

00.129 - Proposed residential development of 136 No. dwelling
houses at Kill Hill, Kill, Co. Kildare.

Statement of Response to An Bord Pleanála Pre – Application Consultation Opinion

SHD - ABP – 302334-18

An Bord Pleanála considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, was of the opinion that the documents submitted with the request to enter into

consultations required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considered that the following issues outlined in bold italics below should be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

The responses to the each of the items outlined by An Bord Pleanála are dealt with specifically following each element below. Please refer to the enclosed drawings and document in support of this planning application for the full schedule and details of the proposals.

1. Infrastructural Constraints

Further consideration/ clarification of the documents as they relate to wastewater infrastructure constraints in the network serving the proposed development in particular as it related to Contract 2B of the Upper Liffey Valley Sewerage Scheme. The documentation at application stage should clearly indicate the proposals to address the constraints, the compulsory purchase order process and completion of same and the timelines involved in addressing the constraints relative to the construction and completion of the proposed development. (The prospective applicant may wish to satisfy themselves that an application is not premature having regard to the information sought above.

Following the pre-planning meeting with An Bord Pleanála on 25th September 2018, when it was emphasised that a planning application while the Compulsory Purchase Order was yet to be decided by An Bord Pleanála would be premature, we elected not to lodge a planning application until this process was complete. We were subsequently informed that on the 27th November 2018 An Bord Pleanála contacted Irish Water to advise that there were “no objections remaining to the proposed CPO. Please refer to Appendix L enclosed with this planning application. Accordingly, under section 216 of the Planning and Development Act, 2000, as amended it is now open to you to confirm/refuse to confirm the order”. This opened the opportunity to finalise the documentation for the planning application.

Irish Water have confirmed in their ‘Statement of Feasibility’ that Contract 2B is within their current investment plan and is scheduled to be completed by 2021. The completion of the CPO Process has confirmed the viability of this process. The design team has proposed a

phasing arrangement to Irish Water where the first 35 housing units can be delivered prior to the completion of Contract 2B, with the balance to be delivered after the completion of Contract 2B. Please refer to the proposed phasing layout on JFOC drawing 00.129.PD444. This proposal will allow the entire development to be completed in the lifetime of a planning permission.

POGA Consulting Engineers have received a 'Statement of Design Acceptance' from Irish Water confirming the acceptability of the proposals.

2. Density

Further consideration of documents as they relate to the density in the proposed development, specifically in relation to the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009). Particular regard should be had to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to established social and community services in the immediate vicinity. 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.

An Bord Pleanála considered the nett density of 26 units per hectare to be too low to provide for an acceptable efficiency in land usage in their refusal of the previous planning application under the SHD reference 300558-18. An Bord Pleanála indicated that densities of below 30 units per hectare would be discouraged. Furthermore, An Bord Pleanála considered that the housing mix was inadequate, being predominantly detached and semi-detached houses.

In response to the above, our proposals were amended to increase the nett density to 30 units per hectare at pre-planning stage. Following the pre-planning meeting, we have now increased the density further to 32.4 dwellings per hectare. Furthermore we have revised the proposed designs in respect of unit mix and are now providing a greater proportion of one and two bedroom units, alongside three and four bedroom units on the scheme.

Note that as a result of the reclassification of the ring fort and the revised archaeological preservation order referred to at item 3 of the previous planning decision from An Bord Pleanála, the effective nett site area of the site has also been reduced. Thus although the proposed number of dwellings has only increased by six additional dwellings, the density has increased to a much greater degree due to the reduction in the area of land deemed suitable and available for development.

Following consultation with Kildare County Council and An Bord Pleanála, we would contend that the density of 32.4 dwellings per hectare proposed is appropriate on this site. Due to the location of the site in proximity to archaeological sites to the south and east and associated significant green buffer zones, large open space areas have been provided, constituting 44% of the total site area. To the north, the site is bounded by a rural laneway and a new school, whose site was provided to the Department of Education by our Client, and to the west sits the well maintained previous phase of residential development at Earls Court (also built by our Client). In the context of sensitive rural boundaries, the proximity to Kill Hill, the significant

areas of public open space that have been provided on the site and the adjacent low density development, we consider that the proposed development, with a nett density of 32 dwellings per hectare is appropriate. The Kildare County Development Plan indicates that in 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”. The proposed density is consistent with the indicative density levels indicated in Table 4.2 of the Kildare County Development Plan, and the core strategy of the plan which has undergone the appropriate environmental assessment and has been approved by the Department of the Environment.

The layout of the proposed development has carefully considered the context and the maximum environmental amenity that can be gleaned from the residential development. The density of the proposed scheme at 32 dwellings per hectare is in accordance with policy LD1 of the Kildare County Development Plan 2017 - 2023 – to promote residential densities appropriate to its location and surrounding context. A core objective of the National Housing Policy Statement DCLG (2011) is: ‘to enable each household to have access to good quality housing that is appropriate to its circumstances and in a community of its choice’.

The “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas” emphasise the importance of smaller towns and villages in terms of the identity and distinctiveness of Ireland region and defines them as *“those with a population ranging from 400 to 5,000”*. According to the Central Statistics Office, Kill had a population of 3348 in 2016. For edge of centre sites, the guidelines state that *“the emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation.”* The standards and details outlined in chapter 6 of the guidelines are clearly of direct relevance to this proposed development. Therefore, we are satisfied that the proposed density of 32.4 dwellings per hectare is entirely appropriate.

In respect of greenfield sites at the edge of cities and large towns, the “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas” indicate that *“development at nett densities less than 30 dwellings per hectare should generally be discouraged”*, but that *“to facilitate a choice of housing types within areas, limited provision may be made for lower density schemes”*. In general, for sites such as this a minimum density of 35 dwellings per hectare would apply as outlined in chapter 5. However, this is not the pertinent section of the guidelines for this site, location and context. A minimum density of 35 dwellings per hectare does not apply to this site, and the range of 20 – 35 dwellings per hectare outlined in chapter 6 is the applicable section of the guidelines for this site. We would contend therefore that the proposed density of 32.4 units per hectare is entirely appropriate on this site and consistent with all sections of the relevant guidelines and County Development Plan.

We also consider that the housing mix and typology, including 4 maisonettes with 8 no. 1-bedroom units and 25 no. 2 bedroom units, is consistent with SPPR 4 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018).

3. Unit Mix

Further consideration of documents as they relate to the layout of the proposed development particularly in relation to unit mix and particularly the prevalence of 3-bed units and limited numbers of 1 & 2 bed units within the documents should be given further consideration. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Further consideration of the overall scheme and dwelling unit designs has led to the introduction of some new houses types, and the removal of other houses types. The number of dwelling proposed has increased from 131 to 136. The density proposed has increased from 30 dwellings per hectare to 32.4 dwellings per hectare. The overall unit mix has changed significantly such that the percentage of one and two bedroom dwellings has increase from 14% to 24%. Three bedroom dwellings constitute a range of between 29% and 63% of the units proposed, with 54% of these dwellings (Type B) designed such that they can easily be converted to four bedroom dwellings. Four bedroom dwellings will be provided at a rate of between 13% and 47% of the dwellings on site, depending on the demand in respect of the Type B dwellings. The revised unit mix provides for a greater range of options and typologies, and we believe constitutes a reasonable basis for this planning application.

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. *A plan of the areas excluded for the calculation of nett density in addition to a plan of the open space within the site clearly delineating public and private spaces.*

Please refer to the enclosed drawing 00.129.PD452 in respect of the nett density area, and the site layouts on drawings 00.129.PD402 and 00.129.PD403 in respect of the public and private open space areas.

2. *Detailed design of proposed surface water management system proposed including attenuation proposals and cross sections of all SuDS features proposed on site in the context of surface water management on the site.*

Please refer to the enclosed drawings from POGA Consulting Engineers.

3. *Details of all materials proposed for the proposed buildings, open spaces and paved areas.*

Please refer to the enclosed drawings houses plans 00.129.PD408 to 00.129.PD442, Design Statement by JFOC Architects and Landscape Architect drawings and details from RMDA Landscape Architects in respect of the materials proposed for this development.

- 4. A full and complete drawing that details all boundary treatments within the development and on external boundaries including fencing proposed during the construction process.***

Please refer to the enclosed drawings from RMDA Landscape Architect in respect of the boundary treatments proposed for this development. The fencing proposed during the construction process is illustrated on drawing 00.129.PD445.

- 5. A detailed phasing plan for the proposed development should be provided.***

Please refer to the enclosed phasing drawing 00.129.PD444.

- 6. A site layout plan clearly indicating what areas are to be taken in charge by the local authority.***

Please refer to the enclosed phasing drawing 00.129.PD450.