

Response to ABP Opinion

For a Strategic Housing Development at Ballymakealy Upper, Shackleton Road, Celbridge, Co. Kildare

on behalf of Glenveagh Homes Ltd.

March 2022



McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

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1. Introduction

This report addresses the specific information requirements and issues raised by An Bord Pleanála (ABP) in their Notice of Pre-Application Consultation Opinion (Case Ref. ABP-311841-21) issued on 9th December 2021 in relation to the proposed Strategic Housing Development (SHD) at Ballymakealy Upper, Shackleton Road, Celbridge, Co Kildare.

The Opinion issued by the Board was subsequent to a tri-partite meeting which took place on November 1st, 2021. Following the tri-partite meeting the Board issued an Opinion in accordance with Section 6(7) of the Planning and development (Housing) and Residential Tenancies Act (as amended) and advised that a number of items needed to be addressed in accordance with the requirements of articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017.

In the Opinion issued by the Board, the following information was requested to be submitted with any application for permission under Article 285(5)(b) of the Regulations:

1. Revised and updated details as part of a Drainage Design/Civil Engineering Report, and associated drawings, which outlines how the proposal intends to overcome the capacity constraints in the Irish Water wastewater network, as highlighted in both the submission from Irish Water (dated 27/08/21), and in the Pre-Application Consultation Opinion submission from the Planning Authority (dated 20/08/21). Such details shall address comprehensively the issues raised in both submissions and include details of inter alia the specific projects scheduled under the Irish Water Capital Investment Programme that seek to address the capacity constraints related to development on this site, expected occupancy timelines for the proposed units and/or any alternative foul water proposals for the proposed development, as referred to an option in the submission from Irish Water (i.e. Storm Sewer Separation proposals).
2. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed development complies with the requirements of DMURS, in particular; (i) the relationship of the proposed corner dwellings and boundary treatments to the proposed road network and to adjacent dwellings, having regard to the need to avoid or minimise blank walls and fences that restrict surveillance and movement (ii) demonstration of adequate sight-lines where appropriate (iii) parking quantity and location, road hierarchy and layouts, including design and materiality of the proposed shared surfaces. To this end, matters raised in the tri-partite meeting, should be addressed in any report/justification relating to above issues.
3. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed development complies with the requirements of the Celbridge LAP 2017-2023 for Key Development Area 3, in particular, the provision of a landmark

building on the south-eastern corner of the site. To this end, matters raised in the PA submission (dated 20/08/21) and as raised in the tripartite meeting, should be addressed in any report/justification relating to the above issue.

4. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed pedestrian and cycle connections to the permitted development to the north are to be delivered, as part of any application on this site. In relation to same it is noted that the location of northern portions of the cycle/pedestrian connections lie outside the red line boundary of the site. Additional details are also required (detailed drawings/cross sections etc) in relation to the detail of such connections and the manner of which they cross the existing watercourse to the north of the site.
5. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
6. A Housing Quality Assessment (HQA) and Design Statement which provides the specific information regarding the proposed apartments as required by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December, 2020). The documentation should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
7. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of external finishes, the treatment of balconies and boundary treatments. Particular regard should be had to the requirement to provide high quality and durable finishes and materials which have regard to the surrounding context of the site.
8. Surface Water Drainage details such as would clearly address and respond to comments within the internal report from Water Services (dated 30/07/21), and, where relevant, having regard to the submission from Irish Water (dated 27/08/21).
9. A revised Site Specific Flood Risk Assessment such as would clearly address and respond to comments within the internal report from Water Services (dated 30/07/21).
10. Landscaping Proposals, including a report that provides appropriate rationale and details, and addresses the comments contained within the Planning Authority's submission on this pre-application (dated 20/08/21), including those comments within the internal report from the Parks Section of Kildare County Council.
11. All supporting technical/environmental reports to be updated as required.

12. A plan of the proposed open spaces within the site clearly delineating public, communal and private spaces.
13. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
14. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.
15. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

An overview of the above items is provided in **Section 2.1** of this report.

The opinion issued by the Board also requested that the following authorities be notified in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- Irish Water
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Kildare County Childcare Committee

2. Statement of Response to Specific information Requirements

We will respond to the items requested under articles 297, 298 and under Article 285(5)(b) of the Regulations in Section 2.1 below. Items raised by the Board are highlighted in bold italics.

2.1 Response to items raised in the Board's Opinion

1. ***Revised and updated details as part of a Drainage Design/Civil Engineering Report, and associated drawings, which outlines how the proposal intends to overcome the capacity constraints in the Irish Water wastewater network, as highlighted in both the submission from Irish Water (dated 27/08/21), and in the Pre-Application Consultation Opinion submission from the Planning Authority (dated 20/08/21). Such details shall address***

comprehensively the issues raised in both submissions and include details of inter alia the specific projects scheduled under the Irish Water Capital Investment Programme that seek to address the capacity constraints related to development on this site, expected occupancy timelines for the proposed units and/or any alternative foul water proposals for the proposed development, as referred to an option in the submission from Irish Water (i.e. Storm Sewer Separation proposals).

Response: Irish Water have advised that there are significant foul network capacity constraints in the Celbridge and Lower Liffey Catchment Areas. DBFL have been advised through the Confirmation of Feasibility and correspondence with Irish Water that Irish Water's Capital Investment Plan includes for projects in the Celbridge and Lower Liffey Valley Catchment which they have informed will provide long term strategic solutions to the overall capacity constraints for the area. Currently all foul sewage flows within the Celbridge area which include catchments on both sites of the River Liffey are pumped to Castletown WwPS. The Primrose Hill WwPS upgrade project which is due to be delivered by Q4 2023 will result in its foul flows and loadings currently being conveyed to Castletown WwPS to be diverted and pumped to Adamstown which eventually will lead to its foul sewage being treated at Ringend WwTW. In doing so this will significantly reduce the loadings at Castletown WwPS and therefore allow for additional capacity at Castletown which (subject to a connection agreement with IW) should allow for the foul flows from this development to be conveyed to this Castletown WwPS. DBFL have engaged with Irish Water who have confirmed in correspondence that when Primrose Pumping station has been upgraded this will allow for additional capacity at Castletown. The developer's preliminary construction programme for the development site is programming for the delivery of the first units to be made available for occupation by Q4 2023/Q1 2024 which shall tie in with Irish Water's capital delivery programme and which (subject to a connection agreement) shall also allow a foul connection into Irish Water's foul network.

2. ***Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed development complies with the requirements of DMURS, in particular; (i) the relationship of the proposed corner dwellings and boundary treatments to the proposed road network and to adjacent dwellings, having regard to the need to avoid or minimise blank walls and fences that restrict surveillance and movement (ii) demonstration of adequate sight-lines where appropriate (iii) parking quantity and location, road hierarchy and layouts, including design and materiality of the proposed shared surfaces. To this end, matters raised in the tri-patriate meeting, should be addressed in any report/justification relating to above issues.***

Response: The proposed development's compliance with the DMURS guidance is addressed in the DMURS Design Statement prepared by DBFL Consulting Engineers and submitted as part of the subject proposals. The Traffic and Transport Assessment addresses the proposed development's car and cycle parking provision, which fully complies with both the Kildare County Council and DHPLG standards. Further information can be found on Dwg. No.'s 200114-DBFL-RD-SP-DR-C-1001 and 200114-DBFL-RD-SP-DR-C-1002 by DBFL Consulting Engineers which illustrates the Subject Roads Layout and the Road Hierarchy Layout respectively.

- 3. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed development complies with the requirements of the Celbridge LAP 2017-2023 for Key Development Area 3, in particular, the provision of a landmark building on the south-eastern corner of the site. To this end, matters raised in the PA submission (dated 20/08/21) and as raised in the tri-patriate meeting, should be addressed in any report/justification relating to the above issue.**

Response: As per Section 3.9 of the Architectural Design Statement by MCA Architects, a landmark building is proposed on the south-eastern corner of the site. The landmark building creates a strong frontage onto Shackleton Road and identifies the development at the junction of the Clane Road and Shackleton Road. The form of the block is a break from the row of duplex units adjacent with a slight setback, providing views from multiple directions. Furthermore, the setback from the building line allows views from the units in three different locations.

Please refer to Architectural Design Statement and drawings by MCA Architects for further details.

- 4. Further elaboration and clarification, and if necessary amended proposals, so as to demonstrate how the proposed pedestrian and cycle connections to the permitted development to the north are to be delivered, as part of any application on this site. In relation to same it is noted that the location of northern portions of the cycle/pedestrian connections lie outside the red line boundary of the site. Additional details are also required (detailed drawings/cross sections etc) in relation to the detail of such connections and the manner of which they cross the existing watercourse to the north of the site.**

Response: The enclosed Letter of Consent from O'Flynn Construction allows for the proposed pedestrian connections to be delivered. Full detailed drawings including a cross-sections demonstrating how the access points will cross the existing watercourse have been provided by DBFL Consulting Engineers.

- 5. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing**

residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.

Response: A Sunlight/Daylight/Overshadowing Assessment of the proposed development demonstrating an acceptable level of residential amenity for future occupiers and existing residents, including details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties is submitted with the application by BPC Consulting Engineers.

The report addresses the full extent of requirements set out in BRE209/BS2011.

- 6. *A Housing Quality Assessment (HQA) and Design Statement which provides the specific information regarding the proposed apartments as required by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December, 2020). The documentation should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.***

Response: Please refer to enclosed Housing Quality Assessment (HQA) by MCA Architects which provides details in respect of the proposed apartments and sets out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments.

- 7. *A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of external finishes, the treatment of balconies and boundary treatments. Particular regard should be had to the requirement to provide high quality and durable finishes and materials which have regard to the surrounding context of the site.***

Response: As per Section 4.1 of the Architectural Design Statement by MCA Architects, it is proposed to use a mixture of red brick, buff brick and render to the façade of units throughout the scheme. It is also proposed to use materials including zinc, UPVc/timber, slate and buff and grey slabs. Balconies will consist of a selected metal railing.

Boundaries to private rear gardens will consist of concrete post and timber panel fencing. Other boundaries for dwellings within the development will consist of 1.8m block walls with concrete capping. Weld mesh fences will be used along site boundaries to the west and south with galvanised metal railings used to define the boundary of the creche.

Please refer to Architectural Design Statement and drawings by MCA Architects and Landscape Report by Derek Howlin Landscape Architects for further details.

8. *Surface Water Drainage details such as would clearly address and respond to comments within the internal report from Water Services (dated 30/07/21), and, where relevant, having regard to the submission from Irish Water (dated 27/08/21).*

Response: Please refer to Chapter 3 of the Infrastructure Design Report by DBFL Consulting Engineers (200114-DBFL-XX-XX-RP-C-001) which outlines the surface water drainage details and addresses comments from the Water Services department (WSD) in Kildare County Council (KCC). KCC WSD have engaged with DBFL on the surface water proposals for this SHD application prior to submission.

9. *A revised Site Specific Flood Risk Assessment such as would clearly address and respond to comments within the internal report from Water Services (dated 30/07/21).*

Response: A revised Site-Specific Flood Risk Assessment has been prepared by DBFL Consulting Engineers as part of this SHD application and addresses comments from the Water Services department (WSD) in Kildare County Council (KCC). KCC WSD have engaged with DBFL on the Flood Risk proposals for this SHD application prior to submission.

10. *Landscaping Proposals, including a report that provides appropriate rationale and details, and addresses the comments contained within the Planning Authority's submission on this pre-application (dated 20/08/21), including those comments within the internal report from the Parks Section of Kildare County Council.*

Response: A detailed landscape masterplan drawing, and a detailed Landscape Report by Derek Howlin Landscape Architect are included in the SHD application.

As can be seen from the landscape report/site layout, great effort has been made to ensure that as far as practicable all public open space is usable space, accessible and overlooked to provide a degree of natural supervision.

Details of play equipment, street furniture including public lighting and boundary treatments are included as part of the SHD planning application.

The landscaping design has been discussed with the Parks department of Kildare County Council prior to submission of this SHD application.

11. *All supporting technical/environmental reports to be updated as required.*

Response: All supporting technical/environmental reports have been updated as part of this SHD application

12. A plan of the proposed open spaces within the site clearly delineating public, communal and private spaces.

Response: A detailed landscape masterplan drawing, and a detailed Landscape Report by Derek Howlin Landscape Architect are included in the SHD application that illustrate public, communal and private spaces.

As can be seen from the landscape report/site layout, great effort has been made to ensure that as far as practicable all public open space is usable space, accessible and overlooked to provide a degree of natural supervision.

Details of play equipment, street furniture including public lighting and boundary treatments are included as part of the SHD planning application.

The landscaping design has been discussed with the Parks department of Kildare County Council prior to submission of this SHD application.

13. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

Response: Please refer to 'Taken in Charge Plan' Drawing Ref. No. CBR-MCA-00-00-DR-A-1004 by MCA Architects which indicates what areas are to be taken in charge by Kildare County Council.

14. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

Response: A Material Contravention Statement by McCutcheon Halley Planning provides a detailed justification of the density proposed having particular regard to the sites suburban location, sequential development approach and the road network and site constraints in conjunction with the specific objectives pertaining to the lands contained in the Celbridge Local Area Plan (LAP) 2017 and 2017 Kildare County Development Plan.

In the 2017 LAP the site is zoned as part of KDA 3 residential area. KDA 3 Oldtown sets out that access shall be from the Shackleton and

Oldtown Road and should provide for an extension of the street network into lands west of this KDA in the long term. Streets and spaces should provide for a cycle and pedestrian friendly environment. KDA 3 notes that the Oldtown Road presents an opportunity to develop a connection back to the town centre that prioritises cycle and pedestrian movement and that a permeable and integrated street network shall be a key requirement of development proposals

KDA 3 sets out that development of this KDA should reflect the established pattern of development in the area and should protect the amenity of adjoining residential estates and that where overhead transmission cables traverse the site, proposed layouts shall comply with the recommended clearance distances identified by the ESB.

KDA 3 Oldtown provides a number of design requirements including:

- Site layouts should seek to fully integrate the identified primary school site into the urban structure of the neighbourhood;
- School buildings should be designed to front onto new streets and spaces so they contribute to the streetscape and character of this KDA;
- Encourage a mix of housing types to range from two to three storeys in height;
- Landmark /feature buildings should be provided along prominent routes and at key junctions to provide for legibility and variety in the urban environment and to reinforce the proposed hierarchy of streets and spaces;
- Development along the Shackleton Road and Oldtown Road should also provide for good road frontage and an appropriate set back
- Innovative design solutions such as courtyard housing, duplex typologies and end of terrace units with frontage onto both a local street and Priory Square Road are encouraged; and
- Provision of a minimum density of 30 units per hectare on site.

KDA 3 Oldtown requires open space to be provided and to integrate existing landscape features such as tree lines and streams. The LAP 2017 sets out that open space networks that incorporate pedestrian and cycle routes, provide for passive and active recreation, promote ecology and integrate Sustainable Urban Drainage Systems will be promoted.

The proposed development comprises 152 residential units on a net developable area of 4.67 hectares representing a net residential density of 32.5 units per hectare and is in compliance with the density set out for the area in the Celbridge Local Area Plan 2017.

15. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

Response: Please refer to enclosed 'Statement on EIA Screening Process Pursuant to Article Section 299B of the Planning and Development Regulations' by McCutcheon Halley Planning which includes all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening

3. Notification of Statutory Bodies

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing) Development Regulations 2017 and the Board's Notice of Pre-Application Consultation Opinion, the prospective applicant has notified the following authorities of the making of the SHD application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

1. Irish Water
2. Inland Fisheries Ireland
3. Transport Infrastructure Ireland
4. Kildare County Childcare Committee