

Statement of Response to the Notice of Pre – Application Consultation Opinion from An Bord Pleanála TC0016

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1. Introduction

Following the tripartite pre-planning meeting with Kildare County Council on 6th October 2017, the pre-application consultation opinion from An Bord Pleanála in relation to the proposed strategic housing development at Kill Hill and Earls Court, Kill, Co. Kildare was received on the 26th of October 2017, with case reference: TC0012. The opinion states that An Bord Pleanála ‘is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development’.

The Opinion outlined issues that An Bord Pleanála deemed it necessary to address prior to making a planning application under the heading of ‘Design, Layout and Unit Mix’, ‘Public Open Space’ and ‘Infrastructural Constraints and Phasing of Development’, and furthermore additional specific information was requested. This document briefly sets out the means by which all of these issues have been addressed by this Strategic Housing Planning Application.

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2. Design, Layout and Unit Mix

Further consideration of documents as they relate to the layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the above Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the Design Manual for Urban Roads and Streets. In further considering the 12 criteria, the prospective applicant may wish to focus on

- (i) the relationship of the development to Kill Hill*
- (ii) the layout of roads and parking*
- (iii) the proposed units including the mix required by the Planning Authority under Part V*
- (iv) the location of the proposed crèche building and relationship to adjacent residential properties and*
- (v) the relationship of the proposed development to existing residential properties in Earls Court.*

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Following the pre-planning meeting with An Bord Pleanála, a detailed design review of the proposals were carried out and significant revisions to the layout have been made. A detailed review of the proposals now presented to An Bord Pleanála are set out in the Statement of Consistency. Significant amendments have been made to the overall scheme and public open space areas to ensure the provision of a sustainable, efficient and attractive residential neighbourhood.

- (i) The revised strategy includes a reorientation of development to engage more fully with Kill Hill, breaking up the urban block further and utilising fingers of public open space to both frame views and provide green infrastructure connections.
- (ii) The overall structure of the street layout has been amended to provide a clear hierarchy of a main route and secondary shared surfaces, forming a fully permeable and connected neighbourhood
- (iii) A revised proposal has been made to Kildare County Council in respect of the provision of Social Housing under Part V as detailed at Appendix F and on drawing 00.129.PV01.
- (iv) The crèche has been removed from the proposals, the rationale for which is outlined in the enclosed 'Analysis of Childcare Provision in Kill'.
- (v) Furthermore, careful consideration has been given to the location of proposed dwellings in relation to the Earls Court development. The proposed dwellings have been moved to a greater distance from the boundary with Earls Court to ensure the amenity of all dwellings and to assist in the preservation of trees along the western boundary.

Please refer to the attached Statement of Consistency which responds to the above items in some detail.

3. Public Open Space

Further consideration should be given to the proposed layout as outlined in the documents as it related to the open space proposed particularly in the context of the relationship of these open space areas to Kill Hill and the usability of open space on the site. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

As a part of the overall review of the proposals for the scheme, public open spaces have been considered in some detail. A detailed design statement for the public open space areas is included in the Statement of Consistency. The public open space strategy is based around framing a series of views to Kill Hill, maintaining a buffer to protect the ecological and visual amenity of Kill Hill and a hierarchy of wild and formal public open spaces as detailed on RMDA Dwg No. 01A & 01B. Revised proposals have been further informed by an ecological assessment by Faith Wilson, an updated tree survey by Arborist Associates and the archaeological heritage report by Icon Archaeology.

4. Infrastructural Constraints and Phasing of Development

Further consideration of documents as they relate to infrastructural constraints impacting the development potential of the site for residential use, specifically wastewater infrastructure. The Board particularly notes that servicing of the site is dependent on the undertaking of works on foot of Contract 2B of the Upper Liffey Valley Sewerage Scheme which is currently at design stage and which appears to require prior approval from An Bord Pleanála.

Following the Pre-Planning Meeting with An Bord Pleanála on 6th October 2017, POGA Consulting Engineers and JFOC Architects have engaged with Irish Water specifically in respect of the phasing issue. As per correspondence received on 15th December 2017 and enclosed with the application, it was stated that

“Irish Water hereby confirms that it has been further consulted by Pat O’Gorman & Associates regarding the proposed development consisting of 130 no. dwellings at Earls Court, Kill, Co. Kildare.

The outcome of a Pre-connection enquiry process (CUST17327) concluded that a wastewater connection for this full development is feasible following completion of the Upper Liffey Valley

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Sewerage Scheme Contract 2B. Note that this project contains two pump stations that have already received planning permission from Kildare County Council. The current programme for construction commencement is 2019.

It is anticipated that ongoing engagement regarding phasing of this development will result in the execution of Connection Services Agreement with Irish Water.”

Based upon the above response, we believe that this is an appropriate and timely application for planning permission for an improved residential development on these residential zoned lands. Our client will ensure that engagement and liaison with Irish Water will ensure a timely, appropriate and sustainable level of development at this site.

5. Additional Specific Information

Furthermore, 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. Details of further consultation with Irish Water regarding the likely timelines for necessary infrastructural upgrades and a phasing plan which clearly indicates how development would proceed in tandem with completed and anticipated future delivery of the necessary infrastructural upgrades.*
- 2. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority*
- 3. In the event that a crèche facility is not proposed a detailed assessment of the existing and likely future provision of childcare facilities in the area and how these would meet demand.*
- 4. An assessment of the impact of traffic noise from the N7 on the proposed development.*
- 5. Ecological assessment to include site survey, assessment of hedgerows and other vegetation proposed for removal and derogation licence if required.*
- 6. A Construction Management Plan that would address, inter alia, the following; the protection of existing boundaries and landscape features during construction, protection of amenity of existing school and amenity of existing residential properties, measures to protect identified buffer zones to archaeological sites. Traffic impact assessment which indicates likely impact of development on existing junction 7 on N7.*

1. POGA Consulting Engineers have had detailed discussions and correspondence with Irish Water as outlined in the Engineering Planning Report
2. Please refer to JFOC Drawing 00.129.PD232 in respect of proposed taking-in-charge details. In addition, correspondence in respect of the Taking in Charge of the Earls Court Development previously undertaken by our client McCourt Investments are detailed in Appendix G.
3. Please refer to the enclosed ‘Assessment of Childcare Provision in Kill’ in respect of detailed

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review and rationale for not including a crèche in accordance with Childcare Facilities – Guidelines for Planning Authorities 2001.

4. AWN Consulting have carried out a noise assessment report on the proposed development, as included with the planning application.
5. Faith Wilson Ecologist has surveyed the site and produced an ecological assessment report as enclosed with the planning documentation.
6. A construction management plan has been prepared by POGA Consulting Engineers, with additional information provided by the Arborist Report and Ecological Assessment Report, for inclusion with this planning application. In addition, NRB Consulting Engineers have carried out a Traffic Impact Assessment which is also enclosed with the planning application.

6. Conclusion

JFOC Architects are pleased to advise that all of the issues highlighted by An Bord Pleanála have been addressed to complete this Planning Application for Strategic Housing Development.

Appendix A schedules the full list of documentation presented in support of the application provided to An Bord Pleanála, Kildare County Council and the prescribed bodies as required under the Planning and Development (Strategic Housing Development) Regulations 2017.