



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion 300511-17

Strategic Housing Development	266 no. houses
Location	Kilmalum Road, Blessington, Co. Wicklow / Co. Kildare
Planning Authority	Kildare County Council Wicklow County Council
Prospective Applicant	Windlynn Ltd
Date of Consultation Meetings	7 th February 2018 21 st March 2018
Date of Site Inspection	25 th January 2018
Inspector	Sarah Moran

1.0 Introduction

- 1.1. Having regard to the consultations that have taken place in relation to the proposed development and also having regard to the submissions from the planning authorities, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1. The site is undeveloped land located on the Kilmalum road c. 1km south west of the centre of Blessington, at the boundary of Co. Kildare and Co. Wicklow and north west of the Poulaphouca Reservoir. It has a stated area of 11.63 ha. and is undeveloped at present with a stream at the Kilmalum road frontage, known as the Deerpark watercourse. The stream passes under the road in a culvert and then south east to the reservoir, forming the boundary between counties Kildare and Wicklow. There are extant trees / hedgerows along part of the road frontage and at the southern site boundary. The site wraps around 3 no. individual houses on separate sites along the Kilmalum road. There are also existing housing estates to the immediate north (Blessington Manor) and southeast (Blessington Abbey), on the opposite side of the road, and several one off houses in the vicinity. The Kilmalum road leads south to Ballymore Eustace, c. 6 km away and north to the N81. The R410 Blessington to Naas road is nearby to the north. There is a school, Gaelscoil na Lochanna, c. 425m to the south. The site is undulating and levels rise from the road. There is a drainage path from a pond to the west of the site, which runs in an east / west direction through the centre of the site to the Deerpark watercourse. There is an existing electricity line traversing the site.
- 2.2. The wider settlement of Blessington is located in Co. Wicklow and service connections are proposed within that administrative boundary. A small area along the road frontage of the site is within Co. Wicklow.

- 2.3. The site is c. 650 m to the north of Poulaphuca Reservoir SPA (site code 004063), which is designated for its population of greylag goose and lesser black-backed gull.

3.0 Proposed Strategic Housing Development

- 3.1. The scheme involves 266 no. terraced, duplex, semi-detached and detached houses as follows:

UNIT TYPE	NO. OF UNITS	PERCENTAGE
1 bed duplex apt	6	2.3%
2 bed terraced / semi-detached house	26	9.8%
3 bed terraced / semi-detached house	143	53.8%
4 bed terraced / semi detached / detached house	91	34.1%
Total	266	100

The stated net residential density is 25.6 units/ha (gross density 23 units / ha). The development includes a crèche with outdoor play area (476.62 sq.m., capacity for 80 children), located close to the vehicular access. The applicant proposes to transfer 26 no. units to meet Part V requirements. The development is laid out around a series of interconnected public open spaces at the centre of the site, with several smaller open spaces, such that the stated total area of open space is c. 2.14 ha or 18.5% of the site. These areas are landscaped with existing hedgerows retained at some locations. A swale runs through the spaces in an east / west direction at the existing drainage path in the centre of the site and along part of the road frontage of the site, discharging to the Deerpark watercourse. There is a setback to the Kilmalum Road with a landscaped buffer.

- 3.2. A site specific flood risk assessment is submitted. According to the "Eastern CFRAM Study HA09 Hydraulics Report Blessington Model", the Kilmalum road has flooded at the Deerpark watercourse. The Little Newtown watercourse arises to the west of the development site and flows easterly to a pond in the field to the immediate west of the development. The drainage path at the site is dry under normal circumstances but receives overflow from the pond in times of heavy rainfall, which discharges to the Deerpark watercourse at the road frontage. The flood map also shows that part

of the southern section of the site will be flooded under a 10% AEP event in addition to the surface water flooding in the drainage path. The justification test is applied and flood risk mitigation measures are proposed. The drainage design includes a swale, which is to be supplemented by a French drain underneath to provide additional capacity, such that the entire flow of the Little Newtown watercourse can be conveyed. There are also 6 no. separate attenuation areas with Hydrobrakes, also SUDS measures. There is storage capacity for a 1 in 100 year storm event, with allowance of 20% increase for climate change. Surface water outfall is to the Deerpark watercourse at the road frontage. The current runoff rate of 160 l/s from the site is to be reduced to a rate of 30 l/s. All housing units are within Flood Zone C (< 0.1% chance of flooding) with no units within 75m of the watercourse. Finished floor levels are to be raised across the site as a further mitigation measure.

- 3.3. The development is to connect to the existing combined sewer at the public road via a foul pumping station in the south western corner of the site and thence to the Blessington WWTP in Co. Wicklow. The existing WWTP is currently operating at maximum capacity and requires upgrading, as confirmed by Irish Water (IW). According to the pre-connection enquiry response, IW does not currently have any plans to carry out the works required to provide the necessary upgrade and capacity. However, response advises that IW may require a contribution of the relevant portion of the costs of the upgrade, subject to further discussion.
- 3.4. The development is to connect to the existing public watermain at the roundabout to the north of the site. There is an existing 100mm watermain along the Kilmalum Road in front of the site, which does not have capacity for the development. IW confirmation of pre-connection enquiry requires upgrading of the existing network, which is to be carried out by the developer.
- 3.5. The Kilmalum Road is to be widened to facilitate the development with one vehicular access at the southern end of the site, 2 pedestrian / cycle connections and a new footpath and cycle track. The site is currently outside the 60 kph speed limit but this is to be moved to a location in advance of the site. The layout indicates a 'possible future pedestrian link' to Blessington Manor to the north, at a public open space within the proposed scheme. There is a total of 556 no. car parking spaces for residential development (including visitor parking) and a separate parking area for

the crèche (36 spaces). A Transport and Traffic Impact Assessment is submitted, which indicates capacity at the Kilmalum roundabout and N81 roundabout.

- 3.6. The applicant also submitted a brief outline of a proposal to develop 306 no. units on the site, 'Option 2', to result in a higher residential density at the site. It is submitted that the development plan target of 325 units for the 'C1' and 'C2' zoned lands in the Blessington Environs plan would result in a density of 12 units / ha across both sites.

4.0 Planning History

4.1. 08/783

- 4.1.1. Permission sought by Armadale Properties Ltd. for 125 houses on the subject site. This was refused for 5 no. reasons relating to:

- Prematurity due to existing deficiency in the provision of sewerage facilities, which are within the control of Wicklow County Council and the period within which the constraints involved may reasonably be expected to cease.
- Monotonous layout and suburban dwelling design in contravention of development plan policy on residential development.
- Inadequate layout of well-designed, functional and quality public open space.
- Negative impact on the visual amenities of the area by reason of form and layout and undesirable precedent.
- Absence of a Social Infrastructure Assessment, as required by development plan policy.

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

- 5.1.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:
- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')

- ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ as updated March 2018.
- ‘Design Manual for Urban Roads and Streets’
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’

5.2. Kildare County Development Plan 2017-2023

5.2.1. Blessington is defined in the core strategy as a Moderate Sustainable Growth Town located within the hinterland of the GDA. Table 3.4 of the settlement strategy identifies a new dwellings target of 325 units for Blessington environs as follows:

Quantum of undeveloped zoned land	Core strategy allocation 2016-2023	Potential units deliverable 2015 (sum of all currently zoned lands, adjusted to exclude surplus zoning capacity beyond the plan period and include deficits that will be addressed through LAPs)
26.2 ha	325 units	309 units

5.2.2. Housing policy is set out in development plan chapter 4. Policy LDO4 states:

“Recognise that lower densities / serviced sites in certain towns and villages may be considered on serviced land where the demand for the development of single houses in the rural area is particularly high.”

Table 4.1:

“Edge of centre sites within small town/village:

The emphasis is on achieving successful transition from central areas to areas at the edge of the smaller town or village. Development of such sites tends to be predominantly residential in character and given the transitional nature of such sites, densities in the range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced type accommodation.”

Table 4.2 residential density standards. Indicative density of 20-35 units/ha for edge of centre sites within a small town / village and 15-20 units/ha for edge of small town / village with lower density in some cases.

- 5.2.3. Chapter 13 on natural heritage and green infrastructure. Chapter 14 on landscape, recreation and amenity. The site is located in the Eastern Uplands Landscape Character Area, a Class 3 High Sensitivity Area with reduced capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to prevalent sensitivity factors.
- 5.2.4. Chapter 17 development management standards, section 17.4 relating to residential development. The plan generally requires public open space provision at a rate of 15% of the total site area on greenfield sites. Also section 17.5 on childcare facilities; section 17.8 on surface water / flooding. Table 17.9 Car Parking Standards:

Land Use	Standard
House	2 spaces per unit
Apartment	1.5 spaces per unit + 1 visitor space per 4 apts
Crèche	0.5 per staff member + 1 per 4 children

5.2.5. Blessington Small Towns and Environs Plan

The site is zoned 'C: New Residential', with the objective 'to provide for new residential development'. The site has the specific objective C2 and is within the area defined for the following objective:

"BEO 1 Ensure that development proposals for lands identified by the dashed pink line on the Map V2-1.9.1 shall be subject to site specific Flood Risk Assessment appropriate to the type and scale of the development being proposed."

There is an area of lands to the north of Blessington Manor which has the specific zoning objective C1. The environs plan applies the settlement strategy target of 325 units, to be developed on the C1 and C2 zoned lands. The C1 site includes an objective to develop a school on the lands. In addition, a roads objective runs through the C1 site, connecting the existing N81 to the R410 Naas road and providing an 'inner relief road' to remove Naas bound traffic from the centre of Blessington.

5.2.6. Strategic Flood Risk Assessment Report

Based on draft CFRAM flood mapping, which indicates that 'C' zoned lands at the development site (along the road frontage and across the development site) are classified as highly vulnerable and overlap with Flood Zone A extents. Section 6.1.1 is a justification test of the 'C' zoned lands, including the development site. Notes that there is no historical flooding reported in the area. Site specific FRA required to address surface water and drainage, mitigation measures, residual flood risk and the sequential approach to assign appropriate land use with respect to vulnerability of the proposed development type.

5.3. **Wicklow County Council Blessington Local Area Plan 2013-2019**

- 5.3.1. The area of the development site within Co. Wicklow immediately adjoins lands that are zoned 'existing residential'. Blessington is designated as a 'moderate growth town' under the Wicklow County Development Plan 2010-2016, with a population target of 7,500 for 2022 from an estimated base of c. 4,784 in 2011. This target is to be accommodated in an additional 1,840 residential units. LAP section 2.3 sets out a sequential approach to residential zoning, with undeveloped lands close to the town centre to be developed prior to other sites. The existing Blessington WWTP has a p.e. of 6,000 and is operating at or near capacity. Blessington is served by the Ballymore Eustace water treatment plant, which has adequate capacity for the projected population growth of the town. The N81 is to be rerouted around the town, connecting with the existing N81 some distance to the south west of the development site. An 'inner relief road' is to connect the old N81 to the R410 Naas road, as per the 'C2 zoned lands' and the Kildare county development plan above.

6.0 **Forming of the Opinion**

- 6.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the consultation meetings. I shall provide a brief detail on each of these elements hereunder.

6.2. Documentation Submitted

6.2.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, the following:

Completed application form; O.S. maps; records of section 247 consultations with Kildare County Council; planning report; Part V proposals including unit costs; EIAR screening statement; AA screening report; ecological impact assessment; landscape masterplan; draft landscape specification; traffic and transport impact assessment; site specific flood risk assessment; water supply, drainage, roads and access report; site location plan; site layouts; site sections and elevations; crèche proposals; house / apartment type plans and elevations; housing quality assessment; urban design rationale.

6.2.2. The prospective applicant also submitted an outline proposal for an 'Option 2' of 306 no. units at the site including layouts; Part V proposal site sections and elevations; crèche proposals and house types.

6.2.3. Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required.

6.2.4. I have reviewed and considered all of the above mentioned documents and drawings.

6.3. Planning Authority Submission (Kildare County Council)

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which most of the proposed development is located, Kildare County Council (KCC), submitted a copy of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 24th January 2018.

6.3.2. The 'opinion' of KCC included the following matters:

- A portion of the site is within the jurisdiction of Wicklow County Council (WCC). A comment from WCC should be invited.
- KCC considers that the development is generally acceptable in principle having regard to the strategic policy considerations of the county development plan and the zoning of the Blessington Environs Plan 2017-2023.
- There appears to be a discrepancy between (a) the details submitted on the planning application form, (b) the development description submitted with the application and (c) the architects drawings / details submitted with respect to the numbers of units and bedrooms proposed. The applicant should be requested to ensure there is no discrepancy in the planning application.
- The housing mix is generally acceptable. However, there is no single storey provision. The applicant should be required to submit a statement of housing mix, as required in development plan section 17.4.3, to set out how the proposed housing mix has been determined having regard to local supply and demand and how the proposal meets any target housing mix for the area. Further consideration should be given to the provision of 1 bed units and to the provision of single storey dwellings so as to allow for cross-generational occupancy within the development.
- The development would comprise 82% of the 325 unit housing target for Blessington. However, there are 2 residentially zoned sites within Blessington environs, the subject site (C2) and the site further to the north (C1). The C1 site is also designated for the provision of a link road and a school, therefore a lower housing yield could be expected on that site. However, if 266 units are provided on the subject C2 site, a future allocation of c. 60 units on the C1 site would exceed the 325 unit target. The applicant refers to a potential for 306 no. units as an alternative option, this would represent 94% of the 325 unit target. The housing target for Blessington environs would be almost wholly consumed by one site, distorting the targets for the C1 zoned lands. The 266 no. of units is considered more acceptable having regard to the Moderate Sustainable Growth Town Status of Blessington and to the requirements and standards for high quality residential development set out in the development plan.

- Site should be deemed outer suburban / greenfield site with regard to density standards, with a range of 30-50 units / ha acceptable. The site has several constraints including undulating topography and a watercourse. The proposed density is considered appropriate.
- Applicant should have regard to the protection of the residential amenity of existing houses, in particular the one off dwellings to the south. Application should state how development complies with development management standards of development plan chapter 17, including internal layouts. There are areas where the juxtaposition of houses at the site may result in a negative impact on adjacent houses.
- Overall design treatment is generally acceptable. Duplex 'Type W' units appear to have 'own door' access and therefore should more appropriately be viewed on 1 bed houses and comply with development plan standards for same, i.e. floor area and private open space provision.
- The site is located in a high sensitivity landscape area. Full VIA to be submitted. Visual impacts to be considered / assessed with regard to the varying levels throughout the site. 3D visual impact to be submitted.
- Amendments to the northern boundary to allow linkages to existing estate may be required should permission be granted. These should be noted on the documents in order to address issues that may arise from third parties / adjacent landowners.
- Boundary treatment. The proposed wooden fence at the southern boundary may be visually unacceptable, given its length and the aspect it will provide from the open space area and proposed dwellings. A revised boundary treatment is advisable at this location, mesh fencing with appropriate landscaping is suggested. Development plan requirements for high quality boundary treatment for individual houses should be provided with blockwork walls where required. Details of proposed roadside boundary required.
- The proposed open space provision will cater for a wide range of uses and users and is acceptable. Trees and hedgerows should be retained where possible, details to be provided, including at the south western corner of the site.
- Service units for bin storage required for terraced units.

- Crèche should comply with specific requirements in relation to environmental health issues. The location, siting and design of the crèche are acceptable. The crèche building should form part of the visual impact assessment.
- KCC considers that the development is sub-threshold for EIAR.
- Map ref. V2-1.9.1 Blessington Environs Plan. The flood risk assessment line runs along the northern, eastern, western and a portion of the south eastern boundary of the site.

6.3.3. KCC Housing Dept / Part V:

- Proposed housing mix for Part V purposes is satisfactory.
- Review of costs for 3 bed units.
- The layout indicates 2 pockets of Part V provision, at the south east and north west ends of the site. It would be preferable for these units to be located throughout the site. Applicant to engage with KCC.
- Design comments, applicant to meet requirements for detailed specification.

6.3.4. KCC Roads, Transportation and Public Safety Dept:

- Information submitted is incomplete, drawings lack dimensions and scales.
- Delivery of a link that could provide an alternative access in the event of a flood on the Kilmalum Road would be desirable, i.e. a pedestrian and cycle link to the Blessington Manor development. There are currently flooding concerns at the road frontage of the site, where the lower road levels adjacent to the Deerpark watercourse may isolate the houses in the development in the event of a flood.
- Agreement is required from WCC regarding the sale of land to provide the indicated pedestrian and cycle link.
- Objective BEO3 at C1 lands to the north. The developer shall submit an ownership drawing of close by land.
- Visitor parking is poorly positioned, a long way from houses with a disproportionate number of spaces located in the south east corner, in a flood plain. Shortage of visitor parking at the north east and north west corners of the site.

- Parking layout should provide 2 off-street parking bays per house, within the curtilage of individual properties, with 10% additional accessible on-street visitor parking bays. 28 parking spaces required for crèche based on 80 pupils and 16 staff. Concern about perpendicular parking at the busier end of the main access road and the parking near internal junctions within the development. Applicant to submit car parking calculations in accordance with development plan requirements.
- Applicant to submit details of neighbouring developments with regard to permeability, also pedestrian / cycle access to Blessington Manor. Design should allow for passive surveillance. Boundary treatments should allow for future permeability.
- Demonstration of vehicular / emergency services access to the development in the event of a 1 in 100 year flood.
- Details of roads layouts to comply with DMURS including corner radii. Also swept path analysis, road safety audits, public lighting design and other details specified.
- Developer to submit a detailed design for the provision of signalised junctions at the junction of the N81 / R410 Naas Road.
- Toucan crossings required to provide access to school to the south east. Also improved facilities for pedestrians / VRUs / cyclists at the road frontage from the junction of the Kilmalum Road to the roads objective link to the Naas Road.
- Special levy financial contribution required towards the nearby roads objective BEO3.

6.3.5. KCC Senior Executive Parks Superintendent:

- Tree survey not submitted. This should be submitted with the application.
- Details of protection of existing trees during construction to be submitted.
- Proposed wildflower areas in the landscaping plan should be reduced as they will be expensive to maintain. Could be replaced by kickabout areas as there is limited provision of these in the scheme.

- Redesign of open space at the northern boundary to improve passive surveillance.
- Detailed specific requirements.

6.3.6. KCC Environmental Health Officer:

- Applicant to contact Tusla regarding the crèche.

6.3.7. Kildare County Fire Service:

- No objection subject to conditions.

6.3.8. KCC Heritage Officer:

- Proposed layout does not take ecology into consideration, in particular in relation to the western boundary where earth banks and trees are to be removed to facilitate the construction of a perimeter wall and in the beech treeline along the southern boundary where trees are to be located in rear gardens.
- Development will result in the loss of Green Infrastructure and very little effort has been made to retain existing natural features of the site as per development plan policies G8 and G9, also policies NH2 and NH3 regarding the protection of natural heritage. Details of management of compensatory habitat to be submitted.
- Need for additional biodiversity compensation including additional native hedgerow planting, bat and swift boxes.
- Applicant to survey site for invasive species and prepare invasive species management plan.
- Archaeological impact assessment required notwithstanding the lack of any RMP site at the development

6.3.9. KCC Water Services:

- There are foul network constraints at the Blessington WWTP serving the development, which is located in Co. Wicklow. Note IW comment regarding requirement for upgrade works to Blessington WWTP. Reg. ref. 08/873 and 14/875 at adjacent sites were refused due to capacity constraints at Blessington

WWTP. Applicant to consult and agree with IW in advance of lodging any application.

- General requirements regarding surface water drainage. Applicant should consider a preliminary site investigation report at pre-application stage. Notes proposed surface water strategy to discharge to the existing stream and to create a new filter drain below the swale. Detailed design to address specific requirements.
- Flood risk assessment to be submitted in accordance with section 28 flood risk management guidelines and other specific requirements. To include maps or drawings to identify routes of existing drainage systems and watercourses. Consideration of the role of the Newtown Little pond on the fluvial flood regime affecting the site as it appears from the CFRAMS that the majority of the fluvial flood flow at the site emanates from the pond. The submitted SSFRA did not address several technical issues.

6.4. Submission of Wicklow County Council

6.4.1. Wicklow County Council were invited to comment on the proposed development under section 6(10) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The main points made in the response received are as follows.

- The figures used in the TIA for traffic generated by Blessington Manor only indicate traffic movements away from that development and do not indicate movements to it. The inclusion of same would lead to a substantial increase in the number of traffic movements used in the assessment models. Concerns that the surrounding roads infrastructure would have insufficient capacity to cater for traffic generated by the development without upgrade works, particularly the Kilmalum roundabout.
- The development is premature in the absence of the following essential upgrades to the Kilmalum Road:
 - Provision of pedestrian facilities on the west side of the road between the development and the Kilmalum road roundabout.
 - Provision of pedestrian facilities on the western site of the road between the Kilmalum roundabout and the Naas Road junction.

- Improvements to the Kilmaulm road and to the Kilmalum road / Naas road junction with a particular emphasis on pedestrian safety.
- Proposed cycle track along the Kilmalum road frontage should be removed as it is not necessary. The cycle track within the development should be retained and linked to the existing cycle track at the Kilmalum roundabout.
- The Deerpark watercourse floods regularly and needs to have capacity improved. The existing culvert at the county boundary is insufficient in capacity and needs complete replacement. There are several restrictions to the capacity of the watercourse at the entrances of the adjacent bungalows and these need to be rectified.
- Development would be premature in the absence of the above works.
- The existing Blessington WWTP is operating in excess of its capacity. WCC has been recommending refusal for development which would discharge to the WWTP other than small scale development within the town centre. There is currently no application from Irish Water for permission to upgrade the WWTP. This permission should be in place to ensure that any permission can be implemented within the appropriate period. The permission for upgrades to the plant may also require consents from other public bodies, in particular the ESB, as the discharge from the plant is located between the Poulaphuca Reservoir and the Golden Falls Lake and is under control of the ESB. In addition, any increases need to be reviewed having regard to the assimilative capacity of the River Liffey at the point of discharge.
- The population generated by the development of these lands would not form part of the assessments / calculations set out in the Blessington Local Area Plan 2013-2019 and would not align with the Core Strategy in the Wicklow County Development Plan 2016-2022.

6.5. Consultation Meeting

- 6.5.1. A section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 7th February 2018. Representatives of the prospective applicant, Kildare County Council and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

6.5.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Density, quantum and standard of residential development, open space provision, public realm
2. Roads layout, vehicular and pedestrian access, DMURS, parking provision
3. Foul and surface water drainage including connection to Blessington WWTP, flood risk assessment and mitigation measures, water supply
4. Comments from Wicklow County Council
5. Environmental Impact Assessment Report
6. Part V
7. Any other matters

6.5.3. In relation to density, quantum and standard of residential development, open space provision, public realm, ABP representatives sought further elaboration/discussion on:

- Administrative areas of the proposed development.
- Blessington Environs Plan – particularly C1 and C2 lands, housing targets for the sites.
- Zoning and policy provisions.
- Swales and surface water drainage.
- Density rationale, housing mix.
- Standard of development, provision of strong urban edge.

6.5.4. In relation to the roads layout, vehicular and pedestrian access, DMURS and parking provision, ABP representatives sought further elaboration/discussion on:

- Local road facilitating development and internal roads.
- Roads straddle 2 planning authorities.
- Kilmalum road widening.
- Provision of pedestrian / cycle access and pedestrian / cycleways.

- Link to adjoining residential development in event of flooding of public road in front of site.

6.5.5. In relation to foul and surface water drainage, flood risk assessment and water supply, in particular connection to the Blessington WWTP, ABP representatives sought further elaboration/discussion on:

- Flood zones on site
- Flooding issues referenced in WCC comments to be addressed at 2nd meeting.

6.5.6. In relation to comments from Wicklow County Council, ABP representatives sought further elaboration/discussion on:

- Issues addressed in 6.5.4, 6.5.5 above.

6.5.7. In relation to EIAR, ABP representatives sought further elaboration/discussion on:

- Possible requirement for EIAR with regard to relevant thresholds

6.5.8. In relation to Part V, ABP representatives sought further elaboration/discussion on:

- Part V proposals

6.5.9. In relation to any other matters, ABP representatives sought further elaboration/discussion on:

- Have regard to density, road/street hierarchy and the 12 criteria as contained in the Urban Design Manual.
- Ensure no conflict in drawings submitted in application.
- Prospective applicant advised that clarity should be provided at application stage concerning the delivery of wastewater infrastructure required to serve the proposed development, including works to the Blessington WWTP. This clarity should include, inter alia: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. The prospective

applicant was advised that any application for development prior to obtaining of consents for the wastewater infrastructure may be considered premature.

- 6.5.10. As per the memo on file, the applicant was advised that it would be necessary to hold a pre-application consultation meeting with WCC under section 247 of the Planning and Development Act 2000, within a 4 week period. ABP would then hold a second consultation meeting, to be attended by the applicant and by representatives of KCC and WCC.
- 6.5.11. Both the prospective applicant and KCC were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 300511-17' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

6.6. Second Submission of Wicklow County Council

- 6.6.1. Following the consultation meeting of 7th February 2018, An Bord Pleanála wrote to WCC on 7th March 2018, seeking their opinion on the proposed development, along with copies of all section 247 records. WCC made a second submission on foot of this request, having held a section 247 consultation meeting with the applicant on 20th February 2018. The main points made may be summarised as follows.

6.6.2. Principle of Development

- The area of the development within Co. Wicklow is c. 0.3 ha. It is indicated on plans for the provision of a footpath / green space, which would accord with the zoning objective for the area under the Blessington LAP.
- The housing element of the development is located within Co. Kildare and not on lands zoned for development under the Blessington LAP. The assessment of housing need in Blessington is drawn from the Core Strategy set out in the Wicklow County Development Plan 2016-2022. The overall site area, which is located predominantly in Co. Kildare, would not have been used to generate housing unit numbers as set out in the housing targets of the development plan. WCC considers that the development of Blessington should take place on a sequential basis, such that housing development takes place initially on

undeveloped lands located in proximity to the town centre. The development site would not be considered the most appropriate area for development.

6.6.3. Roads and Traffic

- WCC Roads Dept, comments that the Traffic and Transport Impact Assessment appears to underestimate the traffic movements from the development. Should be revised to include all traffic movements both to and away from the development.
- Based on this underestimate, it is considered that the adjoining road network would have insufficient capacity to cater for the development. Upgrade works are required at the Kilmalum roundabout and the Naas road / Kilmalum road junction. Pedestrian facilities in the area are deficient. The provision of a footpath between the development and the Naas road junction would be essential to serve the development.
- The cycle track along the front of the derelict house at the road frontage of the site should be removed as it is not necessary. The cycle track should link into the existing cycle track at the Kilmalum roundabout.
- WCC Baltinglass Municipal District. Pedestrian facilities should be provided on the western side of the Kilmalum road between the development and the roundabout and onwards to the Naas road junction.

6.6.4. Services

- There is a need to improve the capacity of the stream in front of the site as it regularly floods the public road. The existing culvert is insufficient in capacity and needs to be replaced. Restrictions to the capacity of the stream at the entrances to bungalows need to be addressed. The stream from the Kilmalum road to the N81 needs to be improved and upgraded to increase its capacity.
- Baltinglass Municipal District adds that there are a number of restrictions to the capacity of the stream at the entrances to adjacent bungalows, which need to be eliminated.
- Permission for the upgrade of the Blessington WWTP would be required to ensure that any permission can be implemented within the appropriate period. The permission for upgrades to the plant may require consents from other public

bodies, in particular the ESB, as the discharge from the plant is located between the Poulaphouca Reservoir and the Golden Falls Lake, which are controlled by the ESB. In addition, any increases may need to be reviewed having regard to the assimilative capacity of the River Liffey at the point of discharge.

6.7. Second Consultation Meeting

- 6.7.1. A second section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 21st March 2018. Representatives of the prospective applicant, Wicklow County Council and Kildare County Council and An Bord Pleanála were in attendance. The main topics raised for discussion at the meeting were based on the agenda that issued in advance and were the same issues as those of the previous consultation meeting held on 7th February 2018.
- 6.7.2. In relation to density, quantum and standard of residential development, open space provision, public realm, ABP representatives sought further elaboration / discussion on:
- Issues raised in the WCC Opinion.
 - Density of development.
- 6.7.3. In relation to the roads layout, vehicular and pedestrian access, DMURS, parking provision, ABP representatives sought further elaboration / discussion on:
- Possible increase in density and impact on local roads.
 - WCC comments on roads issues.
 - Traffic impacts on the Kilmalum road, the Kilmalum roundabout and the Naas road.
 - Road frontage and culvert.
 - Future links to Blessington Manor.
 - Justification required from KCC if seeking a special contribution in relation to road improvements outside the development site.
- 6.7.4. In relation to foul and surface water drainage including connection to Blessington WWTP, flood risk assessment and mitigation measures, water supply, ABP representatives sought further elaboration / discussion on:

- WCC state that a planning application for the Blessington WWTP upgrade has been lodged.
- Road frontage, road works and culvert.
- WCC Opinion in particular the watercourse at Kilmalum road.
- Clarification of requirements of Irish Water.
- Phasing of development.

6.7.5. In relation to the comments from Wicklow County Council, these issues had already been addressed as per section 6.7.3 and 6.7.4 above.

6.7.6. The issues of the EIAR and Part V had been addressed at the previous consultation meeting.

6.7.7. In relation to any other matters, ABP representatives sought further elaboration / discussion on:

- Matters raised by KCC in relation to parking if increased density is proposed.
- Applicant to have regard to development plan parking requirements.
- Greater visitor car parking required in close proximity to residential units.

7.0 Conclusion and Recommendation

7.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

7.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authorities and the discussions which took place at the consultation meetings. I have had regard to both national policy, via the section 28 Ministerial Guidelines, and local policy, via the statutory development plans for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements: wastewater treatment; residential density; roads

and traffic; drainage and flood risk; connection to Blessington Manor, details of which are set out in the Recommended Opinion below.

- 7.3. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

- 8.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 8.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development** to An Bord Pleanála.
- 8.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could

result in them constituting a reasonable basis for an application for strategic housing development:

1. Wastewater Treatment

Further consideration of the documents as they relate to wastewater treatment. Clarity is to be provided concerning the delivery of wastewater infrastructure required to serve the proposed development, including works to the Blessington WWTP. The documents should provide details of necessary upgrade works to the Blessington WWTP to include, inter alia: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. The prospective applicant is advised that any application for development prior to obtaining of consents for the wastewater infrastructure may be considered premature. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

2. Residential Density

Further consideration of documents as they relate to the density in the proposed development having regard to, inter alia, the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) as they refer to Outer Suburban/Greenfield sites. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

3. Roads and Traffic

Further consideration of the documents as they relate to traffic impacts as a result of the development and road works outside the development site that are necessary to facilitate the development, in particular works to the Kilmalum road including the road frontage of the development site and pedestrian facilities on the western side of the Kilmalum road between the development and the roundabout, onwards to the Naas road and at the Kilmalum road / Naas road junction. The further consideration of this issue may require amendments to the documents and/or design proposals submitted.

4. Drainage and Flood Risk

Further consideration of the documents as they relate to drainage and flood risk including SUDS measures, site specific flood risk and the capacity of the culvert at the Kilmalum road. This consideration and justification should have regard to the Kildare County Development Plan 2017-2023, the Blessington and Small Towns Environs Plan, and the 'The Planning System and the Flood Risk Management Guidelines for Planning Authorities' (2009). The further consideration of this issue may require amendments to the documents and/or design proposals submitted.

8.4. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Planning report to address the issue of proposed residential density with regard to, inter alia, the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (2009).
2. A plan outlining the location of the proposed road improvements and cycle/pedestrian improvements at the Kilmalum road, Kilmalum road roundabout and at the Naas road / Kilmalum road junction, also pedestrian and cycle connections to Blessington Manor. The development description should clarify which works are to be carried out within the red line site boundary and provide details of any works to be carried out outside the development site, including who is to carry out the works, when they will be completed and permissions from relevant landowners where necessary.
3. Rationale for proposed car parking provision with regard to development plan car parking standards.
4. Detailed drainage proposals and site specific flood risk assessment. Full details of any associated works to increase the capacity of the culvert at the Kilmalum road and address restrictions to the capacity of the stream at the entrances to

adjacent bungalows. The development description should clarify which works are to be carried out within the red line site boundary and provide details of any works to be carried out outside the development site, including who is to carry out the works, when they will be completed and permissions from relevant landowners where necessary.

5. Visual Impact Assessment with regard to the location of the site in the Eastern Uplands Landscape Character Area of Co. Kildare, a Class 3 High Sensitivity Area.
 6. A statement of housing mix, to set out how the proposed housing mix has been determined having regard to local supply and demand and how the proposal meets any target housing mix for the area with regard to the settlement strategy of the Kildare County Development Plan 2017-2023.
- 8.5. Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:
1. Irish Water
 2. Transport Infrastructure Ireland
 3. National Transport Authority
 4. Department of Culture, Heritage and the Gaeltacht (National Parks and Wildlife Service)
 5. Inland Fisheries Ireland
 6. Local Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the

forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.



Sarah Moran

Senior Planning Inspector

10th April 2018

