationship with adjoining school site and more rural neighbouring areas.
- Have identified areas within the proposed development that need to be revised since lodging pre-application consultation request.
- Density – net density of 24 units per hectare as per “centre small town” classification.
- Crèche not required, capacity available within crèches in the area.
- Proposed boundary setbacks along properties at Earl's Court can be reviewed.
- Noise – AWN assessing impact from N7 on proposed development. Site is shielded by 3 storey school building. N7 is in cut as it passes the site. Ambition for high BER rating, mitigation re. noise.

Planning Authority's comments:

- Proposed development layout is more accessible/permeable than 2006 application.
- One block is too long, consider revising this re. DMURS block length limits.
- Need to demonstrate that the proposed development meets the 12 criteria as set out in UDM.
- Density – PA's report should refer to “edge of small town” with a density of 15-20 units per hectare.
- Proposed development is included within the core strategy figures.
- Improvements can be made to layout, identified pinch points.
- Crèche should be provided based on childcare guidelines. Concern re. proposed location of crèche relative to houses.
- Need to have regard for the impact of noise from proposed development on school especially during construction.
- Potential for a more generous set back from Kill Hill raised – 150m from base of Kill Hill suggested by Department. Consider terracing to make the open space more usable – would require the input of an archaeologist.

3. Archaeology and impact on Kill Hill

ABP sought further elaboration/discussion on:

- Implications for development arising from Archaeological Impacts Assessment for Kill Village and Environs (DEHLG) 2004; Figure 5.
- Proposal for a minimum 10m set back from Kill Hill in the residential layout.
- Comments of DAU in 2007 noted as are implications for layout, any further consultation with DAU in interim?

Prospective Applicant's response:

- Have engaged with DAU since 2006 application.

Planning Authority's comments:

- Ecological Impact Assessment suggested i.e. site walk over and appropriate surveys. .
- Derogation licences re. bats/badgers, should be submitted if required.
- Carry out pre-development surveys and testing.
- Carry out assessment of hedgerows where removal is proposed.
- Address how boundary hedgerows will be managed during construction.
- Have regard to lighting, i.e. directional into proposed development.
- Submit Screening for Appropriate Assessment and Construction Management Plan at application stage

4. Traffic and transportation**ABP sought further elaboration/discussion on:**

- DMURS compliance; route hierarchy, junction radii, site access, speed reducing measures.
- Assessment of potential impact on J7 of N7.

Prospective Applicant's response:

- Road width of 5.5m proposed with corner radii of 3m.
- Cul de sacs relatively long, only 2 proposed.
- Traffic Impact Assessment not required as proposed development is under 200 units.

Planning Authority's comments:

- Suggest Traffic Impact Assessment is carried out having regard to TII and motorway interchange.
- Recommend a spine road 6m wide through the proposed development with roads off this at 5.5m wide.
- Suggest auto track of HGV movements required at application stage.

5. Drainage**ABP sought further elaboration/discussion on:**

- Status of previous constraints identified in 2006 permission – Condition 46 and limit of 25 units pending (1) contracts for Osberstown WWTP upgrade, (2) contracts signed for rising main from Kill to Monread Road and (3) gravity sewer at Monread Road.
- Comment on the constraints identified in the PA Opinion regarding the required upgrades to the network to connect to the Osberstown WWTP.
- Assessment of the potential for development in advance of these network upgrades.

Prospective Applicant's response:

- Irish Water contract 2B items remain outstanding – some limited development possible in the interim. Irish Water propose to deliver infrastructure by 2021, within the lifetime of proposed development based on delivery of 20-30 units per year.
- SUDS – underground storage in concrete tanks and permeable pavement proposed.
- Site specific flood assessment not required – outside of flood risk area – illustrated in Engineering report.

Planning Authority's comments:

- Irish Water's feedback to prospective applicant encourages further consultation.
- Infrastructure constraints – Irish Water contract 2A completed, could give some leeway for proposed development.
- Monread is part of contract 2B – currently at pre-planning/design stage and to be submitted to ABP. Scheduled construction to commence in Q1 of 2019 with delivery by Q2/Q3 of 2021 – best case scenario.
- Possible for restricted phasing of development due to upgrade works – to be agreed between Irish Water and prospective applicant.
- Site is not a fluvial flood risk zone but prospective applicant should have regard to pluvial flooding, especially run off from Kill Hill and potential impacts on 3rd party lands.
- Consult with TII if surface water run-off is likely to impact the N7.

6. Any other matters**ABP sought further elaboration/discussion on:**

- Part V – PA's comments re. unit mix proposed / costs relative to Unit Cost Ceilings as set out by the Department.

Planning Authority's comments:

- High requirement for 1 bed units for Part V housing – suggest that maisonettes could be incorporated into the proposed development to provide for this.
- Preference for Part V units to be intermingled within the proposed development.

Prospective Applicant's response:

- Proposed to situate 3-4 Part V units together in clusters within the proposed development – it is anticipated that social housing will be imperceptible

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.
- Prescribed Bodies to be notified in advance of lodging the application.
- Sample notices, application form and procedures will be made available on ABP's website (sample copy of newspaper and site notice to be emailed following the meeting).

- 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

Rachel Kenny
Director of Planning
October, 2017