KILDARE COUNTY COUNCIL

PLANNING DEPARTMENT

Report prepared in accordance with Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations 2001 as amended

Development proposed by, on behalf of, or in partnership with Local Authority

Report for submission to the members, prepared in accordance with Part XI, Section 179, Sub-section (3)(a) and (3)(b) of the Planning and Development Act 2000 as amended.

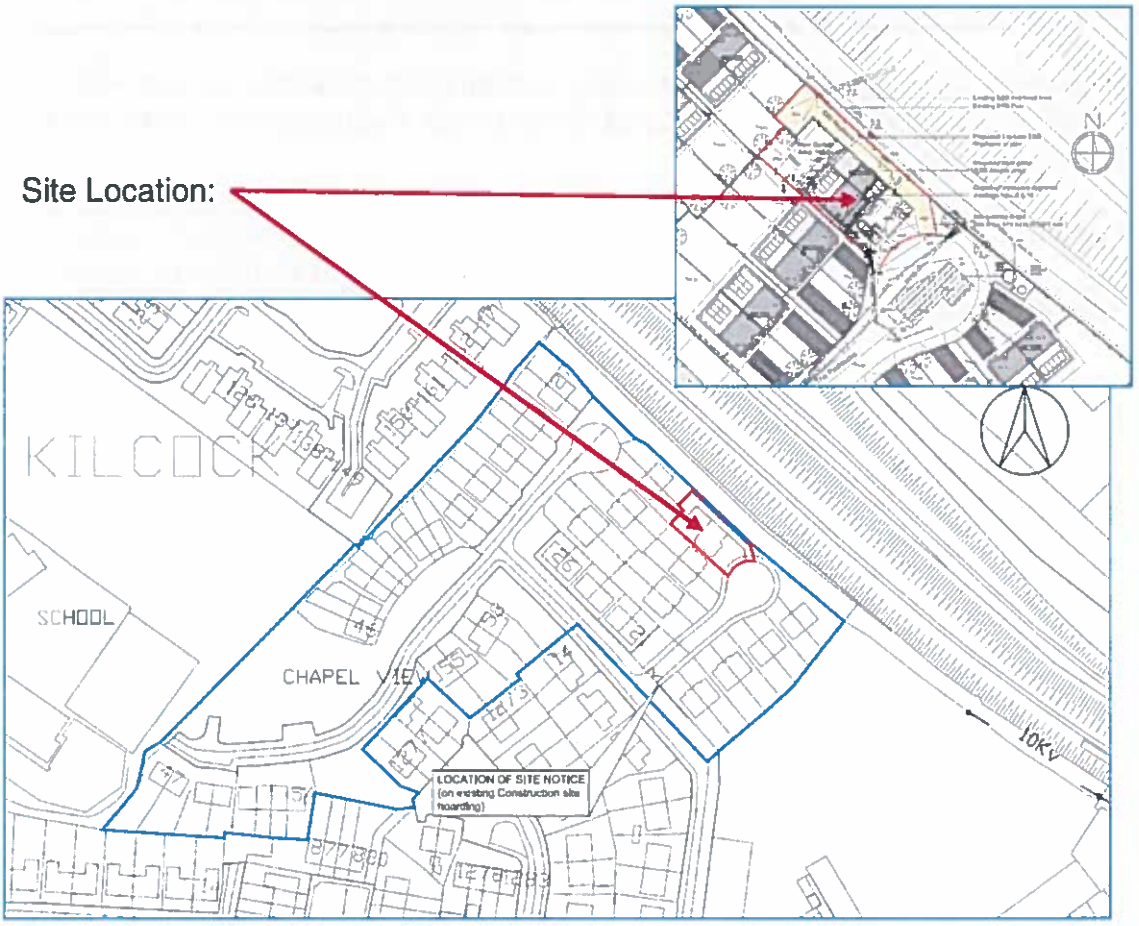
Type of Development:	Modifications to previously approved Part 8 application as detailed below
Site address	The Paddocks, Highfield, Kilcock, Co. Kildare
Development proposed by:	Housing Section
Display period:	Advertised in the Leinster Leader on the 2nd May 2017 Part 8 site notices were fixed at the site on the 2nd of May 2017 Display period from 2nd May – 16th June 17 (inclusive) Submissions/observations due by 4th July 2017
Submissions/observations	Submissions from internal Council Departments and prescribed bodies were received (details as set out below). No public submissions were received.

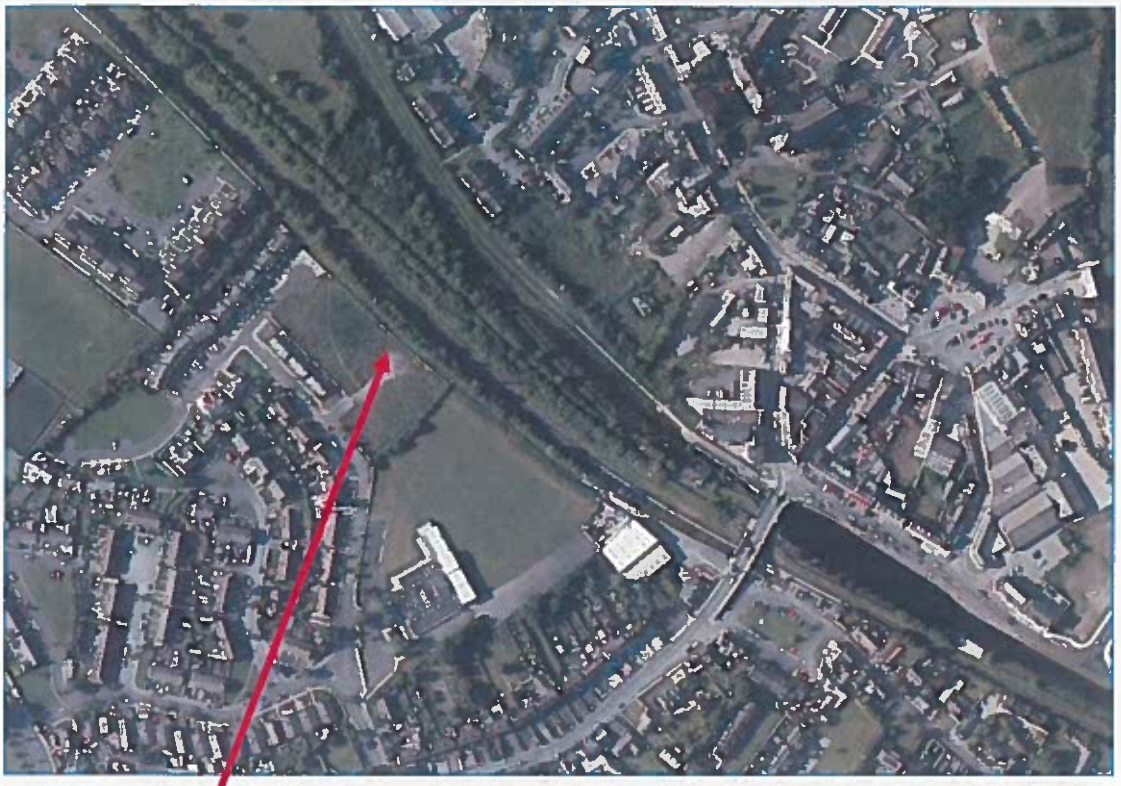
Site location & context

The Paddocks in Kilcock is located. 0.3km west of Kilcock town centre. The subject site forms an end dwelling in a row of 5 dwellings forming part of a previously approved Part 8 development. The development was approved under a Part 8 Application in April 2003 and has been completed in phases. The current phase of construction consists of 20 No. 2, 3 & 4 bedroom semi-detached 2 storey dwellings. This application proposes to reduce the number of dwellings to 19 thus replacing a semi-detached pair of 2 bedroom dwellings (Nos. 9 & 10) with a 3 bedroom Accessible detached dwelling (No.10).

The subject site on which it is proposed to construct the dwelling will allow for a locked access/ wayleave to be located on the east boundary of the proposed No.10 providing ESB Networks access to an existing Electrical Pole located on the site. Rendered block boundary walls will enclose the access/ wayleave with galvanised steel gates providing security. The gates to the access/ wayleave will only be accessible to ESB Networks.

Site Location:





Site Location:

Description of the proposed development

As per the description of the proposed development on the public notices the proposed development will comprise of the following:

a) a reduction in unit numbers by one, comprising of the replacement of a semi detached two-storey pair (House no.' 9 and 10 The Paddocks) with a three bed detached two-storey house (House no. 10 The Paddocks),
b) the revised location of boundary walls to the proposed new detached house,
c) new gate and boundary wall to facilitate access to an existing ESB pole,
d) all associated site-works.

Supporting Documents

The proposal is accompanied by the required plans and particulars including a planning summary report and a report on the submissions received.

Referrals
The proposal was referred to the following parties, reports received as detailed hereunder:

<u>Internal Kildare County Council</u>

Area Engineer – No comments

CFO – No report received

Transportation Section – report received with 20 no. recommendations

Municipal District Engineer – report received with a number of comments and expressing no objection to the proposed development.

Water Services – No objections subject to previous conditions being applicable

Environment Section – report received with 5 recommendations

Community and Culture – No report received

Housing – Propose the subject Part 8

EHO - No objections

Prescribed Bodies
The following prescribed bodies were consulted with respect to the proposed development. Reports were received from Transport Infrastructure Ireland, Inland Fisheries Ireland and the Office of Minister for Jobs Enterprise .

- Transport Infrastructure Ireland – report received advising they have no specific observation to make.
- Inland Fisheries Ireland – report received advising they have no specific observation to make.
- An Comhairle Ealaoin (The Arts Council), 70 Merrion Sq., Dublin 2
- An Taisce, Tailors Hall, Back Lane, Dublin 8 D08XZA3
- Bord Failte Eireann, 88-95 Amiens Street, Dublin 1.
- Department of Art, Heritage, Regional, Rural Gaeltacht Affairs, 23 Kildare Street, Dublin 2.
- Department of Housing, Planning, Community and Local Government, Custom House, Dublin 1.
- Environmental Protection Agency, PO Box 3000, Johnstown Castle Estate, Wexford.
- ESB, Mr. G. Crowley, Planning Manager, Shared Services, ESB Head Office, Lower Fitzwilliam Street, Dublin 2.
- Department of Jobs, Enterprise & Innovation, 23 Kildare Street, Dublin 2, DO2 TD30 - report received advising they have no specific observation to make.
- Heritage Council, The Bishops Palace, Church Lane,Kilkenny
- Iarnrod Eireann, Connolly Station, Amiens Street, Dublin 1

- Irish Water, Colville House, 24-26 Talbot Street, Dublin 1
- Minister for Art, Heritage, Regional, Rural Gaeltacht Affairs, 23 Kildare Street, Dublin 2.
- Minister of Housing, Planning, Community and Local Government, Custom House, Dublin 1.
- National Transport Authority, Dun Sceine, Harcourt Lane, Dublin 2 D02 WT20
- Office of Public Works, 51 St. Stephens Green, Dublin 2.

Response of the Housing Section to the reports received from internal Kildare County Council Departments and Prescribed Bodies

The Housing Section is of the view that the proposed amendment to the previously approved scheme is acceptable, appropriate and in keeping with the proper planning and sustainable development for the area, and complies with the policies and objectives set out in the Kildare County Development Plan (2017-2023) and the Kilcock Local Area Plan (2015-2021).

It is further stated that the Housing Department will ensure conditions as set out previously will be incorporated into the contract documents for the construction and management of the proposed development.

3rd Party Submission/Observation

No 3rd party submissions were received.

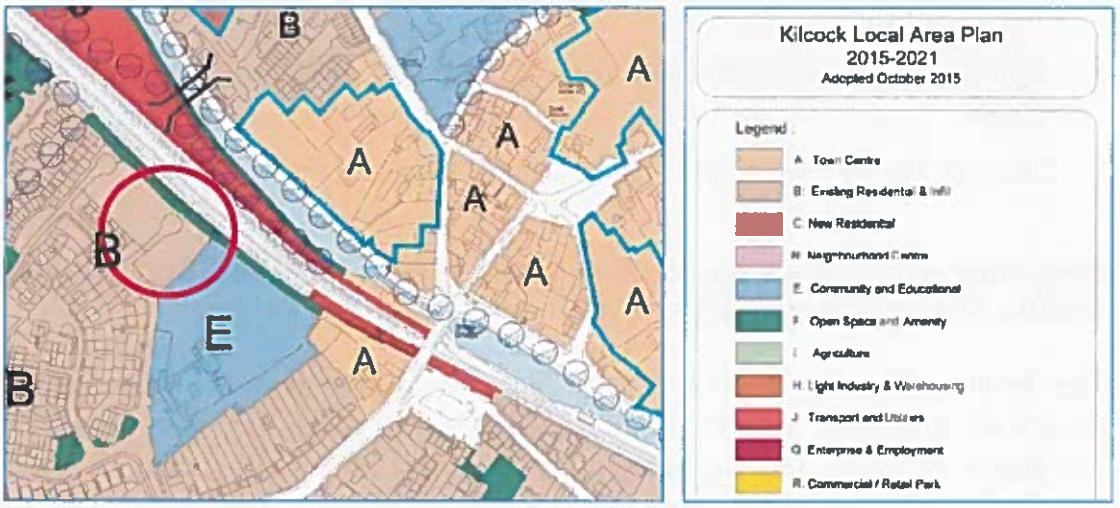
Relevant Development Plan Provisions

Kildare County Development Plan 2017 – 2023
The Council's policies relating to housing development are detailed in Chapter 4 of the County Development Plan 2017 – 2023. The Housing Section has prepared a detailed report outlining how the proposed development complies with the provisions of the Chapter 4 of the County Development Plan 2017-2023, including:

- Securing the implementation of the Housing Strategy
- Increasing the stock of social housing within the County
- Promoting social integration
- To build and support the delivery of new housing appropriate to the needs of the County
- To ensure an appropriate mix of housing is achieved
- To support the development of sustainable communities
- Having regard to Quality Housing for Sustainable Communities – Design Guidelines
- Housing densities
- Quality design and layout
- Special needs housing

- Private and semi-private open space

The Kilcock Local Area Plan 2015-2021
The subject lands fall within the Kilcock Local Area Plan and are zoned 'B' existing residential/infill development – refer to map extract below:



The subject lands are zoned existing residential/Infill where it is an objective 'To protect and improve existing residential amenity; to provide for appropriate infill residential development; to provide for new and improved ancillary services'.

This zoning principally covers existing residential areas. The zoning provides for infill development within these existing residential areas. The primary aims of this zoning objective are to preserve and improve residential amenity and to provide for further infill residential development at a density that is considered suitable to the area and to the needs of the population. Such areas, particularly where bordering the commercial centre, will be protected from the pressure of development of higher order uses such as retail and offices.

Having examined the provisions of the County Development Plan 2017 – 2023 and the Kilcock Local Area Plan 2015-2021 I am satisfied that compliance with the relevant provisions has been achieved in this instance.

Assessment
As detailed in the report/drawings prepared by the Housing Section the site area of the proposed development is indicated as 0.0474ha with the subject replacement dwelling providing for a total floor area of 113.5sqm.

It is proposed that the design and external finishes will match those of the existing permitted development with the design providing for a two storey dwelling with a single storey element to the north eastern gable. This portion of the dwelling will accommodate a ground floor bedroom and accessible bathroom. On site car parking for 2 cars has been provided for the proposed dwelling

While the design is generally considered to be acceptable it was unclear from the detailed drawings whether proposed dwelling failed to meet the required minimum 22m separation distance between rear opposing first floor windows. This was queried with the Housing Section with confirmation received that the separation between the proposed dwelling and the dwelling to the rear being 22.090m. (Please refer to email correspondence and drawing details confirming same received on the 07/07/17 as set out in Appendix 3).

The report prepared by the Housing Section details the purpose of the proposed development and advises that there are in excess of 7,000 applicants on the Kildare County Council social housing list. As part of the Rebuilding Ireland Action Plan for Housing and Homelessness, Pillar Two identifies the local authority's role in the delivery of social housing to address the current housing crisis. The proposed development will assist Kildare County Council in fulfilling the objective of the Government's Action Plan. Furthermore the unit design is based on the current housing need identified for Kildare.

Appropriate Assessment (The Natura 2000 Network i.e. Special Areas of Conservation)
An AA screening report has also been carried out by Kildare County Council and is attached to this report. See Appendix 1).

Heritage (Archaeological & Architectural)
The GIS system indicates that there are no protected structures identified monuments within or in close proximity to the subject site. Given the extent of the built environment in the area it is not considered that the proposed development will have any impact on Archaeological or Architectural Heritage.

Conclusion

Having regard to:

- The provisions of the Kildare County Development Plan 2017 - 2023,
- The provisions of the Kilcock Local Area Plan 2015 – 2021
- Kildare County Council internal departmental reports
- Prescribed Bodies reports
- The AA Screening report
- The previously permitted Part 8 development on the subject lands
- The established and adjoining residential uses
- The nature and extent of the proposed development;
- The recommendations set out below.

It is considered that the proposal:

- Would be in accordance with the provisions of the Kildare County Development Plan 2017 – 2023 and the provisions of the Kilcock Local Area Plan 2015 – 2021

- And would therefore be in accordance with the proper planning and sustainable development of the area.

Recommendation
It is recommended to the Mayor and Members of the Maynooth Municipal District that the proposed development be proceeded with, subject to the modifications set out below.

Modifications

1. The proposed development shall be carried out in accordance with the plans and particulars placed on public display on the 2nd May 2017, except where altered or amended by the following modifications.

2. The proposed dwelling unit shall be provided with the minimum storage requirements set out in the Kildare County Development Plan 2017-2023.

3. The issues/comments raised in the reports received from the Environmental Department and the Water Services Department shall be appropriately addressed by the incorporation of the relevant issues/comments raised into the contract documents for the construction and management of the proposed development.

4. Apart from the departures set out under this Part 8, the remainder of the development shall be carried out in accordance with the terms and recommendations set out under the Part 8 application for the overall site dated 28th April 2003.

5. Hours of construction activities on the site shall be restricted from Monday to Friday 08.00 - 18.00, Saturday 08.00 - 13.00. No building activity shall be undertaken on Sundays & Bank Holidays under any circumstances.

Stephen Willoughby
Executive Planner
07/07/17

A/SREP
07/07/2017

Senior Planner
7/7/17.

7/7/17

APPENDIX 1

APPROPRIATE ASSESSMENT SCREENING REPORT

APPENDIX 1(a)

	APPROPRIATE ASSESSMENT SCREENING REPORT AND CONCLUSION STATEMENT

(A) Project Details	
Ref	Part 8 – 2017 - 007
Development Location	The Paddocks, Highfield, Kilcock, Co. Kildare
Site size	0.0474Ha.
Application accompanied by an EIS (Yes/NO)	No.
Distance from Natura 2000 site in km	The closest designated site to the proposed development is the Rye Water Valley/Carton SAC which is situated c. 6.6km east of the subject site.
Description of the project/proposed development Modifications to previously approved Part 8 development reducing 2 no. semi detached dwellings to one no. detached dwelling.	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development			
			Yes/No **If answer is yes, identify list name of Natura 2000 site likely to be impacted.**
1	**Impacts on sites designated for freshwater habitats or species.** <u>Sites to consider</u>: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	*Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?*	No
2	**Impacts on sites designated for wetland habitats - bogs, fens,**	*Is the development within a Special Area of Conservation whose*	No

	marshes and heath. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	*qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?*	
3	**Impacts on designated terrestrial habitats.** Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	*Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?*	No
4	**Impacts on birds in SPAs** Sites to consider: Poulaphouca Resevoir	*Is the development within a Special Protection Area, or within 5 km of same?*	No.

Conclusion:
If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

(G) SCREENING CONCLUSION STATEMENT *Selected relevant category for project assessed by ticking box.*		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Given the nature of the proposed development it is not considered that the proposed development, individually or in combination with other plans or projects will have a signficant effect on any designated site.		
Name:	Stephen Willoughby	
Position	Executive Planner	
Date:	07/07/17	

APPENDIX 2

SUBMISSIONS REPORT
PREPARED BY HOUSING SECTION

PART 8 –Highfield, Kilcock, Co. Kildare
Submissions Report

Submission Received From	Date received	Submission	Housing Department Comments
Transport Infrastructure Ireland, Parkgate Street, Dublin 8	04/05/2017	TII acknowledge receipt of Part 8 and advise that they have no specific observations to make.	The Housing Department note this submission.
Roisin O'Callaghan, Inland Fisheries Ireland, IFI 3044 Lake Drive, Citywest Business Campus, Dublin 24	08/05/2017	IFI has viewed the above planning application and have no comments to make.	The Housing Department note this submission.
Office of Minister for Jobs Enterprise and Innovation, 23 Kildare Street, Dublin 2	11/05/2017	Acknowledgement of receipt of Part 8 correspondence and will bring to the attention of the Minister.	The Housing Department note that no further comment or observation was received.
Eithne Hunt EHO, Declan Roe, PEHO, HSE	24/05/2017	No objection to the proposed modifications	The Housing Department note this submission.
Aidan Murray, Senior Executive Engineer, Environment Department, Kildare County Council	07/03/2017	No objection with conditions; 1. All fuel sewage, soiled water and trade effluent shall discharge to the public foul sewer system. 2. Only clean, uncontaminated surface water shall discharge to the surface water system. 3. All waste product shall be collected and disposed of in accordance with the Waste Management Act 1996-2016 and regulations made thereunder. 4. (a) Waste produced during construction/demolition shall be segregated prior to recovery or disposal. (b) Waste soil and topsoil shall be stored separately and away from other wastes. (c) no mixing of construction waste with soil is permitted. (d) no burying of waste or burning of waste is permitted. (e) All non-inert waste shall be segregated where possible and removed from the site on an ongoing basis by a waste	The Housing Department will ensure conditions as set out will be incorporated into the contract documents for the construction and management of the proposed development.

		collector with a valid waste collection permit from the National Waste Collection Permit Office. (f) Only clean waste soils are permitted to be sent to facilities with a waste facility permit for land reclamation or raising of land. Waste, brick, block and concrete may only be accepted at the facility to provide for haul roads or hardstanding areas. (g) contaminated soil or soil with non-inert waste missed through is acceptable only at a landfill licenced by the Environmental Protection Agency and will be subject to a landfill levy. 5. All overground oil, chemical storage tank(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal to 1.1 times the capacity of the largest tank. Filling and off take points shall be located within the bunded areas(s)	
Jonathan Dean, Maynooth Municipal District Engineer, Kildare County Council	08/05/2017	No comments from the Maynooth Municipal District Office.	The Housing Department note this submission.
George Willoughby , Senior Executive Engineer, Roads and Transportation Department, Kildare County Council	29/06/2017	The Kildare County Council Roads, Transportation & Public Safety Department have examined the Part 8 documentation and drawings for the proposed modification to the previously approved Part 8 adopted 28th April 2003 at the Paddocks, Highfield, Kilcock, Co. Kildare and we wish to confirm that we have no objection to the proposed modification.	The Housing Department note this submission.
John McGowan, Senior Executive Engineer, Water Services Department, Kildare County Council	04/05/2017	Water Services have no objection to this development. Previous conditions to apply and applicant to apply to Irish Water for connection agreement.	The Housing Department will ensure conditions as set previously will be incorporated into the contract documents for the construction and management of the proposed development.

APPENDIX 3

DETAILED DRAWING AND EMAIL CORRESPONDENCE CONFIRMING 22M SEPERATION DISTANCE BETWEEN REAR OPPOSING FIRST FLOOR WINDOWS

Stephen Willoughby - Fwd: RE: Kilcock

From: Letitia Hanratty
To: Willoughby, Stephen
Date: 07/07/2017 10:27
Subject: Fwd: RE: Kilcock
Attachments: IMAGE.jpeg

Dear Stephen,

please see comment below confirm back to back at 22m.

Kind regards,
Letitia Hanratty, MRIAI.
A/Senior Executive Architect,
Project Manager - Housing Capital,
Architectural Services Department,
Kildare County Council,
Devoy Park,
Naas,
Co.Kildare.

P: 045 980 509 **M:** 087 796 1370

REGISTERED ARCHITECT 2015 RIAI

From: Magdalena Flis <MFlis@dlarch.ie>
To: Letitia Hanratty <lhanratty@kildarecoco.ie>, John Deaton <jdeaton@dlarch.ie>
Date: 07/07/2017 10:09
Subject: RE: Kilcock

Dear Letitia,
Distance between the houses marked in your drawing is: 22090mm
Regards,
Magdalena

From: Letitia Hanratty [lhanratty@kildarecoco.ie]
Sent: 07 July 2017 10:04
To: John Deaton <jdeaton@dlarch.ie>; Magdalena Flis <MFlis@dlarch.ie>
Subject: Kilcock
Importance: High

Please see attached site plan that was submitted with the part 8 - please confirm the back to back distance on the drawing showing the dimension to the nearest meter.

Kind regards,

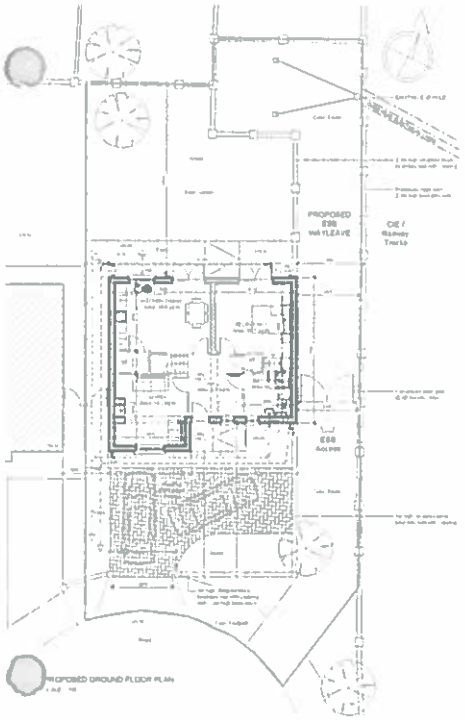
Letitia Hanratty, MRIAI.

A/Senior Executive Architect,
Project Manager - Housing Capital,

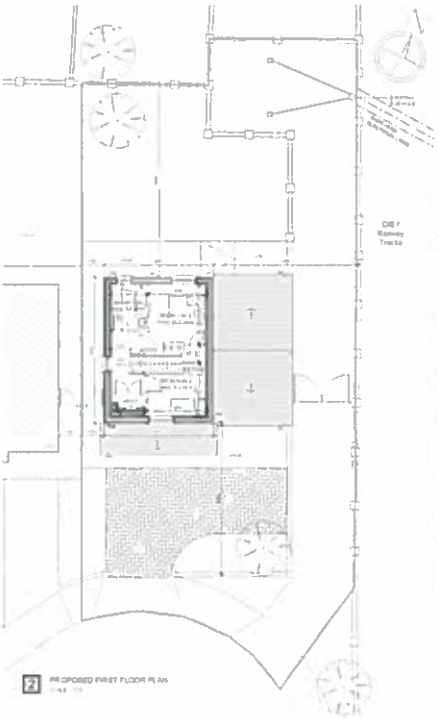
Architectural Services Department,
Kildare County Council,
Devoy Park,
Naas,

Co.Kildare.

P: 045 980 509 **M:** 087 796 1370



PROPOSED GROUND FLOOR PLAN



2 PROPOSED FIRST FLOOR PLAN

3 PROPOSED SITE PLAN

NOTES

This drawing has been prepared for the following purpose:

PLANNING

It should not be used for any other purpose whatsoever.

All dimensions to be read in preference to scaled dimensions. Drawings indicated to be printed versions of the development before work proceed.

DIMENSIONS

Figured dimensions only to be taken from this drawing. All dimensions to be checked on site. Architect to be informed immediately of any discrepancies before work proceeds.

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SPECIFICATION

SUBJECT OF THIS APPLICATION

SITE BOUNDARY
SITE AREA 476.90 M.S. 0.04 HEC

SIGNOTES PROPOSED MOTTEN PARTLAWETS FOR FIRE IN ELECTRICAL POLE

AREA SCHEDULE
DETACHED ACCOMMODATION (PARTLAWET)
3 Bedroom 6 Person House
Area Ground Floor 79.8 sq m
Area First Floor 36.0 sq m
Total Area 115.8 sq m

Room Area
Living Room 14.3 sq m
Kitchen/Dining 16.9 sq m
Hall 5.9 sq m
Accessible Bedroom 1 10.7 sq m
Accessible Bathroom 6.2 sq m
Bedroom 2 11.7 sq m
Bedroom 3 8.2 sq m
Storage 5.5 sq m

REVISIONS

Drawing Title
Proposed Floor Plans
Proposed Site Plan

Project
Proposed modifications to previously approved Part 8 application at The Paddocks, Highfield, Kilcock, Co Kildare

Client
KILDARE COUNTY COUNCIL

1:100/500	April 2017	1541-P8-100	
	BD		

DEATON LYSAGHT ARCHITECTS
44 SOUTH RICHMOND STREET
DUBLIN 2 IRELAND
Tel 353 1 4754660
Fax 353 1 4754661
E mail mail@dla.ie

A1