

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01V902

Date: 26th July 2019

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT AT THE FORMER MAGEE BARRACKS, HOSPITAL STREET (R445), KILDARE TOWN, COUNTY KILDARE

1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Ballymount Properties Limited, Unit 3N and Unit 4N, Ballymount Drive, Ballymount Industrial Estate, Walkinstown, Dublin 12, please find enclosed revised proposals for a strategic housing development at the Former Magee Barracks Site, Hospital Street (R445), Kildare Town, County Kildare, consisting of 375 no. residential units, a neighbourhood centre, a childcare facility and all associated development.
- 1.2 This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development *'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'*.
- 1.3 This cover letter / planning report provides details of the proposed development and the documentation accompanying this application in accordance with the requirements of the Act and Regulations, and ABP's guidance documents.
- 1.4 This SHD application is being submitted following An Bord Pleanála's decision to refuse permission, under Reg. Ref.: ABP-301371-18, on the 9th of July 2018, for the Phase 1 Strategic Housing Development at the Former Magee Barracks site, Kildare Town, Co. Kildare. The application contains significantly revised proposals which seek to address the pre-application opinion from ABP and the reasons for refusal for the previous SHD application on the subject site (Reg. Ref.: ABP-301371-18) and other comments raised in the Board's decision and assessment of the development. The accompanying Statement of Response provides a useful summary of the key changes to the scheme which seek to address the previous reasons for refusal and the Board's Opinion following the pre-application submission for this second application.

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Enclosures

1.5 The following documentation accompanies this consultation request in accordance with Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) and Article 28 of the Planning and Development (Strategic Housing Development) Regulations 2017:

- 2 no. copies of the Application Form and attachments for a Section 4 SHD Planning Application- Note application fee paid by EFT, see attachment to the form;
- Attachments to the application form include;
 - Irish Water Confirmation of Feasibility Letter and Statement of Design Acceptance.
 - Letters of consent from Kildare County Council, Columbia Estates Management (I.E.) Limited and Lonadale Limited.
 - Letter of support for new connection to adjacent school lands from Kildare Town Educate Together National School.
 - Confirmation from EIA Portal.
 - Confirmation of payment of application fee by EFT.
- 3 no. soft copies of the documentation (on CD rom);
- 2 no. copies of this Cover Letter / Planning Report prepared by John Spain Associates;
- 2 no. copies of a Statement of Response to the Board's Opinion prepared by JSA and others;
- 2 no. copies of a Statement of Response to Item No. 3 – A report demonstrating compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights report prepared by JSA;
- 2 no. copies of a Statement of Consistency with Planning Policy prepared by JSA;
- 2 no. copies of a Material Contravention Statement prepared by JSA;
- 2 no. copies of an Environmental Impact Assessment Report (EIAR) including a Non-Technical Summary prepared by JSA and the EIAR Consultants;
- 2 no. copies of Architectural Drawings, Schedule of Drawings, Schedule of Accommodation and Areas, Residential Quality Assessment (RQA), Architectural Design Statement and Site Heritage / Sense of Place Document prepared by RKD Architects;
- 2 no. copies of the Part V proposals including Part V Site Plan prepared by RKD Architects, a Part V Cover Letter prepared by JSA, an Estimate of Costs prepared by the applicant and a letter from Cluid (AHB);
- 2 no. copies of Tree and Hedgerow Survey Report and Arboricultural Impact Assessment, prepared by Brady Shipman Martin (BSM) Landscape Architects;
- 2 no. copies of Landscape Drawings & Schedule and Landscape Design Rationale Statement prepared by Brady Shipman Martin (BSM) Landscape Architects;
- 2 no. copies of Appropriate Assessment Screening Report prepared by Brady Shipman Martin (BSM);
- 2 no. copies of Engineering Drawings & Schedule and Water Services Design Report prepared by Garland Consulting Engineers;
- 2 no. copies of a Response to KCC Pre-Application Opinion Report prepared by Garlands;
- 2 no. copies of a DMURS and National Cycle Manual Consistency Statement prepared by Garland Consulting Engineers;
- 2 no. copies of Flood Risk Assessment Report prepared by Garland Consulting Engineers;

- 2 no. copies of a Construction and Environmental Management Plan prepared by Garland Consulting Engineers;
- 2 no. copies of a Construction and Demolition Waste Management Plan prepared by Garland Consulting Engineers;
- 2 no. copies of an Operational Phase Waste Management Plan prepared by Garland Consulting Engineers;
- 2 no. copies of a Structural Survey of the Officers Mess Building and Water Tower prepared by Garland Consulting Engineers;
- 2 no. copies of a Traffic Impact Assessment and Appendices prepared by Roadplan Consulting;
- 2 no. copies of a Mobility Management Plan prepared by Roadplan Consulting;
- 2 no. copies of a Quality Audit prepared by Roadplan Consulting;
- 2 no. copies of a Road & Traffic Design Choices report prepared by Garland Consulting Engineers;
- 2 no. copies of a Utilities and Site Lighting Report and Drawings prepared by Metec Consulting Engineers; and
- 2 no. copies of a Daylight Assessment and Building Lifecycle Report prepared by NRG Consulting.

Fee

- 1.5 The application fee of €68,311.30 has been paid to the Board via EFT as per the attachment to the application form. The fee calculation is set out in the application and is as prescribed in the Strategic Housing Development Fee Schedule issued on the 15th of March 2017.

Application Site Boundary

- 1.6 Please note that the application site boundary as shown in the submitted plans / drawings, has been provided as a CAD file in .dwg format in the Irish Transverse Mercator co-ordinate reference system on CD ROM, as specified in Section 6 of the Application Form.

Overall Magee Barracks Site

- 1.7 This planning application is accompanied by an overall site masterplan drawing indicating current and future proposals and indicative phases on the remainder of the Magee Barracks lands, which include a permitted supermarket, a Cancer Treatment Clinic (Proton Therapy) (currently under appeal to ABP) and a Phase 2 residential development of c. 250 units.

Land Use Zoning

- 1.8 The subject site is zoned 'Z -Regeneration of Magee Barracks' in the Kildare Town Local Area Plan (LAP) 2012-2018. The aim of this Zoning Objective is listed as follows in the LAP:

'To facilitate a wide range of uses to allow for the flexibility in the regeneration of the former Magee Barracks site in a sustainable manner. This zoning allows for the development of the site for a mix of employment, educational, community and residential uses in accordance with the design brief set out in section 7.6 of this plan'

- 1.9 The compliance of the proposed development with the land use zoning objective is set out in the accompanying Statement of Consistency. We also note that the Planning Authority have indicated in their pre-application opinion that the proposal

could be a material contravention of the LAP in the context of the residential unit numbers identified for the Magee Barracks site. Therefore, we have prepared a Material Contravention Statement should the Board consider that the proposal contravenes the LAP in respect to same, noting the fact that the current unit numbers and mix are directly responding to the reasons for refusal, the Board's Opinion and Government Policy and Guidelines.

- 1.10 The current Kildare Town Local Area Plan is noted as a 2012 to 2018 plan in the document title and it came into effect on the 24th of December 2018. Section 18 to 20 of the Planning and Development Act 2000 to 2018 relates to the preparation and adoption of LAP's. Section 18(4)(a) states that 'a local area plan prepared under this section shall indicate the period which the plan is to remain in force'. The LAP does not specifically state the period which the plan is to remain in force, or that it is specifically a six year LAP. The Act does not limit the lifetime of a LAP to a six year period.
- 1.11 We note that Kildare County Council in their pre-application opinion state the following in relation to the status of the Kildare Town Local Area Plan 2012-2018.

'Based on legal advice to date, it is Kildare County Council's view that the Kildare Town Local Area Plan will remain extant following the end of the Plan period and until such time as a new Kildare Town Local Area Plan is adopted'.

- 1.12 We respectfully submit that the current LAP, and the zoning provided therein, remains in place until the adoption of the new Kildare Local Area Plan, which is currently at draft preparation stage following receipt of pre-draft submissions, with the aim of preparing a new LAP for the period 2019-2015. It is therefore considered that there is a land use zoning framework in place to inform, assess and make decisions on planning applications, including this Strategic Housing Development application. The Board accepted this approach in recent SHD decisions on lands within Naas, where the Town Development Plan dates from 2011-2017.

Consultation with the Planning Authority under Section 247

- 1.13 The first stage of the SHD process is a consultation with the Planning Authority (under Section 247 of the Planning & Development Act, 2000, as amended). A formal Section 247 pre-application meeting with the Planning Authority took place on the 16th October 2018, which was attended by officials from the relevant departments and the applicant's design team.
- 1.14 A description of the pre-application consultation undertaken by the Applicant with Kildare County Council under Section 247 has been included in Section 4 of this Cover Letter/Planning Report.

Part V

- 1.15 The application is accompanied by a Part V drawing, an estimate of costs and a cover letter in respect to the Part V proposals for the subject lands, as required by the Regulations, demonstrating a proposal for 10% of the units, i.e. 38 no. units to be provided for Part V purposes. Further details on the Part V proposals are outlined in Section 6 of this Cover Letter/Planning Report and in RKD drawing ref: 'A1502 PART V ALLOCATION'.
- 1.16 The applicant has engaged in discussions with the Housing Department of Kildare County Council in respect to Part V provision on the site, these discussions are still ongoing. The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which

requires the applicant to enter into a Part V agreement with Kildare County Council, or an Approved Housing Body of the Council's approval, as per their requirements prior to the commencement of development.

- 1.17 The applicant has also engaged with Cluid Housing in relation to the Part V units proposed. The application is accompanied by a letter from Cluid Housing expressing their interest in acquiring the Part V units to be provided on site.

Drawings, Plans and Particulars

- 1.18 This planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001 (as amended).
- 1.19 In addition, Landscape, Engineering and M&E drawings are included with the planning application.

Statement of Consistency with Planning Policy

- 1.20 A stand-alone Statement of Consistency with Planning Policy, prepared by John Spain Associates, is enclosed with this planning application which demonstrates that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended) and with the County Development Plan and Local Area Plan.
- 1.21 The statement provides a detailed assessment of the relevant national, regional and local planning policy context pertaining to the development. The statement demonstrates that the proposal is broadly consistent with the land use zoning objective and with the various policies, objectives and guidance of the CDP and LAP in respect to the subject lands.
- 1.22 Having regard to the opinion of Kildare County Council, an assessment of potential material contraventions of the CDP and LAP is included as Appendix 2 of the Statement of Consistency. Arising out of this assessment, a Material Contravention Statement has been prepared having regard to the proposed unit quantum and potential material contravention of the LAP and accompanies this planning application.
- 1.23 As the Statement of Consistency with Planning Policy focuses on the planning policy context, it is considered appropriate for this planning report/cover letter to provide relevant details in respect to the Site Location and Context, Planning History, Pre-Application Consultation, and the Development Proposals.

Development Details

- 1.24 The description of the proposed development for which permission is sought can be summarised as follows:

'The development will consist of the demolition of 17 no. existing buildings (including a range of former Barracks buildings, the Officers' Mess building and Water Tower structure) with a GFA of 16,320 sq.m, and the construction of a development comprising of 375 no. residential units, a neighbourhood centre comprising of 3 no. single-storey retail units with a GFA of 130 sq.m, 105 sq.m and 100 sq.m respectively, a café (including gallery / exhibition area at mezzanine level) with a GFA of 300 sq.m, a two-storey childcare facility with a GFA of 680 sq.m and associated play area, all internal roads, car parking, pedestrian and cycle paths,

public open space, and all associated site and infrastructural works on an application site of c. 11.35 ha.

The 375 no. residential units proposed consist of the following:

- *76 no. 3 bed semi-detached houses;*
- *42 no. 3 bed terrace houses;*
- *60 no. 4 bed semi-detached houses;*
- *7 no. 4 bed detached houses;*
- *16 no. 1 bed apartment units within the duplex blocks;*
- *34 no. 2 bed apartment units within the duplex blocks;*
- *18 no. 3 bed apartment units within the duplex blocks;*
- *30 no. 1 bed apartment units within the apartment blocks; and*
- *92 no. 2 bed apartment units within the apartment blocks.*

The houses are 2 to 3 storeys in height, the duplex blocks are 2 to 3 storeys in height and the apartment blocks are 4 to 5 storeys in height over basement car park. The associated site and infrastructural works include foul and surface / storm water drainage, attenuation tanks, 639 no. car parking spaces (comprising 560 no. spaces for the residential units, 51 no. visitor spaces, and 28 no. spaces to serve the proposed childcare facility, retail, and café units), public open space measuring c. 1.80 hectares, bin and bike stores, 3 no. electricity substations, landscaping, boundary walls, railings and fences.

A new signalised road junction is proposed onto Hospital Street, providing access to the proposed development and also to adjacent sites to the west and east. Road works are also proposed to Hospital Street (R445), including pedestrian crossings, provision of cycle lanes, upgrades to footpaths, signage, road markings and traffic signalling.'

- 1.25 The proposed development comprises the first phase of the overall development of the applicant's c. 20.78 ha landholding at this location. This planning application is accompanied by an overall site masterplan drawing indicating permitted and future indicative phases on the remainder of the lands, which include a permitted supermarket (Reg Ref.: 18149), a Cancer Treatment Clinic (proton therapy) (which is currently the subject of a first party appeal to ABP) and a Phase 2 residential development of c. 250 units. This drawing provides the Planning Authority and the Board with the required level of detail in respect of the likely future context on adjacent lands.
- 1.26 The residential units proposed in Phase 1 include a wide range of housing types comprising three and four bedroom detached, semi-detached and terraced houses, and 1, 2 and 3 bedroom apartments and duplex units. The housing units are 2 to 3 storeys in height and the duplex units are 2 to 3 storeys in height. The proposal introduces 3+1 and 4+1 floor apartment blocks which provide a landmark element to the scheme.
- 1.27 The applicant is committed to delivering a high quality residential development in this location with a good mix of unit types, complemented by high quality and extensive public open space and landscaping, which has regard to the existing site features and the surrounding pattern of development in the area. For further detail on the design approach please refer to the architectural drawings, architectural design statement and the landscape drawings and landscape design rationale report which accompany this consultation request.

Environmental Assessment

- 1.28 An Environmental Impact Assessment Report (EIAR) has been prepared and accompanies this application to An Bord Pleanála. An EIAR is considered to be required having regard to the requirements of Schedule 5 (Part 2) of the Planning & Development Regulations 2001 (as amended), Sub-section 10(b) (iii) and (iv) addresses 'Infrastructure Projects' and requires that the following class of project be subject to EIA: *'(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere'*. (Emphasis added)
- 1.29 The proposed development involves the demolition of existing buildings and the construction of a residential development of 375 no. residential units and a neighbourhood centre on a site of 11.35 hectares within the built-up area of Kildare Town. This development will be assessed in detail in the EIAR.
- 1.30 Notification of the application has been submitted to the EIA portal section within the Department of Housing, Planning and Local Government on the 24th of July 2019, and the EIA Portal ID has been confirmed as **2019113** (the email confirmation from the EIA Portal is attached to the application form).
- 1.31 The structure of the EIAR is proposed to be as follows:

Introduction	JSA
Project Description and Alternatives	JSA and RKD
Population and Human Health	JSA
Archaeology and Cultural Heritage	Courtney Deery
Architectural Heritage	Cathal Crimmins
Biodiversity	BSM
Landscape and Visual Impact	BSM
Soil & Geology	Garland
Water	Bluerock/Garland
Air Quality & Climate	AWN
Noise & Vibration	AWN
Material Assets	JSA
Risk Management	JSA
Interactions	JSA
Principle Mitigation Measures	JSA
Non- Technical Summary	All

Application Copies

- 1.32 In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:
- 2 no. hard and 3 no. soft copies to An Bord Pleanála;
 - 6 no. hard and 1 no. soft copies to the Planning Authority;
 - 1 no. hard / soft copy of the application has been issued to the 6 no. prescribed authorities referenced in the Board's Opinion on the proposed application (relevant cover letters attached for reference purposes).

Irish Water Requirements and Surface Water Drainage

- 1.33 The Irish Water Requirements as set out in Q. 20(D) of the Application Form are addressed in the Water Services Design Report, and the attachments to the application form.
- 1.34 The planning application form also includes a letter of response from Irish Water in respect to a Pre-Connection Enquiry (PCE) in relation to the proposed development which states that 'Based upon the details you have provided with your pre-connection enquiry and on the capacity currently available as assessed by Irish Water, we wish to advise you that, subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network can be facilitated'.
- 1.35 This application includes a statement of design acceptance letter from Irish Water in relation to the proposed development which states; '*We have reviewed your proposal for the connection(s) at the Development. Based on the information provided, which included the documents outlined in Appendix A to this letter, Irish Water has no objection to your proposals*'.
- 1.36 Having regard to the requirement of Irish Water stated in their COF letter '*that surface water should not be discharged via a foul or combined system*', the applicant and design team have investigated alternative solutions and have proposed a tiered system of SUDS measures to address surface water, as outlined in the Water Services Design Report, including discharge to the Council's / NRDO public storm network system, following detailed discussions with the relevant parties.
- 1.37 The Water Services Design Report states that:

As there is a capacity restriction on the downstream M7 carrier pipe to which storm flows from this catchment are discharging, the low flow rate of 2/s from the ,overall site will ensure that there is limited impact on the carrier drain and, as ,discussed previously, a significant reduction from the calculated discharge from the existing Magee Barracks site. A study has recently been carried out by Kildare Road Design Office to determine the available capacity which can be reserved for storm flows from development in the catchment. The publication of this study is yet to be released however, correspondence with Mr. John Grealish from Kildare County Council National Roads Office (KCC NRO) confirmed that the KCC NRO had no objections to the proposed peak flow discharge. The previous design and submission of this application concluded a peak flow discharge to the network in question to be 27 l/s. This has since been significantly reduced by means of alternative SUDS measures (infiltration as described above) across the Magee Barracks development. The aforementioned correspondence has been added to this report as Appendix B. The proposed development, therefore, represents a significant reduction in the volume of storm water that would be discharged to the public combined system in a 1 in 100 year storm event compared to the discharge from the site."

- 1.38 In advance of the publication of this study the design team have engaged in ongoing consultation with Kildare Road Design Office and have received confirmation that, based on provisional findings of the study of the capacity of the M7 carrier pipe, there is spare capacity to take the limited development flows from the overall proposed development at Magee Barracks.

Wayleave

- 1.39 The blue line boundary, i.e. lands within the applicant's / owners control, includes the wayleave to the east / south east of the application site as per the folio map for this

property. The applicant acknowledges that this land has been the subject of encroachment over a period of time and that the wayleave is redundant as it has never been used as a right of way and does not include any services. The application proposes to provide a new boundary wall along the existing fence line and does not propose any works within the wayleave (encroached) area. Please refer to BSM Drawing No. 6362 316 (Eastern Boundary Existing Condition and Proposed Treatment) for proposed boundary treatment along the wayleave.

- 1.40 Accordingly, the existing encroachment / possession of these lands by third parties will not be affected by the proposed development. The applicant intends to enter into separate discussions with the adjoining landowners in Rowanville / Hospital Street in respect to the transfer of the subject lands into their ownership. This will ensure an appropriate planning solution in respect to this boundary of the development site.

Summary

- 1.41 Six no. hard copies, and three no. soft copies, of this planning application have been sent to Kildare County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.
- 1.42 We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended), the Planning and Development (Strategic Housing Development) Regulations 2017 and guidance documents issued by An Bord Pleanála (ABP).
- 1.43 In preparing this planning application, including all drawings and reports, cognisance has been taken of the issues raised during the Tri-Partite Meeting with ABP and Kildare County Council formal Section 247 pre-application meeting with Kildare County Council, other meetings and consultations with relevant personnel in Kildare County Council, and the requirements of all relevant Section 28 Guidelines, the Kildare County Development Plan 2017-2023 and the Kildare Town LAP 2012-2018. Details of the pre-application meetings are included in Section 4 of this cover letter.

2.0 SITE LOCATION AND CONTEXT

- 2.1 The subject site for this Phase 1 application comprise the majority of the southern portion of the former Magee Barracks site. The site area is 11.35 hectares of an overall landholding of 20.78 hectares at this location.
- 2.2 The site is located immediately to the east of Kildare Town Centre. The former Magee Barracks site is well positioned within the town layout and urban structure, and comprises of strategically located, but underutilised lands adjacent to the town core and surrounded by existing residential, commercial and community uses.
- 2.3 The application site is generally open in character and of generally level topography, with land rising gently toward its southern boundary. The application site currently consists of a number of vacant former military buildings, all of which are in serious disrepair and not of any architectural interest / merit, areas of hard surfacing formerly used as training grounds / assembly areas and underutilised green-field lands.
- 2.4 The former use of the site as a military barracks was discontinued in 1998; the site was subsequently used for refugee accommodation and is currently vacant / unused. Two no. primary schools have been constructed on a portion of the former Magee Barracks site to the north west off Melitta Road.
- 2.5 Surrounding land uses include predominantly residential developments to the north, east and west, with a number of retail / commercial land uses located to the south of

the site, along Hospital Street. The commercial uses include 2 no. car showrooms, Lidl supermarket, a filling station with small shop, resource centre, a pharmacy and primary care centre.

- 2.6 A site for the planned new town park, Cherry Park (proposed Part 8 application), is located to the south east of the proposed site and south of Hospital Street (R445).

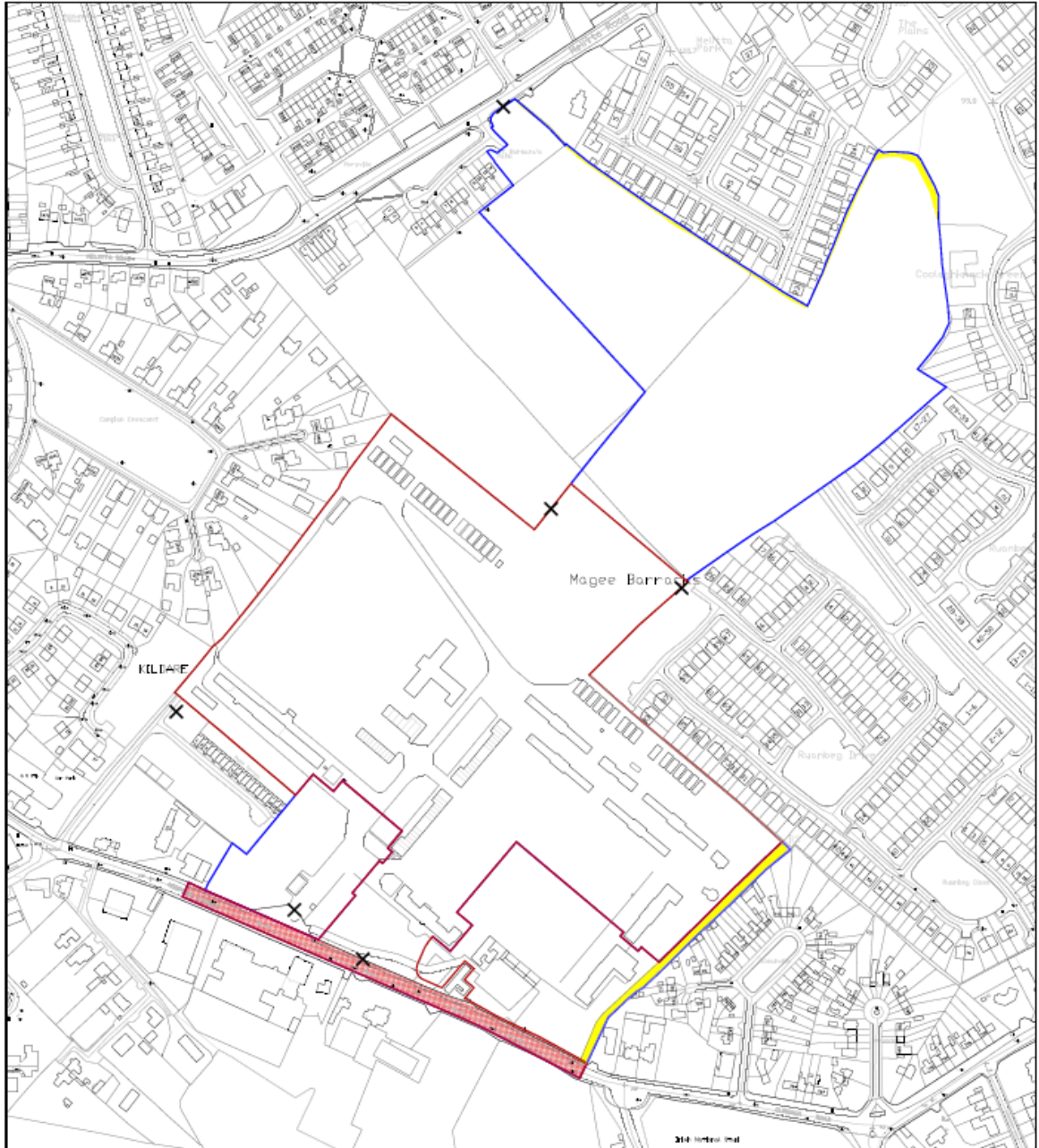


Figure 2.1: Extract from RKD Architects Site Location Map

- 2.7 An application for a 'Cancer Treatment Clinic (Proton Therapy)' healthcare facility (the first in Ireland) on lands within the overall Magee Barracks site to the east and south-east of the Phase 1 application site area (as shown in Figure 2.2) is currently subject to a first party appeal to An Bord Pleanála.
- 2.8 A supermarket facing onto Hospital Street (R445) is permitted for the site located to the southeast and southwest of the Phase 1 application site area respectively, (as shown in Figure 2.2). These applications, and in particular the Cancer Treatment

Clinic, will provide considerable high value employment within the overall regeneration of the Magee Barracks site.

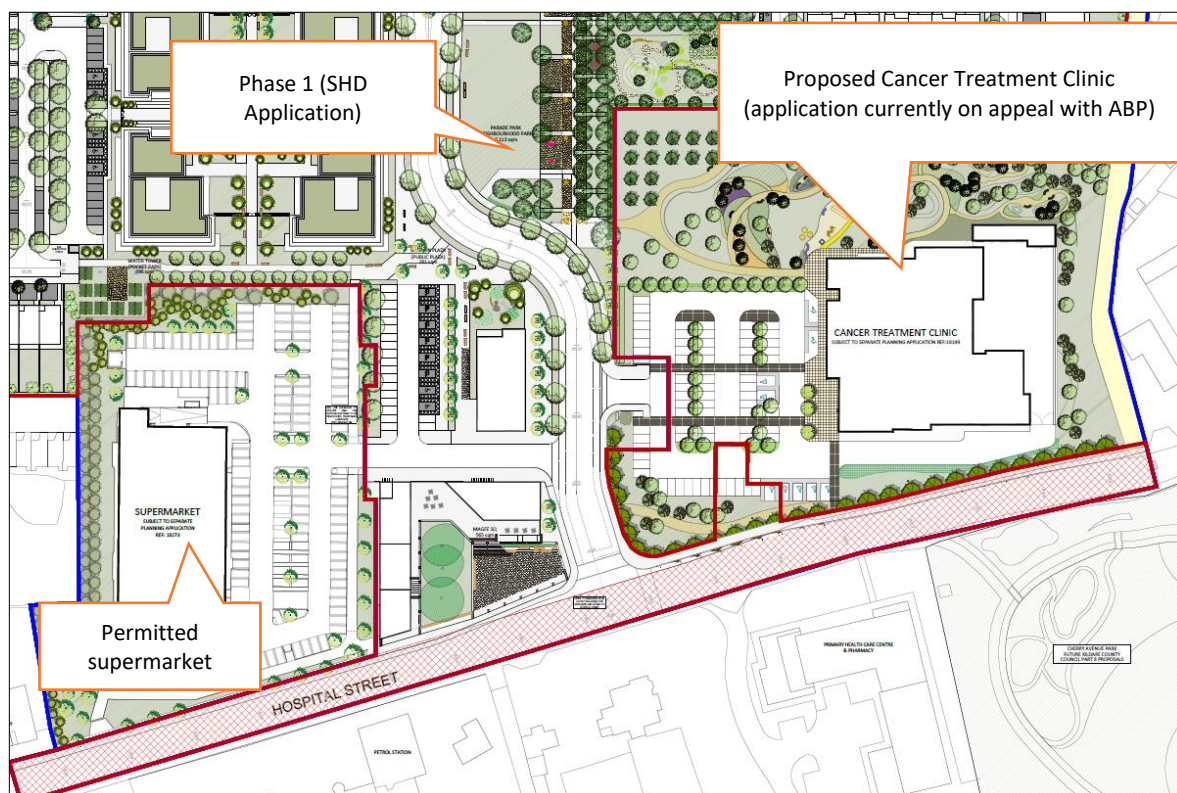


Figure 2.2: Section of RKD Overall Magee Barracks Masterplan (showing the proposed Cancer Treatment Clinic and proposed supermarket)

- 2.9 The site is bounded by Ruanbeg residential estate to the east, Melitta Park and Melitta Road to the north and Campion Crescent residential estate to the west with the main entrance of the site fronting onto Hospital Street (R445).
- 2.10 The subject site presents an appropriate opportunity for a primarily residential infill development, to cater for a portion of the future allocated population growth of Kildare Town on a highly suitable site in terms of sequential location, while enhancing the urban structure of the town and creating improved permeability and connectivity within the surrounding area, particularly to the town centre, the train station and to local community uses such as the existing schools to the north west off Melitta Road.

Strategic Context

- 2.11 Kildare Town falls within the Self-Sustaining Growth Towns - Self-Sustaining Towns category of the settlement hierarchy provided as Table 4.2 of the Regional Spatial & Economic Strategy. The strategy identifies Kildare Town as a Town / District Centre and a Key Service Centre in Co. Kildare
- 2.12 The site is located within the administrative area of Kildare County Council and is subject to the land use policies and objectives of the Kildare County Development Plan 2017-2023 and the Kildare Town Local Area Plan 2012-2018. Under the Kildare Town LAP, the subject site in its entirety is zoned Z - Regeneration of Magee Barracks.
- 2.13 The subject site is located within 500 metres of the centre of Kildare Town, and within easy walking distance of Kildare Train Station, with regular services to Heuston

Station in Dublin, Galway City, Cork City and Limerick City. A Bus Eireann stop is located adjacent to the site on Hospital Road (R445) opposite to the existing service station thereon. Services from this stop operate to Dublin City, University College Dublin, Naas and Monasterevin. Pedestrian access from the site is provided via footpaths on both sides of Hospital Road.

3.0 RELEVANT PLANNING HISTORY

3.1 The following section provides an overview of the most relevant planning history for the subject lands and surrounding area.

Solar PV - Supermarket/Foodstore - Reg Ref: 19641

3.2 A planning application was lodged to Kildare County Council on the 6/06/2019 for modification to a previous permission (Reg. Ref. 18/273 – Supermarket) comprising the installation of a roof-mounted array of solar photovoltaic (PV) panels together with inverters and electrical cabling on the permitted foodstore located on lands within the overall Magee Barracks site fronting Hospital Street.

3.3 The decision due date is the 31/7/2019/

Supermarket/Foodstore - Reg Ref: 18273

3.4 Permission was granted by Kildare County Council on the 18/04/2019 for a supermarket/discount foodstore (Reg Ref: 18273) on lands within the overall Magee Barracks site fronting Hospital Street and to the south west of the proposed Phase 1 residential development.

The proposal comprises:

'Demolition of existing structures including the gatehouse and an ancillary building. The construction of a single storey, licensed, discount foodstore with a gross internal area of 2,192sqm incorporating an off-licence area. Public realm space and pedestrian access to and from Hospital Street. A temporary, single point of vehicular access and egress is proposed to and from Hospital Street. The temporary access would be closed off when vehicular access through the wider Magee Barracks Masterplan lands is available. Boundary treatment consistent with that on either side, along Hospital Street would be put in place once the temporary access is closed off. Provision is made in this development for a point of vehicular access within the application site up to the application site's eastern boundary to allow for the future permanent access. The development also includes two pedestrian crossing points on Hospital Street; car parking and cycle parking; all boundary treatment both temporary and permanent as required; ancillary mechanical plant; trolley bay structure; ancillary signage including 1 No. double sided illuminated totem sign at the entrance from Hospital street and other signage associated with the foodstore; ESB substation building; and all necessary site development works and services including all drainage and related underground works'.

Cancer Treatment Clinic - Reg Ref: 18149

3.5 An application for a proposed Cancer Treatment Clinic was lodged with Kildare County Council on the 14/02/2018. on lands within the former Magee Barracks site fronting Hospital Street and south east of the proposed Phase 1 residential development. Permission was granted on the 5/11/2018 by Kildare County Council. The application is currently the subject of a first party appeal against conditions and is due to be decided in August 2019.

- 3.6 The development will consist of the demolition of 6 no. existing buildings (with a GFA of c. 2,180 sq.m) and the removal of hard surfacing on the subject site, and the construction of a part 1, part 2 and part 3 no. storey Health Care Facility for a Cancer Treatment Clinic (Proton Therapy) with a GFA of c. 3,555 sq.m, including a terrace and plant areas at roof level, on a site area of approximately 2.5 hectares. The proposal includes a service yard which also contains a substation, switchroom, transformer, waste storage area and 2 no. chillers.

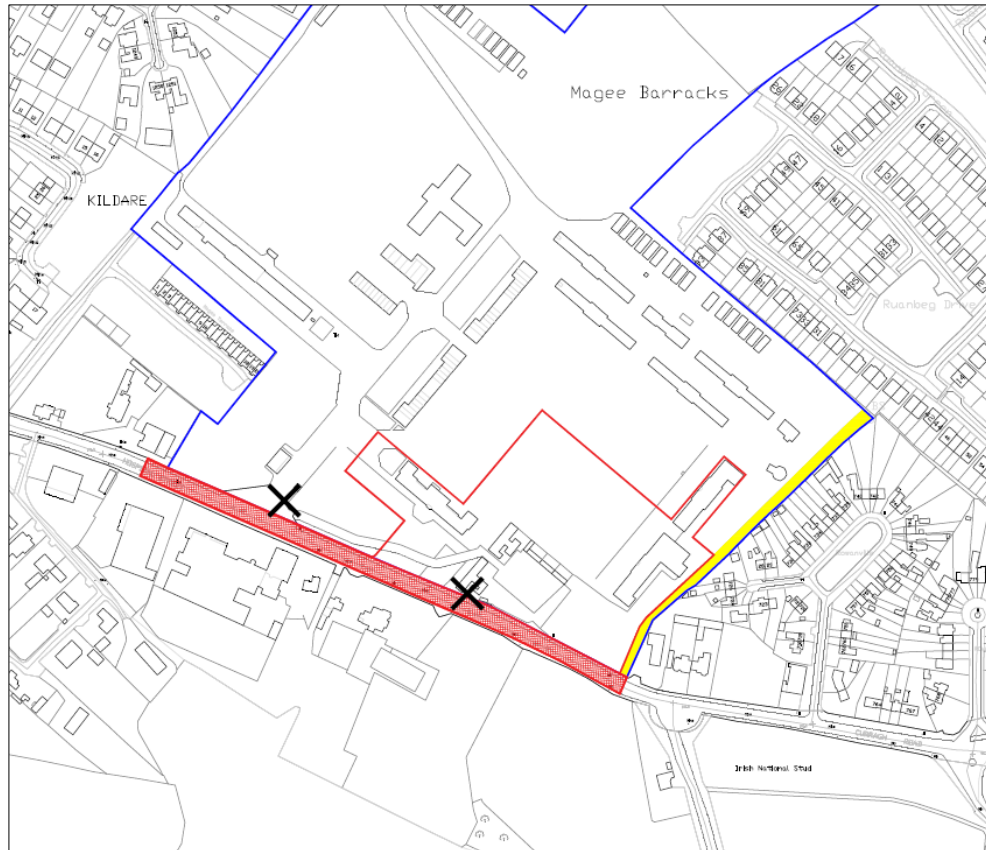


Figure 3.1: Proposed Cancer Treatment Clinic/Proton Clinic Site Location Map

Summary

- 3.7 The proposed phase 1 residential application has been designed to fully integrate with the proposed Cancer Treatment Clinic and permitted supermarket/foodstore.
- 3.8 The temporary access for the proposed supermarket/discount foodstore will be closed off when vehicular access through the wider Magee Barracks Masterplan lands is available, as provided for in this proposed application for the Phase 1 residential development.
- 3.9 The permitted and proposed developments will further contribute to the community facilities being provided on the subject lands and introduce a significant element of employment on the overall Magee Barracks site.

Part 8 Planning Application – Cherry Avenue

- 3.10 A Part 8 application by Kildare County Council has been approved for the development of a public park (Cherry Avenue Park) on 18.1 acres of land on the Dublin Road, Kildare Town, which is located to the south east of the proposed Phase 1 application site area.



Figure 3.2: Proposed Part 8 Planning Application – Cherry Avenue Park

- 3.11 The public notice stated that *'The lands were formerly part of the National Stud. The development of the park will consist of a perimeter path catering for pedestrians and cyclists, demonstration gardens, community garden, amphitheatre, Land Art feature, playground, pump track, wetlands, extensive tree planting, upgrading to the entrance, car parking and public toilets and seating'*.



Figure 3.3: 3D Aerial View of Cherry Avenue Park

- 3.12 From the outset of the proposed design development of the masterplan proposals for the regeneration of Magee Barracks, the design team have taken cognisance of the planning history and proposed development context of the area and have designed in accordance with principles of integration and connectivity with existing and proposed surrounding land uses.

- 3.13 Please refer to RKD drawing 'A1505 Masterplan – Connectivity & Permeability' and the Architectural Design Statement and Landscape Design rationale report for further detail of how the proposal integrates with the permitted and proposed developments and open space network in the surrounding area.

Kildare County Council Reg. Ref. 13635 / An Bord Pleanála Ref. PL09.243089

- 3.14 This permission relates to a portion of land in the north-western corner of the former Magee Barracks landholding. This new national school has been delivered and is in operation. The school site forms part of the vision for the overall site to provide for a mixed-use extension of the existing town centre and provide an important community use to serve existing and future residents. This school also ties in to the school phase of the Magee Barracks redevelopment as set out in the Kildare Town LAP.
- 3.15 Following a 3rd party appeal against the decision of the council and a 1st party appeal against Condition No 40, An Bord Pleanála granted permission for the development on 9th July 2014.



Figure 3.4: Extract of site layout plan of Reg. Ref. 13635

- 3.16 The Inspector's Report noted the appropriateness of the redevelopment of the Magee Barracks site. The Inspector stated that the overall land holding is located in an ideal area to expand and enhance the existing town centre and that the connectivity and new access routes that will be created from the redevelopment of the site will significantly increase the connectivity and activity of the town. The Inspector continued to justify the development of the lands due to its 'heart of the town' location and its position within the existing urban fabric.
- 3.17 However, the Inspector also noted that the vacant nature of the site and the underutilised development potential of the lands acts as an island within the town, secluded and disconnected from the main areas. The re-development of the site was therefore strongly encouraged and welcomed to improve the overall vitality and connectivity of Kildare Town.

“Although Market Square is circa 500 metres from the main gate, the entire site is an island providing no connecting routes with Hospital Street, Melitta Road and adjoining areas. For this reason alone, I encourage and welcome the access to the proposed development from Melitta Road. The proposed access provides access to the Magee Barracks site from a point that has a large population base in addition to close links to the town centre. Successful developments depend on good access and connections.

Having regard to the amount of residential developments to the north and east of the site when accessed from Melitta Road, the location of the access is making a positive discrimination in favour of walking and cycling as opposed to generating traffic. The access onto Melitta Road provides a new principle linkage to the surrounding urban fabric, and it is designed as a tree lined boulevard”.

- 3.18 Overall it is clear from the Inspector’s Report that the re-development of the former Magee Barracks site is welcomed by both Kildare County Council and An Bord Pleanála. The development of the school site also sets a precedent for future development by providing community infrastructure to support additional residential units. The Board’s Order states the following:

“Having regard to the nature and design of the proposed school, the policies and provision in the Kildare Local Area Plan regarding the former Magee Barracks site, to the town centre location on a brownfield site adjoining residential development. To the benefits of the proposed development to the community and to the revised submission made during the course of the planning application, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of properties in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area”.

Kildare County Council Reg. Ref. 1613

- 3.19 A final grant of permission was issued by Kildare County Council on the 13th of January 2016, following the submission of Further Information, for the development of a school building (Gaelscoil Mhic Aodha) comprising of 1 no. 2 storey building with 8 no. classrooms, school hall and support teaching space. This new national school has been delivered and is in operation.



Figure 3.5: Extract from site layout plan of Reg. Ref. 1613

- 3.20 The site of this second school is situated to the northwest of (and immediately adjacent to) the current Phase 1 site.
- 3.21 The Kildare County Council initial planners report, which recommended the requesting of Further Information noted that the principle of educational development on the site was acceptable in principle, having regard to the zoning of the site for the '*Regeneration of Magee Barracks*'.
- 3.22 As part of the planning history review undertaken in respect of the proposed development, a review was undertaken of current / recent permissions on lands zoned for Phase 1 residential development in the Kildare Town Local Area Plan 2012-2018. A summary of these permissions is provided in Appendix 1 of the Statement of Consistency for the Board's information.
- 3.23 This wider planning history review revealed that the large majority of Phase 1 residential zoned lands have active planning permission, while the remaining Phase 1 zoned lands are less strategically located in sequential terms than the former Magee Barracks Lands. This further reinforces the suitability of the site for a significant quantum of residential development.

4.0 PRE-PLANNING APPLICATION DISCUSSIONS

Section 247 Pre-Application Meeting

- 4.1 A formal Section 247 pre-application meeting with the Planning Authority, took place on the 16th October 2018 in regard to the revised proposals contained herein.
- 4.2 The Planning Authority re-iterated their previous comments on the refused SHD application and acknowledged the applicant's intention to address primarily the reasons for refusal outlined in the Board's Decision on the previous scheme.
- 4.3 The Planning Authority outlined their preference in terms of Part V provision was for the proposed units to be pepper potted and outlined a preferred mix of units which have been provided as part of these revised proposals.
- 4.4 The evolution of the design for the proposed development has been guided and informed by the issues and points raised throughout the pre-application discussions with the Planning Authority and the final proposals now submitted to the Board are considered to be in accordance with the proper planning and sustainable development of the area, while responding to the points raised in pre-application discussions.
- 4.5 A response to the items raised by Kildare County Council in the pre-application meetings and in their pre-application, opinion is provided in the accompanying Statement of Response.

Section 5 SHD - Pre-Application Consultation Meeting (Tri-partite meeting) – 11th December 2018

- 4.6 The topics discussed at the tripartite meeting were based on the agenda that issued in advance and can be summarised as follows;
- Residential Use (dominance of same in the proposed development);
 - Residential unit mix;
 - Density;
 - Residential Amenity;

- Access and Layout;
 - Design;
 - Phasing;
 - Water Supply and Drainage.
- 4.7 The pre-application opinion has sought further consideration of one of the items above in this application, namely residential density which is addressed in detail in the Statement of Response. The additional specific information items requested by An Bord Pleanála are thoroughly addressed in the Statement of Response.
- 4.8 In relation to residential unit mix issues, the applicant has made further revisions to the unit mix to provide a broader mix of units and the addition of apartments to the scheme has improved the mix further.
- 4.9 The revised site layout proposes an amended internal road network and connections to adjoining residential areas and schools which ensures compliance with DMURS and the National Cycle Manual.
- 4.10 A phasing plan has been provided as part of the planning application drawings (RKD Drawing No. A1501 - PHASE 1 CONSTRUCTION SEQUENCING) and the phasing strategy is discussed within Section 03 of the Architectural Design Statement.
- 4.11 It is envisaged that the proposed development will be delivered over 4 no. phases as described below. The proposed development phasing is greatly informed by the open space and amenity strategy. Each phase would deliver an public open space component with active frontage residential accommodation. As such, each phase would be 'standalone' in terms of its open space provision.
- 4.12 Water Supply and Drainage items are addressed in detail in the accompanying Water Services Design Report and Response Reports provided by Garlands Consulting Engineers.

5.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

- 5.1 The following is a summary description of the proposed development for which permission is sought:

"The development will consist of the demolition of 17 no. existing buildings (including a range of former Barracks buildings, the Officers' Mess building and Water Tower structure) with a GFA of 16,320 sq.m, and the construction of a development comprising of 375 no. residential units, a neighbourhood centre comprising of 3 no. single-storey retail units with a GFA of 130 sq.m, 105 sq.m and 100 sq.m respectively, a café (including gallery / exhibition area at mezzanine level) with a GFA of 300 sq.m, a two-storey childcare facility with a GFA of 680 sq.m and associated play area, all internal roads, car parking, pedestrian and cycle paths, public open space, and all associated site and infrastructural works on an application site of c. 11.35 ha.

The 375 no. residential units proposed consist of the following:

- 76 no. 3 bed semi-detached houses;
- 42 no. 3 bed terrace houses;
- 60 no. 4 bed semi-detached houses;
- 7 no. 4 bed detached houses;
- 16 no. 1 bed apartment units within the duplex blocks;
- 34 no. 2 bed apartment units within the duplex blocks;

- 18 no. 3 bed apartment units within the duplex blocks;
- 30 no. 1 bed apartment units within the apartment blocks; and
- 92 no. 2 bed apartment units within the apartment blocks.

The houses are 2 to 3 storeys in height, the duplex blocks are 2 to 3 storeys in height and the apartment blocks are 4 to 5 storeys in height over basement car park. The associated site and infrastructural works include foul and surface / storm water drainage, attenuation tanks, 639 no. car parking spaces (comprising 560 no. spaces for the residential units, 51 no. visitor spaces, and 28 no. spaces to serve the proposed childcare facility, retail, and café units), public open space measuring c. 1.80 hectares, bin and bike stores, 3 no. electricity substations, landscaping, boundary walls, railings and fences.

A new signalised road junction is proposed onto Hospital Street, providing access to the proposed development and also to adjacent sites to the west and east. Road works are also proposed to Hospital Street (R445), including pedestrian crossings, provision of cycle lanes, upgrades to footpaths, signage, road markings and traffic signalling.”

Summary

- 5.2 The proposed development comprises the first phase of the overall development of the applicant's c. 20.7 ha landholding at this location. This application is accompanied by an overall site masterplan drawing indicating permitted and future phases on the remainder of the lands, which include a permitted supermarket, a Cancer Treatment Clinic (proton therapy) (currently on appeal to ABP) and a Phase 2 residential development of c. 250 units, which are/will be subject to separate applications. The masterplan provides the Planning Authority and the Board with the required level of detail to assess the subject application in the context of the overall masterplan proposals.
- 5.3 The houses to be provided consist of 3 and 4 bed terraced, semi-detached and detached houses. The housing units and duplex units are 2 to 3 storeys in height. The apartment buildings (3+1 storeys and 4+1 storeys) and duplex units are located centrally within the site, i.e. separated from adjoining residential areas. The units on the periphery of the site are now proposed as traditional two storey housing which are more sympathetic to surrounding residential areas and respect the residential amenity of these adjacent properties.
- 5.4 These residential units demonstrate a high standard of architectural design, with a rich palette of building materials used to offer visual variety, and a range of unit types throughout the scheme with discernible character areas as described within the RKD Architectural Design Statement. The proposed range of housing units vary in terms of materiality, form and massing in order to ensure a sense of variety and visual interest within the new residential development.
- 5.5 The development also includes a neighbourhood centre area including a childcare facility, 3 no. shops and a café (including gallery / exhibition area at mezzanine level. A significant quantum of public open space is also proposed in Phase 1, to include a neighbourhood park (Parade Park) located to the northwest of the neighbourhood centre, a large local park located to the north of the apartments (Magee Gardens), and smaller pocket parks and incidental open space.
- 5.6 The proposed neighbourhood centre area will provide a focal point and pull factor for the new neighbourhood, with retail units, a café (including gallery / exhibition area at mezzanine level) and a childcare facility, with an additional supermarket to be

provided by a separate / concurrent application. The retail units within the neighbourhood centre have been designed in a contemporary style in order to provide a point of interest and active street frontages.

- 5.7 Employment generating uses are to be provided within the former Magee lands via the permitted supermarket located to the immediate west of the neighbourhood centre, and the proposed Cancer Treatment Clinic (proton therapy) located to the east of the neighbourhood centre, which is on appeal with ABP.
- 5.8 The main vehicular access route to the Phase 1 development will be provided off Hospital Street (R445) while a future Phase 2 application will provide further vehicular links with surrounding areas. A pedestrian / cycle link is proposed within Phase 1 with the existing and permitted schools located to the west of the site off Melitta Road. Further pedestrian and cyclist linkages are proposed to adjoining residential areas and the schools to the north west.
- 5.9 The proposed frontage and entrance off Hospital Street (R445) will utilise effective landscaping, planting and boundary treatment to enhance the visual amenity of the public realm on this street.
- 5.10 Having regard to the requirements of the application form and legislation, the following provides a useful breakdown of all relevant development details for this proposed development.

Design Principles

- 5.11 From the outset of the design process for the revised proposals outlined herein the following key considerations informed the design of the proposed development:
- The need to reflect the site heritage in the new regeneration proposals;
 - The need to address ABP concerns in respect of density;
 - The need to have protect where possible and appropriate existing site features such as hedgerows and trees, particularly along the site boundary;
 - The topography of the site and attenuation requirements;
 - The need to protect the amenity of adjacent residential areas;
 - The need to create a highly permeable development with connectivity to the wider area for vehicles, cyclists and in particular pedestrians;
 - The need to deliver good quality open space in appropriate locations and to link to the open spaces surrounding the Phase 1 site and planned within the overall masterplan for the Magee lands;
 - The need to provide a good mix of high quality dwellings, with a high calibre of design, which meet the requirements of the Development Plan and the market and which will result in a high quality residential development. The mix of dwelling types will be designed to ensure that the scheme caters for multiple market sectors in the area such as first-time buyers, trade downs, ageing population in the area, etc.;
 - Provision of 10% social housing on site.
- 5.12 The design strategy proposes a number of character areas to be developed on a phased basis. The provision of connectivity and permeability through and to adjoining land uses is a key principle behind the design rationale.
- 5.13 The Architectural Design Statement prepared by RKD Architects, and the Landscape Design Rationale Report prepared by BSM Landscape Architects provide further detail on the design rationale for the subject development, and the character areas within the overall development.

- 5.14 The plans and drawings prepared by RKD also include detailed drawings of the residential unit types proposed including a residential quality audit which demonstrates compliance with the quantitative standards of the County Development Plan and relevant Section 28 guidelines.

SHD Details

- 5.15 Having regard to the requirements of Section 16 of the application form, the following provides a useful summary of key aspects of the proposed scheme.

Density

- 5.16 The scheme proposes a net density of c. 39.42 units to the hectare, based on a net development area of 9.51 ha calculated in accordance with the guidance set down in the Sustainable Residential Development Guidelines. Please refer to the Design Statement and Drawing Ref 'A1305 Density' prepared by RKD which illustrates how the net density figure has been calculated.

Plot Ratio and Site Coverage

- 5.17 The proposed development has an overall plot ratio of 0.36 and site coverage of 18%. We note that the Development Plan does not include plot ratio or site coverage standards for residential development, however, the above are considered appropriate for the site and result in an appropriate form of development

Building Heights

- 5.18 The houses are 2 to 3 storeys in height, the duplex blocks are 2 to 3 storeys in height and the apartment blocks are 4 to 5 storeys in height over basement car park.
- 5.19 The childcare facility is 2 storeys in height. The café sits over two levels with a gallery/exhibition space incorporated at mezzanine level. Please refer to RKD's Design Statement and drawings for further information.

Proposed Layout and Aspect

- 5.20 The proposed site layout is illustrated in the site layout plans prepared by RKD Architects. The formal 'grid form' layout is a key component of the overall design and aims to provide a permanent memory of the site's military heritage. The proposed development offers a clearly defined, safe and accessible hierarchy of public open spaces with tree lined streets and boulevard offering a landscaped buffer between vehicle domains and pedestrian spaces. The layout accords with the principles of DMURS with active frontage onto streets, permeability and traffic calming.
- 5.21 The layout is highly accessible for all users, with a permeable layout both internally and externally as new linkages are provided to surrounding land uses. The layout is considered to be legible, with a clear distinction in design and character between link streets and local streets.
- 5.22 A hierarchy of street types has been introduced (Street Types 1 & 2 plus the central Spine Road). This introduces variation to individual character areas and promotes a pedestrian priority living environment.
- 5.23 As set out in the Architectural Design Statement prepared by RKD Architects, the overall masterplan for the former Magee lands comprises a number of character

areas, characterised by differing house type materiality and variations in the palette of materials proposed.

- 5.24 The layout of Magee Square proposes to retain existing mature trees, and create a formal plaza surrounded by café and retail units.
- 5.25 Aspect and orientation were key considerations in the design and formation of character areas within the scheme. The proposed apartment blocks are orientated to front significant open space amenity areas on two sides (Parade Park and Magee Gardens).
- 5.26 At Magee Square and the proposed café and retail units are orientated towards the square to provide activity and surveillance. The proposed creche is located and orientated towards the adjoining parkland and associated playground amenities.
- 5.27 The proposed scheme provides 81% dual aspect apartment units (i.e. 122 out of 190 apartments) in this proposed development on a brownfield regeneration site, thereby complying with SPPR4 and providing a high level of residential amenity. Where single aspect units have been provided, every effort has been made to ensure that they are of a favourable orientation to receive the appropriate levels of daylight and sunlight, and front onto open space such as Parade Park or Magee Gardens.

Public and Private Open Space Provision

- 5.28 A hierarchy of open spaces is proposed from a public square (Magee Square), Neighbourhood Park (Parade Park) to a local park (Magee Gardens) and a number of smaller pocket parks (Coolmoney Square, Wickham Park, Henry Howard Gardens) and a small Public Plaza designed to link communities and provide active and passive uses. This open space hierarchy will add to the legibility of the proposed development and is considered to be a robust response to the need for quality public spaces within the scheme.
- 5.29 The proposed Phase 1 development includes a public open space provision of c. 16.5% of the total Phase 1 lands comprising 1.8 hectares of open space. The overall masterplan for the Magee lands, which we note is indicative for the Phase 2 lands, including the Proton Clinic site provides a total of 3.2 hectares (8 acres) of open space.



Figure 5.1: Landscape Masterplan drawing prepared by BSM

- 5.30 The proposed neighbourhood park includes facilities for a wide range of outdoor activities, including a kickabout area, boules area, exercise equipment, table tennis area and children's playground. These recreation areas are arranged off a central spine, which is terminated by a plaza with a dry fountain, and a feature fin wall which will be etched with some of the history of the barracks and will serve as a cultural amenity.
- 5.31 Seating will also be provided within the neighbourhood park, both along the central spine and within landscaped planted areas for passive recreation. The smaller pocket parks within the scheme are designed in accordance with the key design principles set out above to have separate characters while retaining the common identity of the overall scheme.
- 5.32 The pocket parks will benefit from a high level of passive surveillance from surrounding properties and will also provide space for active and passive recreation. They will be well suited for low intensity use in addition to informal kickabouts and other active outdoor activities. The local and pocket parks will also benefit from newly planted trees, ornamental grasses and paved areas.
- 5.33 The retention of several additional existing specimen trees on site is provided for within Magee Square near the development entrance from Hospital Street (R445). The existing Plane trees will be retained and protected within a soft planted zone, under planted with perennials and integrated seating set along the walled perimeter.
- 5.34 The scheme will also provide strong linkages with existing and future open spaces in the immediate vicinity, including the large urban park (Cheery Avenue Park) to be

delivered on the opposite side of Hospital Street to the south east which is the subject of a current Part 8 planning application.

Landscaping

- 5.35 The Landscape Design Report prepared by BSM Landscape Architects sets out the detailed design rationale for the landscaping within the proposed development.
- 5.36 The key design principles followed in respect of the landscaping of the proposed scheme were as follows:
- To reflect the historic and military character throughout the landscape treatment,
 - To provide a sense of place through different character areas,
 - To use names for each open space/ character area relevant to Magee Barracks,
 - Provide cultural and amenity uses,
 - Increase site permeability and provide links to the surrounding urban/ suburban fabric through linkage of open spaces, addition of pathways, cycle tracks new pedestrian entrances,
 - Provide for a range of both active and passive uses, community facilities and amenities and formal play areas for future and existing residents of the area,
 - To complement the architectural design with appropriate materials robust for current uses and also to enhance the streetscape character,
 - To provide an appropriate site entrance that openly addresses Hospital Street (R445) which also reflects and acknowledges the sites history and former uses interpreted in a contemporary manner.
- 5.37 The proposed landscaping aims to enhance the overall character and visual amenity of the area through well thought out and high quality open spaces, planting and boundary treatments within the development. Full details of the rationale for the landscaping design can be found in the documentation prepared by BSM Landscape Architects which accompanies this planning application.
- 5.38 The landscape design put forward comprises open spaces which are formal in style in order to reflect the military history of the subject site, while also providing for active and passive recreation.
- 5.39 The landscaping proposed within the scheme along vehicular, pedestrian and cycling routes will ensure an attractive, leafy residential environment which will add to the overall aesthetic of the development as a whole, via a high standard of landscape design.

Play Facilities

- 5.40 The proposed neighbourhood park within the Phase 1 development includes a children's playground, table tennis area, boules area and exercise/ fitness area, and a kickabout area, all of which will be accessible to the public. The local park and pocket parks proposed within Phase 1 also provide space for informal play and kickabout areas.

Pedestrian Permeability

- 5.41 The proposed Phase 1 development and the subsequent Phase 2 development provide for a highly permeable new neighbourhood which links into the surrounding urban fabric, providing for pedestrian, cyclists and vehicular routes which will serve

to considerably improve the levels of accessibility and permeability enjoyed by Kildare town as a whole.

- 5.42 The site layout encourages permeability through appropriate block sizes and a looped system where all streets lead on to other streets. DMURS notes that permeable layouts provide more frequent junctions which have a traffic calming effect as drivers slow and show greater levels of caution. The site layout demonstrates that the proposal has adopted this principle by incorporating a permeable road network with junctions and road bends.
- 5.43 Cul-de-Sacs have been kept to a minimum throughout the proposed development to encourage connectivity and permeability throughout the scheme. Linkages to surrounding areas including a link with the adjacent existing primary schools off Melitta Road; and pedestrian links with the adjacent Ruanbeg and Magee Terrace residential areas have also been proposed to encourage and improve connectivity in the wider area. The proposed overall site masterplan and future Phase 2 development will also provide for a significant number of further linkages with surrounding areas.
- 5.44 In summary, the proposed scheme has been designed to maximise permeability within and through the site through linkage of open spaces, addition of pathways, cycle tracks and new pedestrian entrances. The site layout also accommodates and encourages future connections with surrounding community assets such as the proposed Cherry Avenue Park (currently subject to a Part 8 application).

Street Network

- 5.45 The proposed street network within the development centres on a central tree-lined boulevard with segregated pedestrian and cycling routes. Table junctions are utilised to ensure slow vehicular traffic speeds and ensure the safety of pedestrians and cyclists. A series of residential streets branch off the central boulevard providing access to the residential areas of the scheme.
- 5.46 The aims at the heart of the street and footpath network within the development is to promote safe and comfortable walking and cycling within the scheme, while also ensuring the efficient movement of vehicular traffic.

Access

- 5.47 Access to Phase 1 of the proposed development will be via a signalised junction onto the R445 Hospital Street. Once Phase 2 is constructed the proposed internal access road will connect to the existing R413 Melitta Road / Saint Barbara's Park priority junction.
- 5.48 In addition to the above development, access to the other developments on the Magee Barracks lands will be via the R445 Hospital Street when Phase 1 is completed and via the R413 Melitta Road when Phase 2 is completed. The temporary access for the proposed supermarket/discount foodstore will be closed off when vehicular access through the wider Magee Barracks Masterplan lands is available, as provided for in this proposed application for the Phase 1 residential development.

Parking

- 5.49 A total of 639 parking spaces are to be provided within the proposed development with 611 spaces associated with the residential part of the development and 28 spaces associated with the crèche, coffee shop and retail part of the development.
- 5.50 The parking provision within the development is well laid out with an emphasis on residential parking within the curtilage of the proposed residential units, as requested by the Planning Authority, in order to reduce street clutter and ensure an environment which encourages walking and cycling. The on-street car parking is softened through the provision of landscaped buffers and the specification of continuous rows of large street trees.
- 5.51 The parking areas proposed to serve the neighbourhood centre will be set amongst landscaped planted areas and screened from the surrounding residential areas to preserve their visual amenity.

Hospital Street

- 5.52 As part of the proposed Phase 1 development, upgrades will be undertaken to Hospital Street (R445) along the frontage of the development. The works proposed include the introduction of a MOVA traffic signal control system, a right turn lane on Hospital Street/R445, toucan and pedestrian crossings, upgrades to footpaths, segregated cycle lanes on Hospital Street/R445, tactile paving, dropped kerbs, road markings and traffic signalling are considered sufficient to facilitate the proposed development and other proposed developments on the Magee Barracks site and will provide the necessary improvements to deliver this development within Kildare Town.
- 5.53 The above proposals are complementary to the proposals to provide traffic calming measures along the R445 Hospital Street as part of the Cherry Avenue Park development (subject to a current part 8 planning application).

Demolition of Existing Buildings

- 5.54 The proposed development includes the demolition of 17 no. existing abandoned military buildings on the subject site, centred on the former parade ground. These existing buildings comprise former military structures associated with the historic use of the site as a barracks. A detailed justification for this approach in the context of the Local Area Plan is provided herein and in the accompanying submission documentation; including the Statement of Response to ABP Opinion, Structural Surveys, Site Heritage/Sense of Place document and in the Architectural Heritage Chapter of the EIAR
- 5.55 The existing buildings on site are not protected structures and are not listed in the NIAH, and are not sited in a conservation area, and in themselves are of no particular architectural merit.
- 5.56 The buildings to be demolished include the Officers' Mess Building which is located to the east of the main avenue and faces away from the parade ground in a southerly direction. It is a two storey multi-bay building of concrete construction with projecting wings to the north elevation. As discussed, the Officers' Mess building is of limited conservation value and is in an advanced state of disrepair.
- 5.57 The other existing buildings on site are all in a poor state of repair and are of no conservation value. None of the existing buildings on the subject site are listed as

protected structures or listed on the National Inventory of Architectural Heritage (NIAH), and salvaged materials from demolished buildings will be utilised in the new development where possible.



Figure 5.2: North elevation of Officers Mess building

- 5.58 In summary, the existing buildings are considered to be in poor condition and in themselves are of no particular architectural merit and are of low conservation value. The buildings are not suitable for future re-use given they pose health and safety concerns, are in a poor state of repair and existing floor to ceiling heights do not lend themselves to modern re-use.
- 5.59 It is considered more appropriate to reflect the military history of the site through new elements of design in a high-quality development, than retaining existing buildings and structures which would detract from the urban environment. References within the scheme layout, formal open spaces, landscaping detail, street and place names and the formal arrangement of buildings and choice of materials is further reflective of the military history of the site. Please refer to the Site Heritage / Sense of Place Document prepared by RKD Architects for further detail.
- 5.60 Based on the feasibility and assessment process outlined above, and having regard to the requirements of the urban design framework for the Magee site outlined in the LAP, which aims to provide a *'vibrant and sustainable, mixed use urban area with employment, living and recreational opportunities set in a greatly enhanced and attractive environment'*, the demolition of the existing buildings on site and redevelopment providing a high quality layout and design was considered the most appropriate and sustainable solution.

Indicative Phasing Proposals

- 5.61 A phasing plan has been provided as part of the planning application drawings (RKD Drawing No. A1501 - PHASE 1 CONSTRUCTION SEQUENCING) and the phasing strategy is discussed within Section 03 of the Architectural Design Statement.
- 5.62 It is envisaged that the proposed development will be delivered over 4 no. phases as described below. The proposed development phasing is greatly informed by the open space and amenity strategy. Each phase would deliver an public open space component with active frontage residential accommodation. As such, each phase would be 'standalone' in terms of its open space provision.

- 5.63 Phase A includes a temporary road to access this phase of development, public open space in the form of Magee Gardens and the neighbourhood centre and creche. This phasing ensures the initial and up-front delivery of community facilities and services with subsequent phases of development providing additional residential units.
- 5.64 In relation to links to be provided to the adjoining parts of the town, including Magee Terrace, the Ruanbeg Estate, Melitta Road and the road serving the neighbouring schools, it is intended that Phases A and B will offer new connections to the adjoining neighbourhoods, developments and to Kildare Town. Phase A provides connections to the permitted supermarket and proposed cancer treatment clinic (currently under appeal) and to Magee Terrace. Phase B provides connections to the Ruanbeg Estate and the schools to the north east.
- 5.65 Phase C includes public open space (Parade Park) and additional houses and duplex units and Phase D includes the 4 no. apartment blocks and communal open space.



Figure 5.3: Proposed Phasing

- 5.66 This phasing ensures the initial and up-front delivery in the first development phase of amenities including open space and the neighbourhood centre facilities, with the subsequent phases of development providing for additional open space and residential units. This approach, whereby the delivery of the neighbourhood centre and main Phase 1 open spaces are front-loaded will ensure a high standard of residential amenity for all future residents from the initial phase through to the completion of the overall Phase 1 development.
- 5.67 The proposed development comprises the first phase of the overall development of the applicant's c. 20.78 ha landholding at this location. The overall redevelopment proposals for the former barracks site include employment, retail and healthcare uses: a supermarket is permitted on lands west of the proposed neighbourhood

centre, and a cancer clinic is proposed to the east (currently on appeal with ABP). It is expected that the supermarket development will progress first, with the Cancer Treatment Clinic development to be provided concurrently with the Phase 1 development subject to planning approval.

Connections to adjoining areas/ integration with surrounding land uses

5.68 Please refer to the accompanying connections drawings prepared by BSM including the following:

- BSM Drawing No. 6362 309 Educate Together School Interface
- BSM Drawing No. 6362 308 Magee Terrace Interface
- BSM Drawing No. 6362 305 Ruanbeg Drive Interface

5.69 The applicant will provide for the connections up to the boundary with Magee Terrace and Ruanbeg, ensuring no ransom strips are created. It will then be the responsibility of Kildare County Council to deliver the connections. Garlands undertook further discussions with KCC Transport section in respect to the connections to adjoining areas and they expressed the preference that the connections would not be included within the red line, as KCC intend to deliver the proposed connections under their exempt development powers, following discussions with neighbouring residential communities.

5.70 The proposed new pedestrian/cyclist connection to the Kildare Town Educate Together National School and Gaelscoil Mhic Aodha is illustrated in BSM Drawing No. 6362 309 (Educate Together School Interface). A letter of consent for the proposed connection has been obtained from the school. The connection will be provided by the applicant with details to be agreed with the school prior to commencement of construction of the proposed development.

5.71 The future Phase 2 proposals which will be subject to a separate planning application will provide the connection to Melitta Road as illustrated in the accompanying Masterplan drawing (RKD Drawing No. A1003 - SITE PLAN OVERALL MASTERPLAN). The applicant will be responsible for this future connection to Melitta Road as part of the Phase 2 proposals.

Wayleave

5.72 The blue line boundary, i.e. lands within the applicant's / owners control, includes the wayleave to the east / south east of the application site as per the folio map for this property. The applicant acknowledges that this land has been the subject of encroachment over a period of time and that the wayleave is redundant as it has never been used as a right of way and does not include any services. The application proposes to provide a new boundary wall along the existing fence line and does not propose any works within the wayleave area.

5.73 Accordingly, the existing encroachment / possession by third parties will not be affected by the proposed development. The applicant intends to enter into separate discussions with the adjoining landowners in Rowanville / Hospital Street in respect to the transfer of the subject lands into their ownership. This will ensure an appropriate planning solution in respect to this boundary of the development site.

Water and Surface Water Drainage

5.74 This application includes a statement of design acceptance letter from Irish Water in relation to the proposed development which states; *'We have reviewed your proposal*

for the connection(s) at the Development. Based on the information provided, which included the documents outlined in Appendix A to this letter, Irish Water has no objection to your proposals’.

5.75 Having regard to the requirement of Irish Water stated in their previous letter ‘*that surface water should not be discharged via a foul or combined system*’, the applicant and design team have investigated alternative solutions and have proposed a tiered system of SUDS measures to address surface water, as outlined in the Water Services Design Report, including discharge to the Council’s / NRDO public storm network system, following detailed discussions with the relevant parties.

5.76 The Water Services Design Report prepared by Garland, which accompanies this application, states that:

As there is a capacity restriction on the downstream M7 carrier pipe to which storm flows from this catchment are discharging, the low flow rate of 2/s from the ,overall site will ensure that there is limited impact on the carrier drain and, as ,discussed previously, a significant reduction from the calculated discharge from the existing Magee Barracks site. A study has recently been carried out by Kildare Road Design Office to determine the available capacity which can be reserved for storm flows from development in the catchment. The publication of this study is yet to be released however, correspondence with Mr. John Grealish from Kildare County Council National Roads Office (KCC NRO) confirmed that the KCC NRO had no objections to the proposed peak flow discharge. The previous design and submission of this application concluded a peak flow discharge to the network in question to be 27 l/s. This has since been significantly reduced by means of alternative SUDS measures (infiltration as described above) across the Magee Barracks development. The aforementioned correspondence has been added to this report as Appendix B. The proposed development, therefore, represents a significant reduction in the volume of storm water that would be discharged to the public combined system in a 1 in 100 year storm event compared to the discharge from the site.”

5.77 In advance of the publication of this study the design team have engaged in ongoing consultation with Kildare Road Design Office and have received confirmation that, based on provisional findings of the study of the capacity of the M7 carrier pipe, there is spare capacity to take the limited development flows from the overall proposed development at Magee Barracks.

Daylight and Sunlight

5.78 The accompanying Daylight and Sunlight assessment by NRG Consulting assesses the 4 no. proposed apartment blocks within the development having regard to the requirements of the Apartment Guidelines 2019 and the design of this aspect of the scheme. All other units, i.e. the houses and duplex blocks, are two to three storeys in height and dual aspect thus reducing any requirement for detailed assessment in respect to daylight provision.

5.79 The assessment concludes that for all the habitable rooms the daylight levels are adequate and exceed the target criteria set within BS 8206-2 and BRE publication “*Site Layout Planning for Daylight & Sunlight – A guide to good practice*”.

6.0 COMPLIANCE WITH PART V OF THE PLANNING AND DEVELOPMENT ACT REGARDING SOCIAL HOUSING

- 6.1 The applicant has entered into discussions with the Housing Department of Kildare County Council in respect to Part V. The applicant agrees to accept a condition on a grant of planning permission, if the Planning Authority is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Kildare County Council as per their requirements prior to the commencement of development.
- 6.2 Having regard to KCC's preference for a unit type which does not form part of the proposed scheme (i.e. traditional maisonette type units), the applicant has also engaged with Cluid Housing in relation to the Part V units proposed. The application is accompanied by a letter from Cluid Housing expressing their interest in acquiring the Part V units to be provided on site.
- 6.3 The applicants Part V proposals are described and mapped in the Part V drawing accompanying this consultation request. The proposal is to provide 38 no. residential units on the subject site for social housing as set out below:
- 6.4 For further details please refer to Part V drawing prepared by RKD Architects illustrating the location within the scheme of the proposed Part V units (as set out above), cover letter provided by JSA and an estimate of costs provided by the applicant.

7.0 APPROPRIATE ASSESSMENT

- 7.1 This planning application is accompanied by an Appropriate Assessment Screening Report prepared by Brady Shipman Martin which states the following in the conclusion:

"This report concludes on the best scientific evidence, including the hydrogeological assessment, that it can be clearly demonstrated that no elements of the project will result in any likely significant impact on any relevant European site, either on their own or in-combination with other plans or projects, in light of their conservation objectives.

As such no mitigation measures are required for the protection of these European sites.

It is considered that this report provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and reach a determination that the proposed development will not have any likely significant effects on European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives."

- 7.2 As such no mitigation measures are required for the protection of these European sites. It is considered that the report provides sufficient relevant information to allow An Bord Pleanála to carry out an AA Screening, and reach a determination that the proposed development will not have a likely significant effect on any European Site.

8.0 SUMMARY AND CONCLUSIONS

- 8.1 This Cover Letter/Planning Report has been prepared to accompany a planning application to An Bord Pleanála for a strategic housing development consisting of

the first phase of development on the applicant's substantial landholding at the former Magee Barracks, Hospital Street (R445), Kildare Town, Co Kildare.

- 8.2 The proposed development consists of 375 no. residential units, a neighbourhood centre comprising of 3 no. single-storey retail units with a GFA of 130 sq.m, 105 sq.m and 100 sq.m respectively, a café (including gallery / exhibition area at mezzanine level) with a GFA of 300 sq.m, a two-storey childcare facility with a GFA of 680 sq.m and associated play area, all internal roads, car parking, pedestrian and cycle paths, public open space, and all associated site and infrastructural works on an application site of c. 11.35 ha.
- 8.3 The proposed development comprises the first phase of the overall development of the applicant's c. 20.78 ha landholding at this location. This planning application is accompanied by an overall site masterplan drawing indicating permitted and future indicative phases on the remainder of the lands, which include a permitted supermarket (Reg Ref.: 18149), a Cancer Treatment Clinic (proton therapy) (which is currently the subject of a first party appeal to ABP) and a Phase 2 residential development of c. 250 units. This drawing provides the Planning Authority and the Board with the required level of detail in respect of the likely future context on adjacent lands.
- 8.4 It is considered that the proposed Phase 1 scheme for the former Magee Barracks lands presents an appropriate opportunity for a high quality residential development to cater for a portion of the future allocated population growth of Kildare Town on the best possible site therein, in terms of sequential location, while enhancing the urban structure of the town and creating improved permeability and connectivity within the surrounding area. The proposed provides much needed housing and neighbourhood facilities in this strategic location, in close proximity to Kildare town centre and Train Station and is deliverable in the short to medium term.
- 8.5 It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this substantial site which is zoned for regeneration. The Statement of Consistency with Planning Policy document accompanying this planning application demonstrates that the proposed development complies with the relevant national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this site which is highly accessible within easy walking distance of the town centre and served by public transport.
- 8.6 The accompanying Statement of Response addresses the density issue raised in ABP's opinion on the pre-application proposals and includes a response to the items raised by Kildare County Council in their report on the pre-application proposals. Appendix 1 of the Statement of Response also provides a response to An Bord Pleanála's decision to refuse permission under Reg. Ref.: ABP-301371-18 for the previous SHD application on the subject site.
- 8.7 The proposed residential density now stands at 39.42 units per hectare providing 375 no. units on the subject site, an increase of 77 no. units on the pre-application proposals of 298 no. units.
- 8.8 In a like for like comparison of residential density from pre-application proposals to the current proposal (i.e. utilising the same net residential development area of 76,975 sq.m which was calculated at pre-application stage), a residential density of 48.72 units per hectare is provided, an increase of 10% on the pre-application density calculation of 38.7 units per hectare.

- 8.9 In relation to unit mix, it is considered that the proposed development provides for a range of house types, sizes and orientations within the overall design and has been further strengthened in this regard through the introduction of 4 no. apartment buildings providing a mixture of apartment sizes. It is considered that this variety of housing provides for significant choice for prospective future residents.
- 8.10 The density, unit mix, layout and design changes incorporated into the final scheme are considered to result in improvements to the overall proposed development and ensure that a high-quality scheme is presented to the Board for approval.
- 8.11 In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and complies with all relevant national, regional and local planning policies and guidelines.

Yours faithfully,



John Spain Associates