

# Statement of Consistency with Planning Policy

*In respect of*

**Proposed Residential and Neighbourhood Centre  
Development at Former Magee Barracks Site,  
Hospital Street (R445), Kildare Town, Co Kildare**

*Prepared by*

**John Spain Associates**

*On behalf of*

**Ballymount Properties Limited**

**26<sup>th</sup> July 2019**



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**TABLE OF CONTENTS**

<b><u>Section No.</u></b>	<b><u>Section Title</u></b>	<b><u>Page Number</u></b>
1.0	Introduction	3
2.0	National and Regional Planning Policy	4
3.0	Local Planning Policy	30
4.0	Conclusion	58

Appendix 1 – Analysis of Phase 1 Residential Zoned Lands in Kildare Town

Appendix 2 - Assessment of Potential Material Contraventions

## 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, this Statement of Consistency with Planning Policy has been prepared to accompany a planning application to An Bord Pleanála in relation to revised proposals for a strategic housing development at the Former Magee Barracks Site, Kildare Town, County Kildare.
- 1.2 The revised residential and neighbourhood centre development on the Magee Barracks lands, which will be Phase 1 of the overall residential development planned, consists of the demolition of 17 no. existing buildings and the construction of a higher density and more varied development, comprising of 375 no. residential units, a neighbourhood centre comprising of 3 no. retail units with a GFA of 130 sqm, 105 sqm and 100 sq.m, a café including a gallery / exhibition area with a GFA of 300 sq.m, a 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.
- 1.3 The proposed development incorporates substantial areas of high quality open space, including 2 no. larger parks, a public square/plaza and 2 no. pocket parks, which are integrated into the proposed residential development.
- 1.4 The proposal now brought forward has responded to the issues raised by ABP at pre-application stage. The proposal now includes 4 no. apartment blocks located centrally within the proposed development which has significantly increased the density of the scheme and appropriately addresses the concerns raised by the Board regarding *“the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities”*.
- 1.5 The planning application is accompanied by a masterplan drawing for the overall landholding, which provides the required level of detail to demonstrate how the overall former Magee Barracks site will be developed. A proposed Cancer Treatment Clinic (proton clinic) on a site within the overall masterplan area has been permitted by Kildare County Council and is currently at appeal with An Bord Pleanála following a first party appeal related to conditions. In addition planning permission has been granted for a supermarket on the south western section of the overall Magee Barracks lands. The proposed development has responded to the current planning context in regards to the permitted and proposed developments in the surrounding area.
- 1.6 It is envisaged that the Phase 2 residential planning application will be brought forward in the medium term, at which stage the next Kildare Town LAP is likely to be in effect for the 2019-2025 period. We note the publication of the Pre-Draft Public Consultation Issues Paper and the on-going preparation of the Kildare Local Area Plan 2019-2025 which is discussed herein.
- 1.7 This Statement of Consistency with Planning Policy has been prepared to specifically address the requirements of the Planning and Development Regulations and the Guidelines as issued by An Bord Pleanála in respect of Strategic Housing Developments (SHD). The planning application is also accompanied by a detailed Planning Report/Cover Letter which includes further details in respect of the proposed development in relation to the site location and context, the development description and the relevant planning history.
- 1.8 This statement, prepared by John Spain Associates, demonstrates that the proposal is consistent with the relevant national planning policy guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), and with local planning

policy. It should be read in conjunction with the accompanying detailed documentation prepared by RKD Architects, BSM Landscape Architects and Garland Consulting Engineers.

- 1.9 For further details of consistency with the quantitative standards for residential units as set down in the Apartment Guidelines 2018, the Quality Housing for Sustainable Communities Guidelines 2008 and the Kildare County Development Plan 2017-2023, please refer to the Residential Quality Audit prepared by RKD Architects.

### **Lifetime of the Kildare Town Local Area Plan 2012 - 2018**

- 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 24<sup>th</sup> 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 2019-2025. 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.

## **2.0 NATIONAL AND REGIONAL PLANNING POLICY**

- 2.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy as it relates to the proposed development is set out in the following sections. The key policy and guidance documents of relevance to the proposed development are as follows:

- Project Ireland 2040 - National Planning Framework,
- Eastern and Midland Regional Assembly – Regional Spatial & Economic Strategy (RSES);
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2018);
- Urban Development and Building Heights Guidelines (August 2018);
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities;
- Quality Housing for Sustainable Communities (2007);
- Design Manual for Urban Roads and Streets (2013);
- Guidelines for Planning Authorities on Childcare Facilities (2001);
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- The Planning System and Flood Risk Management (2009); and
- Birds and Habitats Directive – Appropriate Assessment.

## Project Ireland 2040 - National Planning Framework

- 2.2 Project Ireland 2040 National Planning Framework was published on the 16<sup>th</sup> September 2017. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of our country out to the year 2040.
- 2.3 The companion to this document is the National Development Plan, a ten-year strategy for public capital investment of almost €116 Billion. The NPF notes the documents align *'our investment strategy with our strategic planning documents to, for the first time in the history of our State, create a unified and coherent plan for the country'*.
- 2.4 The National Strategic Outcomes set out in the NPF are:
- Compact Growth
  - Enhanced Regional Accessibility
  - Strengthened Rural Economies and Communities
  - High-Quality International Connectivity
  - Sustainable Mobility
  - A Strong Economy, supported by Enterprise, Innovation and Skills
  - Enhanced Amenities and Heritage
  - Transition to a Low Carbon and Climate Resilient Society
  - Sustainable Management of Water, Waste and other Environmental Resources
  - Access to Quality Childcare, Education and Health Services
- 2.5 In relation to residential development the plan states;
- 'A major new **policy emphasis on renewing and developing existing settlements will be required**, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. **The target is for at least 40% of all new housing to be delivered within the existing built up areas of cities, towns and villages on infill and/or brownfield sites'** (emphasis added).*
- 2.6 National Policy Objective 3a formalises the above as *'Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements'*.
- 2.7 National Policy Objective 3c states: *'Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints'*.
- 2.8 National Policy Objective 6 states *'Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area'*.
- 2.9 National Policy Objective 11 states: *'In meeting urban development requirements, there will be a **presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages**, subject to development meeting appropriate planning standards and achieving targeted growth'* (emphasis added).
- 2.10 The proposed development will deliver a good housing mix including apartments within the built-up footprint of Kildare Town and will regenerate an unused and inaccessible brownfield site to provide employment, retail and neighbourhood facilities and high

- quality public open space, in compliance with NPF objectives 3a, 3c, 6 and 11 listed above.
- 2.11 National Policy Objective 27 seeks to *'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages'*.
- 2.12 The proposed development prioritises walking and cycling through design interventions such as the introduction of cycle lanes on either side of the internal spine road and fully segregated cycling lanes on Hospital Street/R445 and pedestrian (toucan) crossings on Hospital Street/R445. The proposal also incorporates accessibility to existing and proposed neighbouring developments and facilitates ease of access to the proposed Cherry Avenue Park (Part 8 application).
- 2.13 National Policy Objective 33 seeks to *'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'*.
- 2.14 National Policy Objective 35 seeks to *'Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights'*.
- 2.15 The revised proposal provides higher densities and an increased quantum of duplexes/apartments close to the centre of Kildare Town and its social, retail and community facilities. 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), on lands zoned for regeneration, in compliance with NPF objectives 33 and 35 listed above.
- 2.16 In summary the NPF shows broad policy support for development as proposed in an existing settlement area which avoids further sprawl and ensures efficient use of zoned land.

### **Eastern and Midland Regional Assembly - Regional Spatial & Economic Strategy**

- 2.17 The Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond. The draft RSES was adopted at the meeting of the Eastern and Midland Regional assembly on the 5<sup>th</sup> of May 2019 and is now in operation.
- 2.18 The Eastern and Midland Regional assembly (EMRA) was established in 2015 as part of the regional tier of governance in Ireland. The region covers nine counties, Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow, and Dublin. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all-encompassing strategy.
- 2.19 The vision for the RSES is to *'create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all'*.
- 2.20 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, along with the towns of Celbridge, Kilcock, Kilcullen, Athy, Monasterevin, Clane and Leixlip within the Retail Hierarchy for the region, identified in Table 6.1 of the strategy.

- 2.21 Kildare Town is identified within the hinterland area of the Region, adjacent to a identified key road and a rail connection.
- 2.22 The RSES supports the consolidation and re-intensification of infill sites to provide high density and people intensive uses within existing built up areas.
- 2.23 It identified compact sustainable growth as an objective noting the need to '*support co-ordination across local authorities and agencies to promote active land management and **better use of under-utilised, brownfield and public lands***' (emphasis added).
- 2.24 The RSES also states in relation to brownfield regeneration that *one of the key elements of the NPF relates to the need for compact growth, with development being focussed within and close to existing built-up areas. **A vital element of this approach is the regeneration of infill and brownfield sites***' (emphasis added).
- 2.25 The subject development seeks to provides for residential development on a key urban infill/regeneration site to increase densities and heights in this location adjacent to good quality public transport and the town centre. The proposed development will consolidate the urban footprint of Kildare Town, opening up an impenetrable and unutilised site and providing a high quality compact urban extension of the town at an appropriate density. The proposed development therefore is compliant with the overall intention of the RSES in this regard.
- 2.26 In relation to healthy placemaking the RSES states '*Provision of open space should consider types of recreation and amenity uses required*' and that '*Research shows that access to green spaces (parks, forests, fields, trees, etc.) and blues spaces (rivers, canals, lakes, coasts) also have clear health benefits*'. As discussed herein, the Phase 1 development will deliver c 1.8 ha (4.45 acres) of open space (c. 16.6% of the application site area), with a clear hierarchy set out from neighbourhood park, a public plaza, and local parks down to pocket parks and incidental open space.
- 2.27 A range of uses are also provided from an activity-based neighbourhood park to smaller local amenity parkland, kickabout and play areas. This incorporation of green infrastructure with a significant focus on active use into the proposed settlement will help to create an attractive and healthier place; and provides a good exemplar of an effective integration of green space into urban areas.

### **Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)**

- 2.28 The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- Prioritise walking, cycling and public transport, and minimise the need to use cars;
  - Are easy to access for all users and to find one's way around;
  - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
  - Provide a mix of land uses to minimise transport demand.

- 2.29 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 2.30 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.
- 2.31 The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities'*.

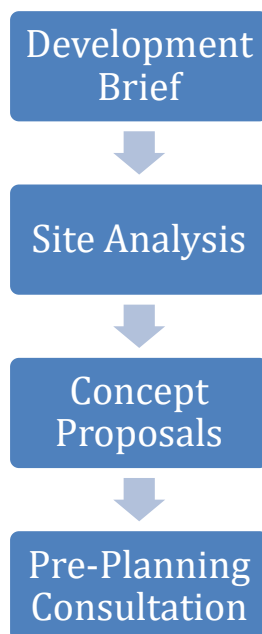
#### *Density*

- 2.32 Chapter 5 of the Guidelines set out guidance in respect to density. The subject site could be classified as 'brownfield' or 'inner suburban / infill'. For brownfield sites the guidelines state; *'the opportunity for their re-development to higher densities, subject to the safeguards expressed above or in accordance with local area plans, should be promoted'*. For inner suburban/ infill the guidelines recommend that; *'the local area plan should set out the planning authority's views with regard to the range of densities acceptable within the area'*.
- 2.33 The Guidelines note that densities may be informed by local area plans. It is noted that the Kildare Local Area Plan does not specify a density range for Magee Barracks.
- 2.34 We note the decision of the Board to refuse planning permission for the previous SHD on the subject site, partly due to concern that the residential density was not sufficiently high to provide for an acceptable level of efficiency in the use of serviced lands.
- 2.35 The design team have also noted the Board's recommendation at pre-application stage for further consideration of the documentation relating to the residential density of the proposed development. The site area for the calculation of the net residential density has been revised having regard to the requirements outlined by ABP and in accordance with Appendix A of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.
- 2.36 The increased residential development area necessitates the inclusion of apartment blocks/units within the Phase 1 masterplan in order to generate the required residential density. The provision of 4 no. apartment blocks centrally within the proposed development has significantly increased the density of the scheme and appropriately addresses the concerns raised by the Board regarding *"the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities"*.
- 2.37 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.



- 2.38 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. Therefore, whilst the residential density has only increased marginally in numeric terms from pre-application stage to the current proposal, the increase in density in a like for like comparison is far greater.
- 2.39 The proposed density of 39.42 units per hectare is considered appropriate having regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas as they refer to brownfield and inner suburban sites, and having regard to locational and development specific factors including:
- The location of Kildare Town within the Hinterland Area as defined in the Draft Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly;
  - Kildare Towns designation as a '*Moderate Sustainable Growth Town*' which is the third tier in County Kildare's settlement hierarchy,
  - The location of the site within Kildare Town and the need to integrate sensitively with the surrounding residential context,
  - The significant total quantum of areas included within the net site area/net residential development area including Parade Park, Magee Gardens, Coolmoney Square, Henry Howard Gardens, Ruanbeg Linear Park, Wickham Park, Water Town Park and Gannon Public Plaza.
  - The high quality design, mix of unit types and sizes and level of residential amenity provided in the proposed development.
- 2.40 The calculation of the site area for the purposes of ascertaining the net residential density is set out in detail in the accompanying Statement of Response to ABP Opinion document prepared by John Spain Associates.
- 2.41 The Magee Barracks site is zoned for regeneration under the current Kildare Town Local Area Plan (2012-2018) and is centrally located within Kildare Town, adjacent to the town centre. The site comprises a large centrally located site with significant potential for residential development and is therefore seen to be fully in accordance with the requirement for a sequential approach to the development of land.
- 2.42 Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally. The proposed development provides a neighbourhood centre facility, containing 3 no. retail units, a café / coffee shop unit (with gallery/exhibition space at mezzanine level) and a childcare facility, and is well connected to existing and planned community facilities in the surrounding area. The masterplan proposals also include a supermarket which has been recently permitted by Kildare County Council.
- 2.43 The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- prioritise walking, cycling and public transport, and minimise car use;
  - are easy to access for all users and to find one's way around;
  - promote the efficient use of land and of energy, and minimise greenhouse gas emissions; and
  - provide a mix of land uses to minimise transport demand.
  - Reduce traffic speeds in housing developments

- 2.44 Segregated cycle paths are proposed on both sides of the main boulevard within the development and quality pedestrian areas are provided throughout. A neighbourhood centre is also included within the proposed residential development to comply with the guidance above. In providing a mix of uses within the development, including retail units, a café / coffee shop (with gallery/exhibition space at mezzanine level) and a childcare facility, the sustainability of the scheme is promoted due to a consequential reduction in the trips generated from the development (as childcare, shopping and socialising can be accommodated within the development itself).
- 2.45 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.
- 2.46 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 2.47 In respect to pre-application consultations with the Planning Authority the design team had regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009), which recommends the following approach:



*Development Brief:* An analysis of the site has been carried out which includes reviewing the local development plan, flooding information, utilities and services etc.

*Site Analysis:* The characteristics of the subject lands and surrounding context has been established and potential linkages to adjoining lands have been analysed.

*Concept Proposals:* An initial proposal responding to the parameters established by the development brief and site analysis has been prepared describing aspects of the scheme such as land use and density range, boundary conditions and connections which is discussed in greater detail below.

*Pre-planning:* Pre-planning consultation is designed to respond to initial designs to encourage an interactive process, particularly for sites in excess of approx. 50 units. A pre-planning meeting has been held with Kildare County Council in respect of these revised proposals.

- 2.48 The above approach is reflected in the structure of the RKD Architectural Design Statement.
- 2.49 The Urban Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 criteria and compliance of the proposals, in the context of the overall masterplan, are discussed in detail below.
- 2.50 This planning application is accompanied by an Architectural Design Statement, prepared by RKD Architects, which demonstrates how the proposed development has regard to and has been developed in accordance with best practice in respect to urban design. The Design Statement should be read in conjunction with this Statement and with the plans and particulars accompanying this submission.

### **Urban Design Manual – A Best Practice Guide (2009)**

- 2.51 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. For further information with regard to the urban design of the proposed development, please refer to the Design Statement prepared by RKD Architects. The 12 no. criteria are assessed as follows:

#### ***Context: How does the development respond to its surroundings?***

- 2.52 **Response:** This area of Kildare Town consists of a mix of residential, commercial and light industrial uses. The surrounding residential developments are primarily of a low-medium density. The application site itself currently presents an obstacle to movement within Kildare Town along an east – west axis.
- 2.53 The development will be finished to a high standard and exhibits a high quality architectural design throughout which is reflective of the sites previous military use. The proposed development has been designed sensitively, with appropriate setbacks and scales provided to neighbouring residential areas and linear buffer open space and landscaping provided in some instances. It is therefore seen that the proposed development will respond to, and impact positively upon its surroundings.
- 2.54 In addition to the above the proposed development responds to recent development and the permitted and proposed development context in the surrounding area. From the outset of 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 particular focus on the need to respond to the recently constructed schools on the adjacent site north west of the Magee Barracks lands off Melitta Road, and the proposed Part 8 planning application for an Urban Park to the south east (Cherry Avenue Park).
- 2.55 The proposal also provides for potential future connections (subject to agreement) with Ruanbeg and Magee Terrace and the potential integration of the adjoining open spaces within these neighbouring residential areas.
- 2.56 The proposed development has been designed to respond positively to the existing residential developments to the east, west and north, in terms of scale and height and

the appropriate separation distances provided. The taller apartment elements of the proposed development and duplex units have been located centrally within the development and away from site boundaries with neighbouring residential areas. The Phase 1 development will also connect directly to the future Phase 2 development.

***Connections: How well is the new neighbourhood / site connected?***

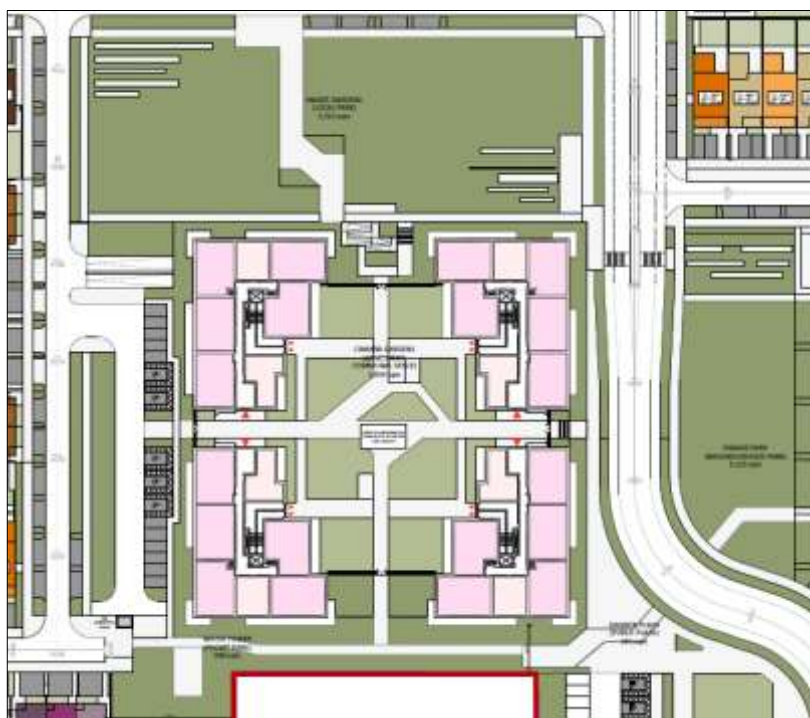
- 2.57 **Response:** The proposed Phase 1 development will provide for a main vehicular access point off Hospital Street (R445) to the south, serving the neighbourhood centre area, the residential development to the north, the proposed Cancer Treatment Clinic (proton therapy) and the permitted supermarket. Phase 2 of the overall site masterplan provides for additional vehicular links with surrounding residential areas on an east - west axis. Pedestrian and cycling links are proposed in Phase 1 with surrounding residential areas and with the existing primary schools located to the north-west of the subject site off Melitta Road.
- 2.58 The internal network of the development will consist of a series of internal streets, footpaths and cycle routes which will connect both Phase 1 and the future Phase 2 of the development to the surrounding area. The scheme has been designed to respond to the specific goal for the Magee lands as set out in the Kildare Town Local Area Plan 2012-2018 which requires mending of the urban fabric to improve connectivity, accessibility and permeability. The scheme also proposes links with adjacent surrounding green spaces, providing additional pedestrian linkages with surrounding areas.
- 2.59 The subject site is located in close proximity to Kildare Town centre, including the main shopping streets of the town and all associated amenities. The connections proposed from the Phase 1 development to surrounding residential areas include cycleways, pedestrian routes through green spaces and vehicular routes. This will ensure a good level of permeability and accessibility within the Phase 1 development, which will be further augmented by the future Phase 2 development.

***Inclusivity: How easily can people use and access the development?***

- 2.60 **Response:** The proposed development will provide a variety of vehicle, pedestrian and cycle routes throughout the site. The internal road network provides for a clear navigable route throughout the development, while a series of cycle paths and footpaths increase the overall level of connectivity for future residents.
- 2.61 The development will provide for disabled car parking spaces and all communal areas and house types are designed to be accessible to all. Please refer to the RKD Architectural Design Statement for further information on the design of the residential units in this regard.

***Variety: How does the development promote a good mix of activities?***

- 2.62 **Response:** The proposed development provides for a more varied housing mix, having regard to the Boards decision in respect of the previous application on the subject site. The revised proposals comprise of houses of varying sizes and types, including terraced, detached and semi-detached dwellings, and apartments and duplex units located centrally within the overall development. As noted herein the revised proposals submitted now include 4 no. apartment blocks (south of Magee Gardens) which add variety to the overall unit mix and increase the proposed residential density on the subject site.



**Figure 2.1: 4 no. apartment blocks introduced to add variety in unit mix and height and to increase density**

- 2.63 The development will also include provision of 10% social housing as required under Part V. This will ensure a mix of tenures is provided for within the scheme. The proposal also includes 1 no. childcare facility, 3 no. retail units, a café (including gallery/exhibition area at mezzanine level) and a substantial network of public open space measuring c. 1.8 ha. The masterplan proposals also include a supermarket (permitted) and Cancer Treatment Clinic (proton therapy) (Current Application under appeal to ABP) which provide a variety of land uses and promote a good mix of activities.
- 2.64 The variety of open space provided will ensure a good mix of activities for all age ranges as it provides an extensive hierarchy of open space; from an activity-based neighbourhood park and a public/civic square to smaller local amenity parkland and kickabout and play areas.
- 2.65 The public open space provision comprises:
- a neighbourhood park (Parade Park) with playground, exercise and amenity areas,
  - a Public square (Magee Square) providing civic amenity space located adjacent to the main site entrance and forming the setting for local retail, gallery and café uses,
  - a local park (Magee Gardens),
  - a number of smaller pocket parks (Coolmoney Square, Henry Howard Gardens, Wickham Park) and;
  - other incidental open space including a small plaza, linear park, water tower pocket park and seating areas within Phase 1 of the Magee Barracks regeneration.
- 2.66 The proposal also includes communal open space for the 4 no. apartments buildings south of Magee Gardens.
- 2.67 It is considered that the proposed development provides for the necessary ancillary land uses required for this large scale residential development, whilst having regard to the significant range of community, commercial and social infrastructure in the immediately surrounding area, including the proposed Cherry Avenue Park.

***Efficiency: How does the development make appropriate use of resources, including land?***

- 2.68 **Response:** As discussed in detail in the Statement of Response, the revised proposals provide an increased residential density of 39.42 units per hectare through the addition of 4 no. apartment blocks located centrally within the proposed development. The proposal now provides 375 no. units on the subject site, an increase of 77 no. units on the pre-application proposals of 298 no. units.
- 2.69 The proposed density of 39.42 units per hectare is considered appropriate having regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas as they refer to brownfield and inner suburban sites, the location of Kildare Town within the Hinterland Area, Kildare Towns designation as a '*Moderate Sustainable Growth Town*' which is the third tier in County Kildare's settlement hierarchy, and the high-quality design, mix of unit types, heights and sizes and level of residential amenity provided in the proposed development.
- 2.70 The proposed development therefore makes appropriate use of this valuable and well located zoned land resource.
- 2.71 We note that Policy LD 1 of the Development Plan seeks to '*Promote residential densities appropriate to its location and surrounding context*'. The density proposed has regard to the sites location within Kildare Town and its surrounding context and locates the 4 no. higher density and taller apartment buildings centrally within the site, respecting the interaction between the proposal and the established single storey and two storey houses surrounding the site. Therefore it is respectfully submitted that in consideration of all the relevant factors, the proposed density is appropriate for these lands. Please refer to the Statement of Response to ABP's Opinion for further details in relation to density.

***Distinctiveness: How do the proposals create a sense of place?***

- 2.72 **Response:** The proposed development will foster a strong sense of place firstly through the extensive series of site heritage/sense of place measures incorporated within the overall design and designed to reflect the former military use of the site. These sense of place measures are discussed in greater detail in the Site Heritage/Sense of Place document prepared by RKD Architects.
- 2.73 The proposed development and wider masterplan for the Magee Barracks site sets out to create a sense of place which is reflective of the sites military history, through the proposed grid layout, building form and materiality, the re-purposing of prominent existing site features, design interventions and place naming.
- 2.74 The proposal also introduces 3+1 and 4+1 floor apartment blocks which provide a landmark element to the scheme helping to create a sense of place and address the ABP concern regarding residential site density and increased building height requirements outlined in the Building Height Guidelines.
- 2.75 As set out in the Architectural Design Statement and Sense of Place document prepared by RKD Architects, the overall masterplan for the former Magee lands comprises a number of character areas, differentiated by house type materiality, street function, open space provision and landscape design.
- 2.76 The design, layout and materiality of the proposed neighbourhood centre has been formulated to compliment and reflect the scale of the adjacent residential development and will utilise high quality building materials including grey zinc roofing material, aluminium windows and doors, and old English buff brick.

- 2.77 The sense of place measures embedded in the proposed layout design includes the formal arrangement of the open spaces and surrounding buildings, which pay homage to the building footprints and formal spaces which formed the Magee Barracks layout, as discussed in RKDs Sense of Place/Site Heritage document.
- 2.78 The layout aims to integrate the geometry and focal point provided by the former military parade ground into the regeneration proposals, with the new neighbourhood park (Parade Park) functioning as a destination and nodal point within the overall masterplan area. Parade Park is laid out formally and focussed on a central spine which serves as the main activity zone of the park and principal feature
- 2.79 The public spaces and re-use of prominent site features will help to create a distinctive sense of place. The following measures are proposed as measures which are distinctive to the proposed development and help to create a strong focal point:
- The inclusion of a public square fronting Hospital Street (R445) named “Magee Square”, defined by a colonnade to frame the space but also allowing views and movement through. The internal walls of the colonnade will have etched panels containing the history of the barracks and these will be lit at night. The public square reminiscent of the former parade ground will provide a flexible space with integrated seating. The existing Plane trees will be retained on the western side of the space adding maturity and character.
  - The former clock located on the water tower will be salvaged and re-purposed as a prominent heritage feature in Magee Square.
  - The site of the water tower will be retained as a small pocket park and the footprint of the tower will be marked by a paved area containing seating.
- 2.80 The sense of place will be strengthened by the inclusion of extensive areas of active and passive green space for the enjoyment of residents and others, all of which will benefit from passive surveillance from surrounding residential units to encourage a safe sense of place, discourage anti-social behaviour and facilitate effective community policing. Strong visual and physical connections are prioritised between the proposed residential units and the proposed recreational areas, open spaces and other uses, while secondary connections will link the scheme with the surrounding areas including external green spaces, schools, shops and the town centre.
- 2.81 Streets will benefit from a sense of enclosure provided by surrounding buildings and street trees, making the development a comfortable place to live, walk and interact. The design of the scheme prioritises meaningful transitioning through the site, from access points, through landscaped parklands and tree-lined streets, to adjoining residential communities, schools and parks.
- 2.82 In summary a sense of place will be created through a series of proposals which include specific architectural references to existing site architecture, naming conventions reflecting the sites former military use, the design of landscaping and open spaces to reflect the site heritage; in particular the design of Parade Park which reflects the former geometry of the military parade ground and draws references from the site’s former use, and Magee Square which forms the setting for local retail, gallery/ exhibition and café uses and will contain the refurbished water tower clock and a formal colonnade which will frame the square. Magee Square will also integrate building façade materials from the Officer’s Mess Building to make a direct heritage reference which helps to create a sense of place.
- 2.83 The package of heritage and sense of places measures that have been incorporated into the overall design, layout and landscaping are intended to reflect the sites historical context.

***Layout: How does the proposal create people-friendly streets and spaces?***

- 2.84 **Response:** The proposed layout of the development provides for a series of routes through the scheme, designed to deliver a hierarchy of link and local streets which provide access within / across the proposed new residential community.
- 2.85 As set out in the DMURS Statement prepared by Garlands Consulting Engineers, the proposal creates people friendly streets and spaces through the use of the physical and psychological measures used in combination to have an impact on driver behaviour. The carriageway width of Hospital Street/R445 has been greatly reduced with greater priority given to cyclists with segregated cycle lanes provided to both south and north of Hospital Street. Three new crossing points are also being added to the development street frontage along Hospital Street. Internally the main link street through the site is designed to have radius bends to control speeds to 30km/h and now includes a traffic median to provide traffic separation and splay the horizontal alignment of the roadway to reduce traffic speeds. This median shall be planted with trees which, with trees also being planted along the grass verge, will provide a sense of enclosure along this route and hence decrease vehicular speeds.
- 2.86 The movement function of each internal street has sought to respect the different levels of motorised traffic whilst catering for higher numbers of pedestrians and cyclists. For internal residential zones the junction radii have also been designed in accordance with DMURS using radii of 1-3m. At a number of locations throughout residential zones, traffic islands have been detailed such that they reduce the width of the roadways. This reduction, on straight sections of roadway, provides for horizontal realignment and will therefore reduce the speed of vehicles along these sections of roadway. In addition, these islands provide for additional tree planting which again provides for traffic calming, all contributing to creating people friendly streets and spaces.
- 2.87 Footpaths across the development are no less than 1.8m in width and are generally 2m wide throughout with connections/tie ins to existing external networks. These external networks include at Gaelscoil Mhic Aodha Primary School, with connections provided to the site boundary at both Ruanbeg and Magee Terrace. Future connection to both of these developments shall be undertaken by Kildare County Council, as per discussions and agreement with the Council's Roads Department.
- 2.88 The proposed development will provide a series of pedestrian and cycle routes throughout the site providing linkage to Gaelscoil Mhic Aodha primary school and Kildare Town Educate Together School to the west and onward to Melitta Road. These links and routes prioritise pedestrians and cyclists, creating people friendly streets and spaces and will provide excellent levels of permeability and accessibility for the new neighbourhood as a whole while also improving the permeability of the wider area.
- 2.89 Flat top raised tables are provided at pedestrian crossings at key desire lines within the development including at public parks and school connections further prioritising people over cars. This will in turn encourage lesser use of cars within the development and incentivise walking. The proposed streets will benefit from passive overlooking, carefully designed landscaping and planting and an appropriate sense of enclosure provided by trees and surrounding buildings.

**Public Realm: How safe, secure and enjoyable are the public areas?**

- 2.90 **Response:** The layout and design of the proposed development has been fully cognisant of the need to ensure secure and enjoyable public areas. The design of the development has been carefully considered to provide a high level of passive surveillance on both the areas of open space and public access areas and public



squares including Magee Square and Parade Park. The design of the dwellings provides for a direct frontage onto all public areas, thereby ensuring the provision of a safe, secure and enjoyable residential development.

***Adaptability: How will the buildings cope with change?***

- 2.91 **Response:** Each of the proposed dwellings meets or exceed the minimum standards for residential unit size. The development provides a mix of 3 and 4-bedroom units that can be easily reconfigured to adapt to the changing life cycles and personal needs of each resident, for example extension into the roof space and rear extensions. The inclusion of apartments and duplex units, in addition to houses, provides an opportunity for trading down and different lifecycle needs. Please refer to the RKD Architectural Design Statement for further information on the design of the residential units in this regard. Please also refer to the accompanying Building Lifecycle Report prepared by NRG Consulting.

***Privacy / Amenity: How do the buildings provide a high-quality amenity?***

- 2.92 **Response:** Each residential unit / dwelling is provided with an area of useable private open space which meets or exceeds the Apartment Guidelines / Development Plan standards. The proposed apartments are also provided with communal amenity space. All of the residential units / dwellings meet or exceed the unit size requirements in the Quality Housing Guidelines, Development Plan and Apartment Guidelines as appropriate. The design of dwellings has also had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling.
- 2.93 The development provides for adequate separate distances between dwellings. This maintains a high level of privacy and amenity obtained by residents and reduces the level of overlooking and overshadowing. It is considered that the proposed scheme will provide for a high level of residential amenity throughout.
- 2.94 The proposed apartments have been subject to a Daylight Assessment undertaken by NRG Consulting which 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".

***Parking: How will the parking be secure and attractive?***

- 2.95 **Response:** 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.
- 2.96 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.
- 2.97 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.

**Detailed Design: How well thought through is the building and landscape design?**

- 2.98 **Response:** The proposed design of the development has responded to the decision of the Board in respect of the previous application on the subject site, and the pre-application opinion on the current application, whilst retaining the many positive elements of the overall proposal highlighted previously in the Inspectors Report on the refused scheme. The design rationale from an urban design and architectural perspective is explained in detail the Architectural Design Statement prepared by RKD. The landscape design rationale is set out in detail in the Landscape Design Statement prepared by BSM.
- 2.99 Building design has been heavily influence by the need to reflect the sites history and heritage as a military barracks. The building design proposed makes specific reference to the existing building materiality and architectural detail on site.
- 2.100 Careful consideration has been taken to use a similar language architecturally in the proposed new buildings to that which currently and previously existed on site, in order to reflect the architectural history of the site. Proposals include reference to the grey stone mess building materiality, the blend and relationship between brick and concrete, and the incorporation of façade detailing references within the house type facades.
- 2.101 The use throughout the development of similar materiality, detailing and design language taken from the existing barracks buildings illustrates that the building design has been well thought through.
- 2.102 The key landscape design principles are:
- 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 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) while also reflects and acknowledges the sites history and former uses interpreted in a contemporary manner.
- 2.103 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.

**Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2018)**

- 2.104 The Design Standards for New Apartments were approved by the Minister for Housing, Planning and Local Government and published in March 2018. The guidelines update previous guidance from 2015 in the *'context of greater evidence and knowledge of*

*current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 guidelines'.*

2.105 Sustainable Urban Housing: Design Standards for New Apartments 2018 amends aspects of the previous apartment guidance with the aim to:

- *'Enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas;*
- *Make better provision for building refurbishment and small-scale urban infill schemes;*
- *Address the emerging 'build to rent' and 'shared accommodation' sectors; and*
- *Remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs'.*

2.106 This planning application is accompanied by a Schedule of Areas and a Residential Quality Audit (RQA) prepared by RKD Architects which demonstrates the compliance of the proposed development with the relevant quantitative standards required under the 2018 Apartment Guidelines.

#### Location

2.107 The 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', identify a number of locations suitable for apartment development such as 'Intermediate Urban Locations' and 'Central and / or Accessible Urban Locations'. It is considered that the subject site falls into the category of 'Intermediate Urban Location.

2.108 The Guidelines state that Intermediate Urban Locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:

- ***'Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;***
- *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services'.*

2.109 The proposed development is located within 500 metres of the centre of Kildare Town, and within easy walking distance of Kildare Train Station and is therefore considered to be an Intermediate Urban Location as set out in the 2018 Apartment Guidelines.

#### SPPR 1 - Apartment mix

2.110 The 4 no. apartment blocks include 30 no. 1 bed units and 92 no. 2 bed units whilst the duplexes provide 16 no. 1 bed units, 34 no. 2 bed units and 18 no. 3 bed units, as illustrated below in Figure 2.2 below and in the accompanying Residential Quality Audit by RKD.

APARTMENT (First floor)	1 BED DUPLEX	D1	16
DUPLEX (Ground Level - Front Access)	2 BED DUPLEX	E1	26
DUPLEX (Ground Level - Gable Access)		E2	8
DUPLEX (2 Storey - Front Access)	3 BED DUPLEX	F1	10
DUPLEX (2 Storey - Gable Unit)		F2	8
1 Bed Apartment	1 BED APARTMENT	1A	14
		1B	4
		1C	12
2 Bed Apartment	2 BED APARTMENT	2A	14
		2B	14
		2C	14
		2D	14
		2E	28
		2F	4
		2G	4

**Figure 2.2 Proposed Apartment Mix**

2.111 The proposed apartment unit mix breakdown is as follows:

- 24.2 % 1 Beds
- 66.32 % 2 Beds
- 9.47 % 3 Beds.

2.112 This unit mix is consistent with the guidance set down in SPPR1 which supersedes the Development Plan. SPPR 2 is not considered to be relevant to the proposed development.

#### SPPR3 - Floor Areas

2.113 SPPR3 of the Apartment Guidelines states the following minimum floor areas for apartments:

- Studio apartment 37 sq.m
- 1 bedroom apartment 45 sq.m
- 2 bedroom apartment 73 sq.m
- 3 bedroom apartment 90 sq.m.

2.114 The guidelines state that *'the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%)*.

2.115 The RQA illustrates how each apartment meets or exceed the relevant standards for example in respect to apartment size, internal areas, dimensions and private open space. The one bedroom apartments provided have a minimum GFA of 51.3 sq.m, which is in excess of the apartment guidelines requirement of 45 sq.m. The two bedroom apartments provided have a minimum GFA of 82 sq.m, which is in excess of the apartment guidelines requirement of 73 sq.m. The three bedroom apartments provided have a minimum GFA of 115 sq.m, which is in excess of the apartment guidelines requirement of 90 sq.m.

2.116 As illustrated in RKD's Residential Quality Audit (RQA) 100% of the 190 no. apartment units exceed the minimum unit size in the Guidelines by greater than 10%, thereby complying with the Apartment Guidelines.

SPPR4 - Dual Aspect

2.117 SPPR 4 of the Guidelines relates to the provision of dual aspect units. It states:

*'In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*
- (ii) **In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.***
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects'.*

2.118 The Apartment Guidelines further state that: *'it is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. Where there is a greater freedom in design terms, **such as in larger apartment developments on greenfield or standalone brownfield regeneration sites** where requirements like street frontage are less onerous, it is an objective that there shall be a minimum of 50% dual aspect apartments. Ideally, any 3 bedroom apartments should be dual aspect'.*

2.119 The proposed scheme provides 64.2% 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.

2.120 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.

2.121 A Daylight and Sunlight Assessment has been prepared by NRG Consulting and accompanies this planning application. The assessment concludes that for all the habitable rooms in the apartments 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".

Private Amenity Space

2.122 The apartment guidelines provide the following in relation to private amenity space:

**Minimum floor areas for private amenity space**

Studio	4 sq m
One bedroom	5 sq m
Two bedrooms (3 person)	6 sq m
Two bedrooms (4 person)	7 sq m
Three bedrooms	9 sq m

- 2.123 The one bedroom duplex apartments provide private amenity space of 7 sq.m, which is in excess of the apartment guidelines requirement of 5 sq.m. The two and three bedroom duplexes provide private amenity space of 16.9 sq.m and 12.1 sq.m respectively, which is in excess of the apartment guidelines requirement of 7 sq.m and 9 sq.m. Some two bedroom duplex units are provided with a rear garden, additional to the above.
- 5.19 Compliance with all relevant apartment standards is demonstrated in detail in the accompanying Residential Quality Assessment by RKD and submitted with this planning application.
- 2.124 The proposed 4 no. apartment blocks include a minimum quantity of private amenity space as set out below:
- 1 bed apartments – Private Amenity Space of 5 sq.m;
  - 2 bed apartments – Private Amenity Space of 7 sq.m.
- 2.125 The proposed 4 no. apartment blocks are considered to be suitability located on the subject site, located centrally within the site in close proximity to the proposed neighbourhood centre and public open space, and will provide high quality residential development on the subject site.

#### SPPR5 - Floor to ceiling height

- 2.126 SPPR5 states that *'ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality'*.
- 2.127 The proposed scheme includes floor to ceiling heights of 2.7m for all ground floor units with a minimum of 2.47m on all floors above in accordance with the requirements of SPPR5 of the Apartment Guidelines 2018.

#### SPPR6 - Apartments to stair/lift core ratios

- 2.128 SPPR6 states *'a maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations'*.
- 2.129 The lift core ratio for the 4 no, apartments blocks is 7 apartments per floor per core as demonstrated in the accompanying RQA and apartment floor plans provided by RKD, in compliance with the requirements of SPPR6.
- 2.130 SPPR 7,8 and 9 relate to Build to Rent and Shared Accommodation developments and are therefore not relevant to this proposal.

#### Car Parking

- 2.131 The provision of parking spaces for the residential development is 639 no. spaces of which 241 parking spaces are provided for the apartments / duplex units. The 2018 Apartment Guidelines note that ***'quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria'*** (Emphasis Added).

2.132 The Guidelines state the following in relation to car parking provision:

*'As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, **one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required**' (Emphasis Added).*

2.133 The majority of the apartments are 1 bed or 2 bed apartments and a provision of 241 no. parking spaces for the 190 no. apartments is therefore considered adequate in accordance with the 2018 Apartment Guidelines.

### **Urban Development and Building Heights Guidelines 2018**

2.134 The Height Guidelines are intended to set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040. Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Planning Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.

2.135 SPPRs as stated in Section 1.14 of the Guidelines, take precedence over any conflicting, policies and objectives of development plans and local areas plans.

2.136 A report setting out compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights in accordance with SPPR3 of those guidelines has been provided as requested by An Bord Pleanála and accompanies this application. Please refer to this report for further detail and an assessment of the proposed development having regard to the development management criteria outlined under SPPR3.

2.137 The Guidelines state that *'the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and **more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights**' (emphasis added).*

2.138 SPPR 1 states the following:

*'In accordance with Government policy to support increased building height in location with good public transport accessibility, particularly town / city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height'.*

2.139 The proposed development 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 Éireann 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.

2.140 The proposed development therefore represents an opportunity to provide for increased building heights and densities.

2.141 The Guidelines set out a number of criteria for the assessment of increased building heights, at the scale of the relevant city / town, at the scale of district / neighbourhood / street and at the scale of site/ building. Subject to meeting with the relevant criteria the guidelines state that the planning authority shall apply SPPR3 under Section 28 of the Planning and Development Act.

2.142 SPPR3 states:

*'It is a specific planning policy requirement that where:*

*(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*

*2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

*then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise'.*

2.143 In accordance with Part (A) of SPPR3, where a development complies with the relevant criteria and the planning authority agrees, then permission can be granted for the development notwithstanding conflicting development plan and local area plan policies. This application clearly sets out compliance with the development management criteria within the accompanying report submitted as part of this planning application (Item No.3 - A report demonstrating compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights).

2.144 It is also respectfully submitted that this application demonstrates through the Design Statement, Visual Impact Assessment, Photomontages and Daylight and Sunlight Assessment that the proposed development is appropriate for the subject site in the context of building heights and satisfies the relevant criteria in the Guidelines in respect to SPPR3.

2.145 The proposed apartment blocks are 3 storey +1 setback and 4 storey +1 setback in height over undercroft/basement car parking level, located centrally within the site, and integrated sensitively into the proposed development and surrounding context. Thus, it is respectfully submitted that proposed development which provides for a range of building heights of between 2 no. and 5 no. storeys over undercroft/basement is appropriate for this location / site. The provision of residential development at this location between 2 no. and 5 no. storeys is supported by the height guidelines which encourages increased density and building heights proximate to urban centres and public transport. The proposed development complies with the locational requirements and therefore is considered to be in accordance with the provisions of the Urban Development and Building Height Guidelines 2018.

2.146 The proposal provides an increased density of 39.42 units per hectare and a more compact urban form on a disused site in Kildare Town proximate to public transport. The site is well placed to absorb a high density development which is appropriately scaled and designed in the context of its urban surroundings, at a highly accessible location surrounded by schools, parks and community services.

### **Design Manual for Urban Roads and Streets (DMURS) (2013)**

2.147 The Design Manual for Urban Roads and Streets (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas.



- 2.148 DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas.
- 2.149 The principle design guidance of DMURS has been considered in the design of this development. As demonstrated in the accompanying DMURS Statement prepared by Garlands, the Design Statement prepared by RKD and Planning Report prepared by JSA accompanying this planning application, the proposed development seeks to prioritise pedestrian and cyclists throughout and around the site in accordance with the policies set out in DMURS.
- 2.150 The street and building design of the proposed development has had regard to the recommendations of DMURS as it includes proposals for buildings fronting onto streets and the creation of a pedestrian and cycle friendly urban environment. Physical and psychological measures are also used in combination to have an impact on driver behaviour. The carriageway width of R445 has been greatly reduced with greater priority given to cyclists. Segregated cycle lanes have also been provided to both south and north of Hospital Street and three new crossing points have been added to the development street frontage along Hospital Street.
- 2.151 The main link road through the site is designed to have radius bends to control speeds to 30km/h. In addition to the above, it is proposed that the main link road will be provided with a traffic median between Phase C and Phase D. The purpose of this central median is to provide traffic separation and splay the horizontal alignment of the roadway to reduce traffic speeds. This median shall be planted with trees which, with trees also being planted along the grass verge, will provide a sense of enclosure along this route and hence decrease vehicular speeds.
- 2.152 For internal residential zoned the junction radii have also been designed in accordance with DMURS using radii of 1-3m. At a number of locations throughout residential zones, traffic islands have been detailed such that they reduce the width of the roadways. This reduction, on straight sections of roadway, provides for horizontal realignment and will therefore reduce the speed of vehicles along these sections of roadway. In addition, these islands provide for additional tree planting which again provides for traffic calming.
- 2.153 Zebra crossings with flat top raised tables are provided at 2 no. locations at the crossing between Magee Gardens and Parade Park and at the crossing between Ruanbeg and Henry Howard Gardens.
- 2.154 The proposed road hierarchy has been developed in compliance with DMURS principles as it consists of a treelined main street traversing the scheme and a network of local streets (Type A and B) which provide access to the housing and prioritise pedestrian and cyclist movements. The proposed main street within the development will benefit from significant planting and segregated pedestrian and cycle routes on both sides of the street. A number of entrances off these tree lined avenues are proposed to provide access to the housing via a network of local streets.
- 2.155 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.

- 2.156 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. A letter of consent has been obtained in relation to the proposed connection to the school.
- 2.157 It is considered that the proposed road layout within the Phase 1 residential development and overall masterplan for the lands will encourage cycling and walking by ensuring safe vehicle speeds via road curvature and flat top raised tables. This will add to the vitality and liveability of the area and encourage a more sustainable modal transport split among future residents, who will be more likely to cycle or walk to access local amenities.

### **Delivering Homes, Sustaining Communities (2008)**

- 2.158 The Department's policy statement *Delivering Homes, Sustaining Communities*, Guidance provides the overarching policy framework for an integrated approach to housing and planning. The statement notes that demographic factors will continue to underpin strong demand for housing, which in turn will present considerable challenges for the physical planning of new housing and the provision of associated services. The quality of the housing environment is stated as being central to creating a sustainable community.
- 2.159 Sustainable neighbourhoods are areas where an efficient use of land, high quality design, and effective integration in the provision of physical and social infrastructure combine to create places people want to live in.
- 2.160 The *Delivering Homes, Sustaining Communities* policy statement is accompanied by Best Practice Guidelines entitled '**Quality Housing for Sustainable Communities**'. The purpose of these Guidelines is to promote high standards in the design and construction and in the provision of residential and services in new housing schemes. They encourage best use of building land and optimal utilisation of services and infrastructure in the provision of new housing; point the way to cost effective options for housing design that go beyond minimum codes and standards; promote higher standards of environmental performance and durability in housing construction; seek to ensure that residents of new housing scheme enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and provide homes and communities that may be easily managed and maintained.
- 2.161 This planning application to An Bord Pleanála is accompanied by a Residential Quality Audit which is included with the package of documentation prepared by RKD Architects. The audit demonstrates the compliance of the proposed development with the relevant standards in the *Quality Housing for Sustainable Communities* document and the County Development Plan where relevant.
- 2.162 Figure 2.3 below outlines the space provision and room sizes for typical dwellings contained within the *Quality Housing for Sustainable Communities - Best Practice Guidelines*. Figure 2.4 below provides an extract of the Residential Quality Audit demonstrating compliance with the room size and overall GFA requirements outlined in the *Best Practice Guidelines*.

DWELLING TYPE	TARGET GROSS FLOOR AREA	MINIMUM - MAIN LIVING ROOM	AGGREGATE LIVING AREA	AGGREGATE BEDROOM AREA	STORAGE
	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )
<b>Family Dwellings - 3 or more persons</b>					
4BED/7P House (3 storey)	120	15	40	43	6
4BED/7P House (2 storey)	110	15	40	43	6
4BED/7P House (1 storey)	100	15	40	43	6
4BED/7P Apartment	105	15	40	43	11
3BED/6P House (3 storey)	110	15	37	36	6
3BED/6P House (2 storey)	100	15	37	36	6
3BED/6P House (1 storey)	90	15	37	36	6
3BED/6P Apartment	94	15	37	36	10
3BED/5P House (3 storey)	102	13	34	32	5
3BED/5P House (2 storey)	92	13	34	32	5
3BED/5P House (1 storey)	82	13	34	32	5
3BED/5P Apartment	86	13	34	32	9
3BED/4P House (2 storey)	83	13	30	28	4
3BED/4P House (1 storey)	73	13	30	28	4
3BED/4P Apartment	76	13	30	28	7

**Figure 2.3: Space provision and room sizes for typical dwellings contained within the Quality Housing for Sustainable Communities - Best Practice Guidelines.**

2.163 The 3 bed houses in the proposed development cater for 5 people while the 4 bed houses cater for 7 people. The GFAs proposed are therefore well in excess of the requirements outlined within the Quality Housing for Sustainable Communities - Best Practice Guidelines.

UNIT TYPE	UNIT SIZE	TYPE VARIANT	UNIT AREA ACHIEVED GROSS (m2)	UNIT DESCRIPTION
A	3 BED	A1	117	SEMI-DETACHED (Gable Fronted)
		A1a	117	SEMI-DETACHED
		A2	121	SEMI-DETACHED (Gable Fronted / Side Access)
		A3	121	SEMI-DETACHED (Bay Window)
B	3 BED	B1	121	TERRACE (Gable Fronted / End Terrace / Side Access)
		B2	117	TERRACE
		B3	121	TERRACE (End Terrace / Bay Window)
		B4	125	TERRACE (End Terrace / Side Access)
C	4 BED	C1	151	SEMI-DETACHED (Gable Fronted)
		C1A	153	SEMI-DETACHED (Gable Fronted / Side Access)
		C2	153	DETACHED (Side Access)

**Figure 2.4: Extract from RQA demonstrating the compliance of the houses proposed with the requirements of the Best Practice Guidelines**

### **Guidelines for Planning Authorities on Childcare Facilities (2001)**

2.164 Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions.

2.165 The following definition of Childcare is included in the Guidelines:

*“In these Guidelines, “childcare” is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. Thus, services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines.”*

2.166 The proposal includes a childcare facility, with a GFA of 680 sq.m, and an adjacent outdoor play area (circa 250 sq.m), which is located within the neighbourhood centre area of the development, is considered appropriate for the subject site. It is estimated that this childcare facility could cater for in the order of 136 children having regard to an average of c. 5 sq.m gross floor space per child depending on the type of childcare offered by the end user. The exact capacity of the proposed childcare facility will only become apparent when an operator comes on board and will be subject to operator’s particular requirements and will be dependent on what types of childcare facility are already available in the area. In this regard flexibility is required in respect to the future fit out and type of childcare facility proposed within the Phase 1 development.

2.167 In addition, there are several crèches, Montessori’s and pre-schools in the wider area, serving the childcare needs of the area, including Bright Beginnings, Crèche and Montessori Toad Hall, Kildare Town and Kildare Day care Centre.

### **Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009-2020**

2.168 The Government has committed in ‘*Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020*’ to reducing the total share of car commuting from 65% to 45%, a rise in non-car trips by 55% and that the total vehicle miles travelled by the car fleet will not increase. The key targets are as follows:

- Future population employment growths will predominantly take place in sustainable compact forms which reduces the need to travel for employment and services;
- 500,000 more people will take alternative means to commute to work to the extent that the total share of car commuting will drop from 65% to 45%;
- Alternatives such as walking, cycling and public transport will be supported and provided to the extent that these will rise to 55% of total commuter journeys to work;
- The total kilometres travelled by the car fleet in 2020 will not increase significantly from current levels;
- A reduction will be achieved on the 2005 figure for Greenhouse gas emissions from the transport sector.

- 2.169 Key to the achievement of these targets is better alignment between land-use and transport to minimise travel demand. The subject site is located adjacent to the town centre area within Kildare Town, which is itself located on a multi-modal transport corridor, with access to regular bus and train services. The proposed development is located in close proximity to all amenities in addition to town centre employment.
- 2.170 The development itself is designed to enhance permeability and encourage sustainable modes of transport – in particular cycling and walking which are prioritised throughout the development. It is therefore seen that the proposed development will encourage a sustainable modal split amongst future residents by reducing the need to travel by car to access services, amenities and employment.
- 2.171 Further employment generating uses are included within the overall masterplan proposals for Magee Barracks including a permitted supermarket and a Cancer Treatment Clinic (proton therapy) (at appeal stage with ABP), adjacent to the Phase 1 development facing onto Hospital Street. This will provide additional employment which will be conveniently located proximate to the residential development which adheres to best practice in terms of sustainable development.

### **Transport Strategy for the Greater Dublin Area 2016 - 2035**

- 2.172 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 2.173 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
  - Improve economic competitiveness
  - Improve the built environment
  - Respect and sustain the natural environment
  - Reduce personal stress
- 2.174 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 2.175 The proposed residential development, on lands located adjacent to Kildare town centre and within easy reach of existing good quality public transport, in particular Kildare Train Station, is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

### **Guidelines for Planning Authorities on 'The Planning System and Flood Risk Management (November 2009)'**

- 2.176 *The Planning System and Flood Risk Management* Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Planning system and flood risk management guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and

mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

- 2.177 In order to comply with these Guidelines a Site-Specific Flood Risk Assessment has been prepared by Garland Consulting Engineers and accompanies this planning application.
- 2.178 The SSFRA was prepared to comply with current planning legislation, in particular the recommendations of “The Planning System & Flood Risk Management - Guidelines for Planning Authorities”.
- 2.179 The SSFRA examines all potential sources of flood risk – fluvial, pluvial, tidal and ground water – and concludes that *‘the site of this proposed development is located in Flood Zone C (low risk) for all sources of flood risk. The proposals for housing and commercial development on this site therefore achieve full compliance with the requirements of “The Planning System & Flood Management Guidelines” published by the Department of Environment, Heritage and Local Government in November 2009’.*
- 2.180 Please refer to the SSFRA for further details of compliance with the FRM Guidelines.

### **Birds and Habitats Directive – Appropriate Assessment**

- 2.181 Under Article 6 (3) of the EU Habitat Directive and Regulation 30 of SI no. 94/1997 “European Communities (Natural Habitats) Regulations (1997)” any plan or project which has the potential to significantly impact on the integrity of a Natura 200 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment. This requirement is also detailed under in the Planning and Development Acts (2000 – 2010).
- 2.182 This planning application is accompanied by an Appropriate Assessment Screening Report prepared by Brady Shipman Martin. The 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 impact on the integrity or Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in-combination with other plans or projects, in light of their conservation objectives’.*
- 2.183 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 affect the integrity of any of the relevant European sites.

## **3.0 LOCAL PLANNING POLICY**

- 3.1 This section of the planning report provides an account of the relevant local planning policy documents and includes reference to the following:
- Kildare County Development Plan 2017-2023;
  - Kildare Town Local Area Plan 2012-2018;
- 3.2 Each of these documents is discussed below in the context of the proposed development.
- 3.3 We note that Kildare County Council in their report on the pre-application proposals state that they consider that the proposed development *‘would materially contravene the provisions of the Kildare Town Local Area Plan 2012-2018 for failure to adhere to the provisions set out for the regeneration of a strategic site, would artificially distort the Core and Settlement Strategy figures set out in the Kildare County*

*Development Plan 2017-2023, for future housing provision within Kildare Town, would, in the absence of provision of a wider range of uses on site, lead to an increase in commuting levels from the town, contrary to the provisions of the Core Strategy and would therefore fail to accord with the proper planning and sustainable development of the area’.*

- 3.4 Having regard to the opinion of Kildare County Council, an assessment of the potential material contravention of the CDP and LAP is included as Appendix 1 of this Statement of Consistency. Arising out of this assessment, a Material Contravention Statement has been prepared having regard to the proposed unit quantum and accompanies this planning application.

### **Kildare County Development Plan 2017-2023**

- 3.5 On the 1<sup>st</sup> February 2017 Kildare County Council brought into force the Kildare County Development Plan covering the period 2017-2023 for its functional area.

- 3.6 Section 1.3 of the Development Plan sets out the key challenges Kildare for the Plan period. These key challenges include *inter alia* the following which are considered most relevant to the proposed development:

- Facilitating the provision of housing in accordance with the Core Strategy and the Housing Strategy of this Plan;
- Ensuring that new public and private development is sustainable and of a high quality;
- Regenerating urban and rural areas, including tackling urban blight and dereliction.

### **Core Strategy and Settlement Strategy**

- 3.7 The core strategy of the County Development Plan identifies Kildare Town as a Moderate Sustainable Growth Town located in a hinterland area.
- 3.8 The preferred development strategy set out by the County Development Plan seeks to reinforce the critical mass of Metropolitan urban areas and key towns in the Hinterland, including Kildare Town.
- 3.9 Hinterland areas are allocated 65% of the overall housing and population targets (253,600 and 32,497 respectively) for the Plan period, with a minimum of 60% of this hinterland population and housing growth to be located in Hinterland towns, including Kildare Town.
- 3.10 The Settlement Strategy allocates a total of 1,527 additional residential units to Kildare Town during the 2016-2023 period. The proposed Phase 1 development provides for 375 no. residential units on a centrally located site proximate to Kildare Train Station which is zoned for regeneration, including residential use. The subject brownfield site is considered to be sequentially very suitable for residential development, and the proposed development will significantly contribute to achieving the housing targets for Kildare Town within the Development Plan period.
- 3.11 We note the ABP refusal on the previous SHD application on the subject site which stated that the proposed development ‘*would not be developed at a sufficiently high density to provide for an acceptable level of efficiency in the use of serviced lands and would accordingly be contrary to National Policy*’. The proposal now brought forward addresses the ABP reason for refusal in relation to density and complies with National Planning Policy which supersedes the County Development Plan.

- 3.12 The Development Plan seeks to encourage the focus of new development on:
- (i) *‘Consolidation within the existing urban footprint with particular focus on the Metropolitan and Hinterland towns;*
  - (ii) *Supporting the achievement of more sustainable towns and villages through residential and employment opportunities together with supporting social and community facilities;*
  - (iii) *Supporting national investment in public transport services by focusing new development areas in key locations to achieve the integration of land uses and high quality public transport provision’.*
- 3.13 The proposed development will consolidate the urban footprint of Kildare Town, opening up an impenetrable and unutilised site and providing a high quality compact urban extension of the town at an appropriate density. The overall Magee Barracks lands include a mix of uses including residential, retail (permitted supermarket and 3 no. proposed retail units as part of this application) (employment generating), community (childcare facility and open space), educational (existing schools on former Magee Barracks lands) and a Cancer Treatment Clinic (proton therapy) (employment generating) supporting the sustainability of the town through the provision of residential and employment opportunities located proximate to existing and planning supporting social and community facilities.
- 3.14 The proposed development provides for a high density residential development 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 Monestarevin. The proposal therefore provides for the integration of land use and public transport.
- 3.15 In respect to economic growth, the Core Strategy identifies Kildare Town as a secondary economic growth centre *“providing an important and complementary role in developing economic growth and sectoral interests in tandem with primary economic growth towns”.*
- 3.16 Objective CS2 of the Core Strategy is to *“direct appropriate levels of growth into the designated growth centres and moderate sustainable growth towns”.*
- 3.17 Kildare Town is a designated as a moderate sustainable growth town located in the hinterland area of the GDA. As outlined throughout this Statement, the proposed development constitutes an appropriate level of growth within Kildare Town, on a brownfield site which is sequentially suitable for residential development. The subject site has been zoned for regeneration for a significant number of years, and the proposed scheme will lead to the fulfilment of this goal, while precipitating associated planning gains including employment, neighbourhood facilities, open space and permeability.
- 3.18 Objective CS11 is to *“Seek the delivery of physical and community infrastructure including strategic open space and recreational areas in conjunction with high quality residential developments to create quality living environments”.* The proposed Phase 1 scheme includes significant areas of high quality open space including a high-quality neighbourhood park with a range of recreational activity spaces including a playground. The provision of a neighbourhood centre comprising a café ((including gallery / exhibition area at mezzanine level), 3 no. retail units and a childcare facility provides additional community infrastructure.



- 3.19 The permitted retail (supermarket), existing schools and proposed retail, commercial, medical developments will cumulatively provide a significant level of employment and community infrastructure within the former Magee Barracks lands which are located proximate to the town centre.

### **Housing**

- 3.20 Chapter 4 of the Development Plan deals with housing in Kildare and sets out the objectives and policies of the County Council thereon.
- 3.21 Objective HSO2 of the Plan is to *“Apply a 10% social housing requirement, pursuant to Part V of the Planning and Development Act 2000 (as amended) to all sites that are zoned solely for residential use, or for a mixture of residential and other uses”*
- 3.22 The proposed development provides for 10% social housing on site (38 no. units), providing for a mix of tenure types within the development and fulfilling the above objective, while also contributing to the fulfilment of Objective HSO3 and HSO4 of the Development Plan which seek to increase the social housing stock within the county and promote social integration via tenure mix. Please refer to the accompanying Part V documentation for further information.
- 3.23 Policy HC1 is to *“Support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.”* The proposed development has been formulated on the basis of sustainable design in full accordance with all national policy pertaining to the development of housing and residential communities. The consistency of the proposed development with this substantial body of policy is outlined in the sections above.
- 3.24 Policy HD1 is to *“Ensure that all new residential development within the county is of high quality design and complies with Government guidance on the design of sustainable residential development and urban streets”*. The proposed scheme for Phase 1 of the Magee Barracks redevelopment maintains a high standard of urban and architectural design throughout, in order to ensure an attractive, liveable area which encourages vibrancy and activity. The design process of the development was informed by and is compliant with all relevant policy regarding the design of residential developments and urban streets.

### **Statement of Housing Mix**

- 3.25 Objective MDO1 of the Development Plan is to *“Require that new residential developments provide for a wide variety of housing types, sizes and tenures”*.
- 3.26 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.
- 3.27 MDO3 requires *“that applications for residential or mixed-use development with a residential element are accompanied by a Statement of Housing Mix, in accordance with Table 17.3, to address the mix of dwelling types proposed. The Statement of Housing Mix should demonstrate a need for such accommodation, based on local demand and the demographic profile of the area”*.

- 3.28 The proposed development exceeds the thresholds set out in Table 17.3 of the Kildare County Development Plan 2017-2023 and therefore a Statement of Housing Mix as set out herein is required to be submitted with the planning application.
- 3.29 The proposed housing mix has been determined having regard to the demographic and social analysis outlined below and local market knowledge of housing demand in the town; in addition to national planning policy and the Boards decision in relation to the previous SHD application on the subject site.
- 3.30 As set out herein, the revised proposals now provide 172 no. 1 and 2 bed units (45.9% of the overall mix). It is considered therefore that the proposed housing mix fully addresses the requirement for smaller household sizes and is in compliance with Objective MD01 outlined above.

### Demographic Profile

#### *Population and Age Profile*

- 3.31 In terms of demographics, out of a population of 9,874 Kildare Town has a population of 4,464 between the ages of 20-49 which equates to 45%. This is higher than the state average of 42% in this age cohort. This demographic profile would point to the need to cater for 2 – 4 bed units for those households with families, those looking to start families, and in the medium term for those currently in their mid-20s as starter homes in the future.
- 3.32 The NPF notes national trends of an ageing population with smaller household sizes, however these trends are less pronounced in Kildare Town. In terms of people at retirement age and people potentially looking to trade down, Kildare Town has a population of 958 persons over the age of 65, which equates to 9.7%. This is considerably lower than the stage average of 13.3%. This points to a lower proportion of trading down or right sizers in Kildare Town than the state average, and consequently a potential lower demand for 1 bed units suitable for trading down.

#### *Household Size*

- 3.33 In terms of household size, 54% of households in Kildare are 3 person or greater. This is higher than the state average of 47.9%. This points to the need to cater for larger household sizes in Kildare Town.

#### *Household Type*

- 3.34 In terms of household type, the percentage of 1 person households in Kildare Town is 20.7%. This is lower than the state average of 23.4%. This points to a potential lower demand for 1 bed units in Kildare Town.

#### *Revised Unit Mix*

- 3.35 Having regard to the demographic and social profile outlined above, the requirements of Kildare County Council and the opinion of ABP on the pre-application proposals (including the need to increase densities), a revised housing mix was developed which increased the proportion of 1 and 2 bed units to 12.3% and 33.6% respectively, with the proportion of 3 bed units reduced to 36.3%.
- 3.36 The analysis of the demographic profile of the area demonstrates a strong need for 3 bedroom homes, given the household size statistics in Kildare Town and the proportion of people within the typical household formation age-range of 20 - 49. However we note Kildare County Councils concerns relating to residential unit mix.

- 3.37 The proposed mix of unit types and sizes (now including 4 no. apartment buildings) will provide much greater variety of unit typology and has also increased residential density.

Refused proposal	Pre-App Proposal	Revised proposal
1 bed - 12 - 4%	1 bed - 28 – 9.4 %	1 bed - 46 – 12.3 %
2 bed - 26 - 10%	2 bed - 59 – 19.8 %	2 bed - 126 – 33.6 %
3 bed - 198 - 75%	3 bed - 149 – 50 %	3 bed - 136 – 36.3 %
4 bed - 28 - 11%	4 bed - 62 – 20.8 %	4 bed - 67 – 17.9 %
<b>Total: 264</b>	<b>Total: 298</b>	<b>Total: 375</b>

**Table 3.1: Revised Housing Mix**

- 3.38 The revised Phase 1 development includes a wide range of housing types comprising three and four bedroom detached, semi-detached and terraced houses. It also includes 1, 2 and 3 bedroom apartments and duplex units. The proposed mix of unit types and sizes has been formulated based on the necessity to address the Boards previous concerns in relation to density and unit mix and based on market and demographic analysis.
- 3.39 Policy DL1 is to *“Promote a high quality of design and layout in new residential developments and to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development”*.
- 3.40 The proposed development exhibits a high quality of architectural design and layout. Please refer to the Design Statements prepared by RKD Architects and BSM Landscape Architects for detailed information in respect of the built and open space design rationale for the Phase 1 development. It is considered that the development will provide for a functional and aesthetically pleasing residential environment.
- 3.41 Policy OS1 is to *“Ensure that all dwelling units have access to high quality, functional private open space that is carefully integrated into the design of new residential developments”*.
- 3.42 All of the proposed residential units within the scheme meet and exceed the private open space requirements as set out in Table 14.4 of the County Development Plan. This open space is designed to be highly functional. The quantum of private open space provided varies based on house type and the location of particular units on the site (e.g. many of the units which back onto the site boundary greatly exceed the minimum private open space provision).
- 3.43 Policy PS1 is to *“Ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that enhances the visual character, identity and amenity of the area”*.
- 3.44 The Landscape Design Rational Report and Architectural Design Statement, plans and drawings prepared by BSM Landscape Architects and RKD Architects, which are submitted as a part of this planning application, set out the comprehensive plans for the provision of public open space as part of the proposed scheme. Phase 1 will be served by a series of high quality public open spaces, which will have a clear hierarchy – from the large neighbourhood and local park areas and the public square, to the proposed pocket parks, plaza and linear open spaces.

### **Economic Development**

- 3.45 Policy ECD 16 of the Development Plan is to *“Ensure a high-quality living environment in Kildare which will help to retain the county’s indigenous skilled population and to attract additional high skilled labour into the county”*.
- 3.46 The proposed development provides for a high-quality living environment, located in close proximity to a wide range of amenities, and includes quality open space, childcare provision and neighbourhood centre retail.
- 3.47 The masterplan proposals also include a permitted supermarket and Cancer Treatment Clinic (proton therapy) (Current Application under appeal to ABP).
- 3.48 The proposed Cancer Treatment Clinic will create significant employment for highly skilled employees, potentially attracting highly skilled labour into Kildare Town and County.

### **Development Management Standards**

- 3.49 Chapter 17 of the Development Plan sets out the development management standards for new residential developments.
- 3.50 Section 17.2.2 states that the maximum site coverage shall be 50 % for residential developments. The proposed Phase 1 development has a site coverage of 18%, which reflects the significant extent of open space and the type of housing proposed.
- 3.51 Section 17.2.3 states that the plot ratio standard for Inner Suburban sites, which best describes the former Magee Barracks site on the edge of Kildare Town, is .05 to 1, town centre / brownfield sites is 1.0-2.0. The proposed development has a plot ratio of 0.36. While the proposed plot ratio falls outside of the recommended plot ratio range in the Development Plan, having regard to the size of the site, the level of open space within the development, LAP recommendations, and the nature of the development itself, it is considered that the proposed plot ratio is appropriate.
- 3.52 Section 17.2.4 states that in general, the minimum separation distance between opposing above ground floor windows will be required for habitable rooms. The proposed Phase 1 development achieves this separation distance for all proposed residential units, thereby ensuring the privacy of future residents.
- 3.53 The Development Management Standards chapter of the CDP sets out quantitative minimum standards for new residential units. The proposed scheme is fully compliant with these standards. The Residential Quality Audit prepared by RKD architects provides a detailed breakdown of room sizes, unit sizes, private open space and storage space. The paragraphs below set out the consistency of the development with the key standards set out in the Development Plan.
- 3.54 The minimum private open space requirement for three-bedroom houses under the Plan is 60 sq.m, while houses of four or more bedrooms require the provision of a minimum of 75 sq.m. The proposed Phase 1 development meets this standard for all proposed residential units as demonstrated in the Residential Quality Audit provided by RKD Architects. Garden sizes vary based on house type and the location of individual units within the site.
- 3.55 The Development Plan states that the minimum public open space requirement for greenfield sites is 15%, with a requirement of 10% of the overall site area for other sites. The proposed Phase 1 development includes a public open space provision of c. 16.6% 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 Cancer Treatment Clinic site, provides a total of 3.2 hectares (c.8 acres) of open space.
- 3.56 Table 17.9 of the Development Plan sets out the car parking requirements for the county. 2 no. parking spaces are required per house. Each house in the proposed Phase 1 development will have 2 no. car parking spaces provided on curtilage or within the adjacent street, with 370 no. spaces provided for the houses.
- 3.57 28 no. car parking spaces are proposed to serve the neighbourhood centre area of the Phase 1 development. This level of parking provision is considered adequate and appropriate given the large quantum of parking to be provided in the adjacent supermarket development and cancer treatment clinic development, the connectivity to the proposed scheme which the neighbourhood centre will serve, and its location within easy walking distance of Kildare Town Centre and public transport facilities.
- 3.58 There will be an opportunity for linked trips between the creche, café and retail units proposed in the Neighbourhood Centre and the adjacent proposed commercial uses. The neighbourhood centre will also primarily serve a walking catchment population comprising the new residential area to the north and adjoining residential areas which will benefit from improved accessibility to Hospital Street and the town centre as a result of the proposed development.
- 3.59 The scheme has been designed to ameliorate the need for car trips within and through the proposed development where possible via the inclusion of shared surface streets and quality pedestrian and cycle infrastructure. Therefore, it is considered that this level of parking provision for the neighbourhood centre is wholly adequate, as it will primarily be accessed via the above mentioned strong pedestrian and cycle links (particularly having regard to the level of parking provision to be provided in the adjacent supermarket).
- 3.60 Please refer to the TIA prepared by Roadplan for further details in relation to car and bicycle parking provision.

### **Kildare Town Local Area Plan 2012-2018**

- 3.61 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. We note that the preparation of the Draft Kildare Local Area Plan 2019-2025 is progressing following the end of the public consultation period on the Pre-Draft Public Consultation Issues Paper. We have reviewed the contents of the '*Pre - Draft Public Consultation Issues Paper*' and consider the proposal outlined herein will help to address issues outlined in respect of '*Housing and Community*' and '*Key Development / Regeneration Areas*' noted as key themes in the Issues Paper.
- 3.62 The following section outlines the consistency of the proposed development with the land use zoning objective and key goals for the subject site as set out in the current Kildare Town Local Area Plan 2012-2018.
- 3.63 We note that the LAP sets out a Design Brief/ Urban Design Framework for Magee Barracks. We have set out in detail herein the areas where the proposed development complies with the LAP and the development principles for the future development of Magee Barracks. Deviations from the indicative framework set out in the LAP for Magee Barracks are considered to occur where the LAP is inconsistent with recent national planning policy (including the National Planning Framework, the Regional Spatial and Economic Strategy for the EMRA, the Urban Development and Building Heights Guidelines and the Apartment Guidelines 2018) in relation to sustainable

densities, integration of land use and transportation and the need to regenerate at appropriate densities our town centres, brownfield lands and lands with good public transport provision. In particular the LAP is not considered to accord with the requirement to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities, and having regard to the sites appropriate location sequentially within Kildare Town.

- 3.64 Our client's overall landholding at the former Magee Barracks site extends to c. 20.8 hectares of land zoned 'Z – *Regeneration of Magee Barracks*' within the Kildare Town Local Area Plan 2012 – 2018. A masterplan for the overall landholding has been prepared, and accompanies this planning application, to demonstrate how the Phase 1 residential development will be integrated with the future development of the remainder of the site.
- 3.65 A supermarket to the south west of the subject site has recently been approved by Kildare County Council (KCC) on part of the overall Magee Barracks lands. A Cancer Treatment Clinic (proton therapy) on the southern portion of the masterplan lands adjoining Hospital Street/R445 has been approved by KCC and is currently subject to a first party appeal to ABP. The proposed development and overall masterplan proposals have been designed having regard to the permitted and proposed planning context in the surrounding area and adjacent sites.
- 3.66 The uses proposed in the Phase 1 application and the overall masterplan proposals are all included as permitted in principle uses under the 'Z- *Regeneration of Magee Barracks*' zoning objective. The RKD Architectural Design Statement demonstrates how the development layout, design and uses proposed have regard to the site context, surrounding areas and character, and also the Kildare Town LAP requirements for the subject lands. The consistency of the proposed development with the Kildare Town LAP, and indeed all relevant planning policy is discussed in detail in the following sections.
- 3.67 It is respectfully submitted that the Phase 1 and Masterplan proposals have the potential to deliver a high-quality re-use of the subject lands for a high quality mixed-use development. The number of residential units in Phase 1, at 375, exceeds the allocation of 161 residential units as indicatively set out in the Kildare Town LAP 2012-2018. However, the LAP acknowledges that the indicative masterplan and level of housing envisaged on the Magee lands is subject to change following detailed design and master planning of the site. We note also that the Board considered this to be a conservative figure for the site, and national planning policy seeks to encourage higher densities within urban areas with high quality public transport.
- 3.68 This statement demonstrates that the subject site is well suited for the provision of a significant quantum of housing within a well-designed scheme which is broadly consistent with the objectives for the site as set out in the LAP (see below and Section 3). It is considered appropriate to demonstrate at the outset how the proposal is consistent with the land use zoning objective.

### ***Land use zoning***

- 3.69 The subject site is zoned 'Z -*Regeneration of Magee Barracks*' in the Kildare Town Local Area Plan 2012-2018, see Figure 3.1 below. 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.

The following key objectives for the regeneration of the site should be met:

- The sustainable regeneration of the site with uses and layout which integrate this sites edge of centre location with the town centre
- The provision of link roads in accordance with Section 7.7 and Map 8.2 of this Plan.
- The protection and reuse of buildings and structures of historical importance listed in Table 12 of this plan.
- The protection of residential amenity of existing residential areas adjoining the site.
- The provision of significant elements of public open space, including the provision of a neighbourhood park.

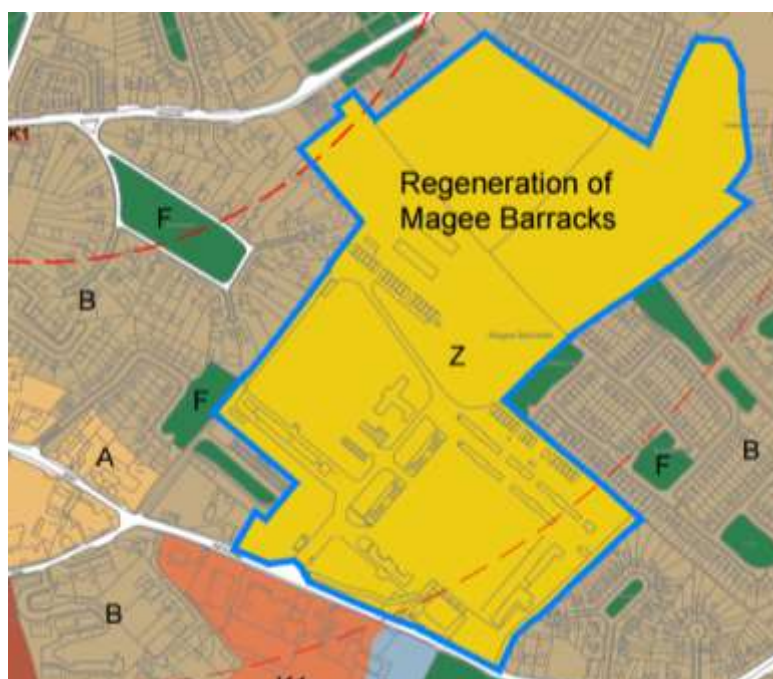


Figure 3.1: Extract from Kildare Town LAP 2012-2018 Land Use Zoning Map

- 3.70 The Phase 1 development and overall masterplan proposals consist of a range of uses which are permitted in principle under the 'Z' land use zoning objective, as highlighted in bold and underlined below:

*Permitted in Principle:*

Community Hall, **Childcare/ Creche/ Playschool**, **Dwelling Unit**, Funeral Homes, Guest House/ Hostel, Hotel, **Health Centre/ Clinic**, Industry (light), Nursing Home, Offices, **Park/ Playground**, Place of Worship, Playing Fields, Pub, Recreational Buildings, **Restaurant**, **Residential Development**, **School**, Shop (comparison), **Shop (convenience)**, Sport/Leisure Complex, Utility Structures, Workshop.

*Open for Consideration:*

Car Parks, Cemetery, Cinema/Dancehall/Disco, Cultural uses/Library, Fire Station, Take-Away, **Medical and Related Consultancy**, Motor Sales, Petrol Station, Repository/Store/Depot, Stable Yard, Tourist Camping Site/Caravan Park, Warehouse (Wholesale).

- 3.71 The proposed masterplan for the overall landholding, and the Phase 1 development, have been prepared to comply with the 'Z' land use zoning objective and the following provides a justification for the masterplan in the context of the requirements of this zoning objective:

### **Mix of Uses**

- The masterplan contains a mix of residential, retail (employment generating), community (childcare facility and open space), educational (existing and planned schools on former Magee Barracks lands) and a Cancer Treatment Clinic (proton therapy) (employment generating) on the overall landholding.
- The redevelopment of Magee Barracks will provide for employment generating land uses such as the Cancer Treatment Clinic (proton therapy) (subject to a first party appeal to ABP) and a permitted supermarket. It is considered that the provision of additional jobs within the town will increase the vitality and viability of the town and will create a more sustainable form of development in the area.

### **Integration**

- The masterplan proposals have been designed to ensure this new edge of centre, mixed use, residential community, is connected to the surrounding areas of Kildare Town and in particular provides for increased connectivity between the east of the town and the town centre. The masterplan has been prepared to have regard to and link to neighbouring land uses, please refer to the site layout plan and letter of consent from the school for further details.
- The pedestrian and cycle links that will be created through the redevelopment of the former Magee Barracks site will connect the existing school site, recently delivered on part of the former Magee Barracks site, to the surrounding areas of residential development. This will ensure safe and easy access of pedestrians and cyclists from the eastern portion of the town to the existing school site.

### **Link Roads**

- The masterplan includes a main spine road through the site which will link Hospital Street (R445) to Melitta Road and includes active frontage as per DMURS requirements. The link to Melitta Road will be provided as part of Phase 2 which is subject to a future planning application.
- The road network has been designed to ensure linkages are provided to adjacent residential and educational uses (subject to agreement), to ensure greater permeability is provided within the town. Consent has been obtained from the Kildare Town Educate Together Primary School for the proposed pedestrian connection and a letter confirming same accompanies this planning application.

### **Protection and Reuse of Existing Buildings**

- Having regard to the retention of buildings envisioned by the Kildare Town LAP dating from 2012, the design team undertook a series of feasibility and assessment measures to investigate the viability and practicality of retention.
- 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.
- Based on the feasibility and assessment process outlined below 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 was considered the most appropriate and sustainable solution.



- A series of heritage and historic references and design measures have been integrated into the proposed development in order to respect the site heritage and create a sense of place. These measures are outlined within the Site Heritage/ Sense of Place document produced by RKD Architects.
- As part of the feasibility and assessment process, the design team investigated the potential re-use of existing buildings; including an examination of the buildings structural integrity and the viability of retaining the building.
- Based on the findings of the assessment process undertaken, (relating to the potential retention and re-use of the existing buildings including the officers mess building and the water tower structure), which included structural surveys, architectural conservation assessments and feasibility studies, it was not considered viable or sustainable to retain the existing buildings on site.
- 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. This includes the formal layout of the open spaces including Parade Park which reflects the location of the former Parade Ring, and the form and location of the neighbourhood centre buildings. References within the landscaping detail and the formal arrangement of some of the residential character areas is further reflective of the military history of the site.
- A detailed discussion on the heritage measures proposed, and the investigation into the potential re-use of the existing buildings is contained in the Sense of Place document provided by RKD which accompanies this application.

### **Protection of Residential Amenity**

- The masterplan proposals have carefully considered adjoining land uses to ensure no adverse impact on the residential amenity of adjacent areas.
- It is considered that the development of this site for a mixed use residential community will in fact enhance the residential amenity of the area by providing increased permeability in the area and connectivity to the town centre, and by providing considerable areas of accessible and well-designed open space.
- The residential units proposed in the phase 1 application also have regard to the surrounding pattern and scale of development, with appropriate relationship and separation distance from existing and proposed residential properties.

### **Significant elements of Public Open Space**

- The masterplan proposals have been informed by the requirement to provide a series of open space areas across the site, which in turn link to the proposed Cherry Avenue Town Park to the south east, and Melitta Road to the north west.
- The total open space provision for Phase 1 and Phase 2 is c. 3.2 ha which equates to c. 18% of the overall site area.
- The revised proposals for the Phase 1 development (the subject of this planning application) include a significant quantum of open space (circa 1.8 hectares), with a clear hierarchy set out from neighbourhood park, a public plaza, and local parks down to pocket parks and incidental open space.
- A range of uses are also provided from an activity-based neighbourhood park to smaller local amenity parkland, kickabout and play areas.
- The public open space provision comprises;
  - a neighbourhood park (Parade Park) with playground, exercise and amenity areas,
  - a public square (Magee Square) providing civic amenity space located adjacent to the main site entrance and forming the setting for local retail, gallery and café uses,
  - a local park (Magee Gardens),

- a number of smaller pocket parks (Coolmoney Square, Wickham Park and Henry Howard Gardens) and;
  - other incidental open space including linear parks and seating areas within Phase 1 of the Magee Barracks regeneration.
- The proposed neighbourhood park is in proximity to and accessed from Hospital Street (R445) with residential and commercial frontages on all sides and a range of uses which will act as destination and focal point in this new community.
- 3.72 We note that the 'Z- Regeneration' zoning objective is subject to a footnote which reads as follows:
- "The commitment to the local community on the sale of the barracks, given by the (then) Minister for Defence in regard to open space and community facilities representing about 10 acres of the site."*
- 3.73 In respect to the above firstly we note that c 3.62 ha (8.95 acres) of the Former Magee Barracks Site has been provided to the Department of Education, prior to our client purchasing the lands, for the provision of two no. primary schools. Both of the schools have now been completed. This c. 8.95 acres provides a significant portion of the 10 acres of open space and community facilities referenced above.
- 3.74 The applicant bought the subject site in 2016 and now seeks to bring forward a viable form of development which will assist in the proper planning and sustainable development of the town. In the context of the above aspect of the LAP the applicant proposes to provide c. 3.2 ha / 8.09 acres of open space on the overall masterplan lands (including the Cancer Treatment Clinic site). Thus, when taken with the school site, the requirement of *"about 10 acres"* of open space and community facilities on the overall Magee Barracks site will be significantly exceeded.
- 3.75 In addition, the Phase 1 application will include a childcare facility of circa 680 sq.m, neighbourhood centre facilities (3 retail units and a café including gallery/exhibition space) and a public square (Magee Square). A supermarket has been permitted and a Cancer Treatment Clinic (proton therapy) is proposed (at appeal stage currently) on lands within the overall Magee Barracks site. These developments will further contribute to the community facilities being provided on the subject lands and introduce a significant element of employment on the site.
- 3.76 Having regard to the strategic location of the Former Magee Barracks site and its importance to the future development of the town, and the sequential approach to residential development advocated in national planning policy guidance documents, it is respectfully submitted that the proposed Phase 1 development accords with the proper planning and sustainable development of the area.

#### *Design Brief/ Phasing of Development*

- 3.77 Section 7.6.2.5 of the LAP provides guidance on Implementation and Phasing of development at Magee Barracks. A strong emphasis is placed on phasing the development of lands for the Magee Barracks site sequentially thereby encouraging the better use of under-utilised lands with options and opportunities for brownfield regeneration prioritised.
- 3.78 We acknowledge that the LAP sets out an indicative 4 no. phase approach which can be summarised as follows:
- **Phase 1: Primary School Block to the north west of the site.**  
(It is noted 2 no. primary schools have been delivered).

- **Phase 2: Officers Mess and Parade Ring Block to the south east of the site.**
- **Phase 3: Employment and Enterprise Block to the south west of the site.**
- **Phase 4: Parkland Block to the north of the site.**

3.79 In addition we note that 'Map 7.6 (f): MB Site Framework' provides an indicative framework for the development of Magee Barracks illustrated in Figure 3.2 below.

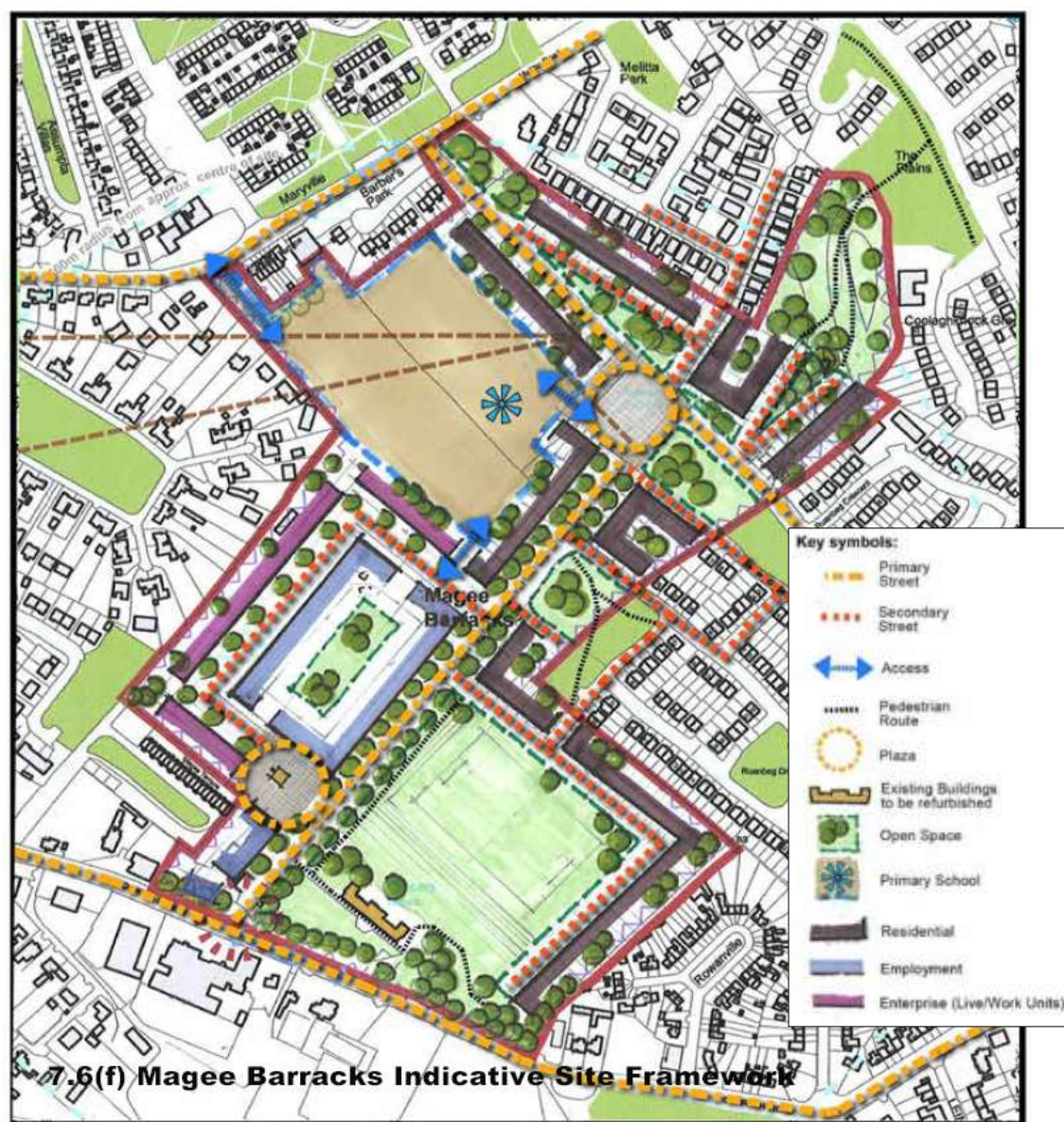


Figure 3.2: Magee Barracks Site Framework - Map 7.6 (f) of the LAP

3.80 Having regard to this indicative site framework and phasing proposals we wish to note the following points which demonstrate the compliance of the overall masterplan proposals for Magee Barracks with the framework set out in the LAP.

**A. Primary School Block to the north west of the site.**

3.81 The educational use envisaged for the primary school block to the north west of the site has been delivered in the form of 2 no. primary schools, Gaelscoil Mhic Aodha primary school and the Kildare Town Educate Together School, as illustrated in Figure 3.3 below.





**Figure 3.3: Delivery of Primary School Block/Education Use at Magee Barracks**

**B. Officers Mess and Parade Ring Block to the south east of the site.**

- 3.82 In relation to the Officers Mess and Parade Ring Block to the south east of the site, the LAP noted the aim to retain the existing buildings on site and refurbish them for integration with the overall redevelopment of the site. As addressed in detail herein, retention and repurposing of the existing building on site including the Officers Mess was not considered viable or sustainable.
- 3.83 The LAP noted a requirement for an attractive landscaped public plaza in this block. In this regard we wish to note the provision of 2 no. public plazas/squares referred to as Magee Square and Gannon Plaza.



**Figure 3.4 & 3.5: Magee Square and Gannon Plaza**



**Figure 3.6: Proposed Magee Square and entrance to development**

- 3.84 The indicative site framework for this block envisaged a large park area be provided and residential development *'wrapping the surrounding existing residential areas with housing of a similar scale and type which will front onto open space thus providing passive surveillance of the public realm'*. In this regard we wish to note that the Phase 1 development will deliver c 1.8 ha (4.5 acres) of open space (c. 16.6 % of the application site area), including a new neighborhood park (referred to as Parade Park), with a formal layout in a similar location to the Parade Ring Block.



**Figure 3.7: Proposed Parade Park and adjoining open space associated with the Cancer Treatment Clinic**

- 3.85 Residential development surrounds the proposed neighbourhood park as envisaged by the LAP providing passive surveillance of this public space, as illustrated in Figure 3.8 below.





**Figure 3.8: Proposed Parade Park and proposed residential development**

### **C. Employment and Enterprise Block to the south west of the site**

- 3.86 The indicative site framework suggests that the Employment and Enterprise Block shall facilitate employment such as offices, workshops, studios and limited shopping to support the new community.
- 3.87 The proposed development provides a neighbourhood centre/commercial centre including 3 no. retail units, café (including gallery/exhibition space) and creche uses in this block, which will provide employment and meet the day to day needs of the existing and future residents in the area. This is in addition to other employment generating land uses on the overall Magee Barracks lands including the permitted supermarket and the proposed Cancer Treatment Clinic (proton therapy) (subject to a first party appeal to ABP), illustrated below in Figure 3.9.



**Figure 3.9: Proposed Neighbourhood Centre and adjoining employment uses**

- 3.88 The LAP notes that active frontages at ground floor level should occur along the boulevard and Hospital Street which should include a good range of uses including neighbourhood shops, restaurant and cafés, a medical clinic or similar (e.g.

physiotherapist clinic), own door offices and other local neighbourhood facilities. The proposed development includes active frontages along the main link street and provides a new public square fronting Hospital Street to encourage the use of the space and the overall development by the public. A mix of uses are provided including retail units, a café / coffee shop (with gallery/exhibition space at mezzanine level) and a childcare facility. A Cancer Treatment Clinic (currently on appeal with ABP) addresses the medical clinic (or similar) requirement. The adjoining permitted supermarket addresses the requirement for a neighbourhood shop.

#### D. Parkland Block

- 3.89 This block relates to Phase 2 of the proposed development which will be subject to a separate future planning application. An indicative masterplan for the Phase 2 lands is included with this planning application. The Phase 2 proposals address one of the key concepts of the Site Framework outlined in the LAP which is the providing connectivity between Melitta Road and Hospital Street (R445).



**Figure 3.10: Phase 2 Indicative Layout**

- 3.90 The LAP notes that this block should comprise residential development of a similar scale and type to surrounding areas, and notes that views and vistas to surrounding landmarks such as St. Brigid's Cathedral and round tower should be provided for within the public realm. The indicative proposals for Phase 2 (which will be subject to a separate planning application in the future) address the requirements for residential development and provide open space centrally to accommodate views to the Cathedral and round tower.

#### Housing

- 3.91 Table 10 of the LAP sets out average density parameters for sites zoned for residential development within Kildare Town. A density parameter is not provided for Magee Barracks, having regard to the fact that a mixture of uses is envisaged on the lands. Section 2 above has discussed the issue of the proposed density in the context of national guidelines.

- 3.92 Policy HP 10 is *“To require applications for residential developments (over 20 units), to demonstrate the provision of an appropriate mix of dwelling types having regard to the following:*
- *The nature of the existing housing stock and existing social mix in the area;*
  - *The desirability of providing for mixed communities;*
  - *Provision of a range of housing types and tenures;*
  - *The need to provide a choice of housing, suitable to all age groups and persons at different stages of the life cycle; and*
  - *The need to cater for special needs groups.”*
- 3.93 The design and formulation of the proposed residential development has been informed by the nature of existing nearby and adjacent housing stock and has sought to provide for a development which can be integrated into the existing urban fabric of Kildare Town in a sensitive, site-specific manner. The development includes the provision of 10% social housing units on site, which will ensure a tenure mix within the development, while importantly adding to the housing stock available to Kildare County Council at a time of chronic housing undersupply – not least in terms of social housing. The development provides a range of house types and sizes, ranging from large 4-bedroom detached houses, to smaller 3-bedroom terraced houses, and 1, 2 and 3 bed apartments and duplex units. This will cater for a wide range of residents while responding to market demand in the region for housing of this type. All residential units and facilities are designed to be accessible for those with special needs and the elderly.
- 3.94 Policy HP 12 is *‘To facilitate and co-operate in the provision of community services including, in particular, local services, schools, crèches and other education and childcare facilities in tandem and in the vicinity of all new and existing residential development.’*
- 3.95 A childcare facility with GFA of 680 sq.m is proposed as part of the Phase 1 development. The subject site is also located adjacent to 2 no. schools located off Melitta road. These schools form the school block as envisaged within the design framework for Magee Barracks within the LAP. Both schools will be easily accessible from the development via a new pedestrian and cycle link.
- 3.96 Policy P O3 is *“To promote a high standard of architecture in the design of new housing developments and to encourage a variety of house types, sizes and tenure to cater for the needs of the population and facilitate the creation of balanced communities”*
- 3.97 The scheme for Phase 1 has been designed to exacting standards and provides for a variety of residential unit types throughout the development.

### **Economic Development**

- 3.98 Objective EDO 1 of the LAP is *“To promote Magee Barracks as an appropriate site to develop enterprise and employment. The regeneration of Magee Barracks should provide for economic activity to take place by facilitating and encouraging enterprise and the creation of employment. It is envisaged that this will occur through the development of commercial and enterprise blocks at a location close to the town centre.”*
- 3.99 The proposed neighbourhood centre will provide a modest level of employment within the Phase 1 development. The major employment use within the Magee lands is to be provided via a separate application for a Cancer Treatment Clinic (approved by KCC, subject to first party appeal to ABP). This large-scale, high value employment use will benefit Kildare town economically and in terms of direct and indirect employment



creation. A supermarket has also been recently permitted on the Magee Barracks lands. This will provide for additional employment / commercial use within the former Magee lands.

### **Retail**

- 3.100 Policy R8 under the Retail section of the LAP is *“To establish a new neighbourhood centre within the Magee Barracks regeneration site with a suitable range of uses to meet the daily needs of residents/employees of the emerging new neighbourhood and the existing surrounding residential area. This Neighbourhood Centre shall be of a size and function that ensures it complements rather than detracts or displaces retail or other activities from the town centre. The Neighbourhood centre may be anchored by a supermarket (net retail floorspace of up to 1,500m<sup>2</sup>) and have a limited range of non-retail services, civic, community and commercial and leisure floorspace”*.
- 3.101 The Phase 1 development includes the establishment of a new neighbourhood centre which will serve the needs of local residents and employees and will be of an appropriate scale. A supermarket has been permitted by Kildare County Council which will involve a relocation of the existing Lidl retail unit from the site to the south west. This neighbourhood centre ensures an active street frontage onto Hospital Street, substantially improving the public realm thereon.

### **Urban Design**

- 3.102 Policy D 4 of the LAP is to *“encourage increased permeability through the larger land parcels around the outer historic core and to link them to the existing hierarchy of routes and civic spaces within and around the town centre”*.
- 3.103 The proposed redevelopment of the barracks site provides for enhanced permeability across all transport modes through a large, previously inaccessible land parcel which constitutes a barrier to easy movement and circulation within the town in its current undeveloped state.
- 3.104 Policy UD 8 is *“To improve access and use of new and existing amenity spaces in the town through well designed developments that provide connections from the town centre by way of good linkages and a higher level of permeability”*.
- 3.105 The proposed development both includes a significant provision of amenity space, including a neighbourhood park, and serves to promote linkages and improves permeability.

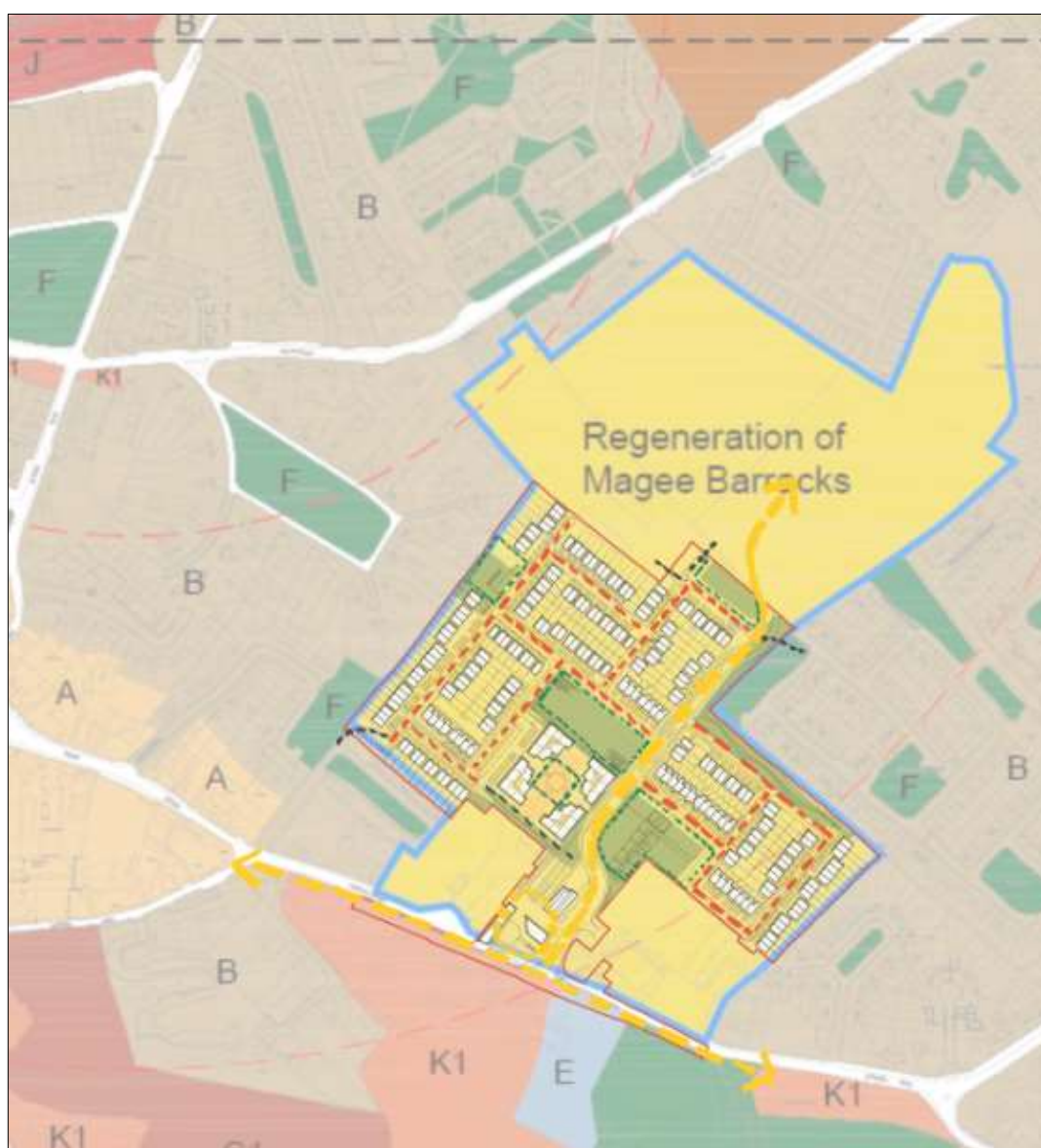
### **Recreation, Amenity and Open Spaces**

- 3.106 Policy AR 2 is *“To facilitate the development of a neighbourhood park in the Magee Barracks site, in accordance with the objectives set out in section 7.6.2 (Design Brief) of this plan”*.
- 3.107 In accordance with the design brief set out in the LAP, a neighbourhood park (Parade Park) is proposed within the Phase 1 Magee development. This park is designed for use as a high amenity space for the local area, with the provision of a large children’s playground, a boules area, exercise area, table tennis area and informal kickabout green space. The park also includes areas for passive recreation with ample seating and an attractive landscaping scheme based around a central pedestrian spine terminated by a stone plaza with a fountain. It is envisaged that this neighbourhood park will become a location for social interaction of all types – both active and passive, providing a key amenity to the proposed new neighbourhood and the surrounding area at large.

### Regeneration of Magee Barracks

- 3.108 The regeneration of the former Magee Barracks is highlighted as a significant opportunity in the LAP, which notes the sites strategic nature and proximity to the town centre. A design brief is included in the LAP for the regeneration of the former barracks lands. The Plan states that this design brief seeks to “*assist in the planning process by setting out broad design parameters*” for the regeneration of the site.
- 3.109 It is stated that the zoning of the site for regeneration will provide for a mix of employment, educational, community and residential uses. The proposed development includes a broad mix of uses including childcare, café, retail and significant quantum of residential units. The mixture of uses within the subject Phase 1 application will be further augmented by the development of a supermarket and a Cancer Treatment Clinic on the former Magee Barracks lands.
- 3.110 The LAP states that the plan for the site is “*centred on a hierarchy of routes, opens spaces, community facilities and amenities. New residential areas are developed around this network. Priority is given to the creation of clear urban framework that creates new connections to the surrounding urban fabric.*”
- 3.111 The proposed development strongly prioritises connectivity, permeability, legibility and ease of movement as part of the overall masterplan for the Magee Barracks site. This will ensure that this important and prominent site will no longer hinder movement between the town centre and residential areas to the east, thereby precipitating what is considered to be a significant planning gain.
- 3.112 Section 7.6.2 of the Local Area Plan seals specifically with the redevelopment and regeneration of the former Magee Barracks site. The development vision for the site is as follows:

*‘To create a new vibrant community quarter in the heart of Kildare town, which provides a mix of employment, education, residential and community uses, high quality public realm and open spaces, creating a built environment that reflects both the military history of the site and the existing urban fabric of the town’.*



**Figure 3.11: Proposed Scheme overlaid on Kildare Town Land Use Zoning Map**

- 3.113 The proposed redevelopment of the Magee site is wholly in accordance with the development vision as set out above. The proposed development comprises a rich mixture of uses, including a neighbourhood centre including 3 no. retail units, a creche and a café unit (including gallery / exhibition area at mezzanine level), along with 375 no. residential units within the Phase 1 development and a variety of high quality open spaces.
- 3.114 The LAP provides a site appraisal of the barracks site, highlighting the lack of permeability through the site and the key site features at present, including the former military buildings (which are in poor repair), the tree lined central avenue and the size of the site when compared to the surrounding finer urban grain.
- 3.115 Section 7.6.2.4 provides an urban design framework for the Magee Barracks site. A response to each of the elements of the design framework is provided below in order to demonstrate the consistency of the proposed development with the LAP.

**1. To mend and reconnect the urban fabric in order to increase accessibility and permeability.**

- 3.116 A core consideration in the formulation of the current development proposal was the need to connect the development into the surrounding urban fabric, thereby

ameliorating current issues with permeability and accessibility precipitated by the site in its present state.

- 3.117 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.
- 3.118 The Phase 1 development proposal will be served by a single vehicular entrance off Hospital Street, while the subsequent Phase 2 development will provide for the linking of Melitta Road and Ruanbeg Crescent. Links will also be provided between the Phase 1 development and the separate developments on Hospital Street for the provision of a supermarket and a Cancer Treatment Clinic.
- 3.119 The proposed Phase 1 development also provides for a series of pedestrian and cycle routes throughout the site, through parklands and tree lined boulevards, linking with Gaelscoil Mhic Aodha primary school and the Kildare Town Educate Together School to the west and onward to Melitta Road. These links and routes for pedestrians and cyclists will be added to and extended upon the bringing forward of the subsequent second phase of the Magee redevelopment, thereby ensuring excellent levels of permeability and accessibility for the new neighbourhood as a whole and improving the permeability of the wider area.

## **2. To increase commercial and sustainable economic activity by facilitating and encouraging enterprise and the creation of employment**

- 3.120 It is proposed to integrate economic activity and employment uses into the proposed development through the proposed neighbourhood retail area comprising 3 no. retail units, a café / coffee shop unit and a childcare facility.
- 3.121 These facilities will provide for a modest level of employment, which will be significantly augmented by adjacent supermarket and healthcare clinic which are being proposed for the former Magee Barrack Lands. The provision of a Cancer Treatment Clinic (subject to first party appeal to ABP currently) to the southeast of the Phase 1 lands in particular will precipitate a significant level of new employment and will have a positive direct and indirect economic and employment impact on Kildare Town.
- 3.122 These additional aspects of employment use on the Magee site will be integrated fully into the new neighbourhood set out in the overall masterplan and will ensure an appropriate mix of uses as provided for within the Local Area Plan and particularly under the Magee Barracks development framework.

## **3. To protect the amenity of the adjoining residential areas. Magee Barracks is surrounded by existing established residential areas**

- 3.123 It is considered that the proposed development will serve to protect and improve the amenity of adjacent and adjoining residential areas. The taller apartment elements of the proposed development and duplex units have been located centrally within the development and away from site boundaries with neighbouring residential areas, providing a higher density core and a more appropriate urban design solution, whilst addressing concerns about potential impact on residential amenity.
- 3.124 The development will also provide a number of key amenities and facilities which will be available to residents in surrounding areas, including a significant quantum of public high quality open space and a neighbourhood centre including retail units, a café unit and a childcare facility.



- 3.125 The subject site is currently in a derelict state, with the buildings relating to the previous military use in bad repair, and regular occurrences of trespassing and anti-social behaviour common on the site. The proposed development will see the redevelopment and rejuvenation of this important site for residential, childcare commercial and employment uses, to include the provision of landscaped public open spaces and additional significant employment generating uses subject to separate / concurrent planning applications.
- 3.126 The proposed development ensures that appropriate separation distances are observed between proposed and existing structures, in order to safeguard the privacy and visual amenity of neighbouring properties in the surrounding mature residential areas.
- 3.127 It is thereby seen that the proposed Phase 1 development will comprise the first major step in the enhancement of the wider area as a whole, with significant benefits accruing to neighbouring areas from the redevelopment of this significant underutilised brownfield site.

**4. To provide a range of appropriate recreational amenity and community uses for both new residents and the wider town, allowing the new neighbourhood to act as a focal point for social and cultural activities.**

- 3.128 The proposed development includes a series of high quality outdoor recreational and amenity spaces, ideally suited for both active and passive recreation. A site for a new primary school has already been provided, with Kildare Town Educate Together school now fully operational. An additional primary school to the east of the existing school (Gaelscoil Mhic Aodha) was permitted under Kildare Reg. Ref. 1613 and is now operational. The area of the former Magee lands devoted to educational use is c 3.62 ha (8.95 acres). A pedestrian / cyclist link with the existing schools is proposed as part of the current Phase 1 application.



**Figure 3.12: Kildare Town Educate Together School**



**Figure 3.13: Extract from site layout plan from Gaelscoil Mhic Aodha planning application (Reg. Ref. 1613)**

- 3.129 The proposed Phase 1 development includes significant areas of high quality open space, including a main neighbourhood park with landscaped gardens and recreational areas, including a boules area, large playground, informal kickabout space, exercise area and table tennis area. It is envisaged that the new neighbourhood park will attract users from the wider area, including the adjacent existing residential areas of Kildare town, providing for a much-needed additional recreational area and focal point for local residents.
- 3.130 The neighbourhood park proposed includes a playground, informal kickabout area, boules area, table tennis area and exercise area, along with areas of landscaped planting and a central pedestrian avenue terminated by a paved plaza with fountain.
- 3.131 A second local park is also proposed to the northwest of the main neighbourhood park, (Magee Gardens) with further space for both active and passive recreation, while smaller pocket parks are located within the Phase 1 lands.

**5. To provide strong physical links and connections to the surrounding areas in order to knit the subject site into its context.**

- 3.132 As set out under item 1 above, a core consideration in the formulation of the proposed overall masterplan for the subject site, and the current Phase 1 scheme was the need to foster strong links and physical connections to surrounding areas in order to knit the subject site into the wider area.
- 3.133 This has been achieved through the enhancement of permeability within and through the site and the linking of the proposed development directly into the urban fabric. It is envisaged that the proposed development will fit seamlessly into its surroundings, effectively healing the wound in the urban fabric caused by the long-time vacancy of the barracks lands.
- 3.134 A high standard of architectural design has been adhered to throughout the scheme, ensuring that the proposed development will add to, and improve the visual amenity of its surroundings, in addition to precipitating significant planning gains in terms of permeability, recreation and facilities as outlined above.

## **6. To provide integration of the new communities with the established communities in the area.**

- 3.135 The design of the proposed scheme will ensure that the community within the new neighbourhood will reside in an area which knits well with the adjacent residential areas and the wider context of Kildare town.
- 3.136 The proposed pedestrian and cyclist routes, outdoor amenity areas, retail café and childcare units will serve to draw members of established communities through and into the subject site in order to enjoy the public amenities proposed therein. It is seen that these public goods will enhance living conditions for the wider community and foster interaction between the proposed and existing neighbourhoods in the area.
- 3.137 The provision of additional employment uses on the former Magee Lands via the proposed Cancer Treatment Clinic and permitted supermarket will further integrate the redeveloped Magee site into its established surroundings, via the employment of local residents in the proposed developments.

### **Implementation and Phasing**

- 3.138 Section 7.6.2.5 of the Local Area Plan sets out indicative phasing and implementation suggestions for the redevelopment of the former barracks site. The indicative phasing comprises 4 no. phases.
- 3.139 The first of these phases is the 'Primary School Block' centring on the delivery of a primary school and associated active spaces, with the remainder of this sector of the Barracks site to be used for residential development.
- 3.140 As set out above, a large primary school has been delivered and is fully operational on this portion of the former Barracks site. This primary school (Kildare Town Educate Together) includes significant sports and outdoor activity areas. A second primary school (Gaelscoil Mhic Aodha) has been completed adjacent to the subject site, thereby effectively completing the planned Primary School Block phase of the Magee regeneration.
- 3.141 This primary school area with associated facilities will be linked via pedestrian and cycle route with the proposed Phase 1 development to enhance the permeability of the new neighbourhood and provide for ease of access to and from the school.
- 3.142 The remaining phases set out in the Local Area Plan are yet to be undertaken. The currently proposed Phase 1 development and overall masterplan for the site puts forward a revised phasing, effectively grouping the large majority of phases 2 and 3 as provided for in the LAP into the current Phase 1 application. With the balance of the site to be developed under a subsequent Phase 2 application and employment / retail uses to be provided for via separate developments (permitted supermarket and proposed Cancer Treatment Clinic).
- 3.143 The proposed Phase 1 development is to be divided into 4 no. development sub-phases based on the delivery of the neighbourhood centre area, creche and a large park within the development initially, with three further development phases comprising apartments and residential units and additional open space to follow. This development sub-phasing is illustrated in the phasing drawing prepared by RKD Architects.
- 3.144 Employment generating / commercial uses are provided for through a permitted supermarket and a proposed Cancer Treatment Clinic within the Magee Barracks lands.

- 3.145 The Cancer Treatment Clinic development in particular will ensure the location of a major high value employment use within the former Magee lands, in compliance with the LAP policies and objectives for employment creating uses on the Magee site.

### Housing Provision

- 3.146 The LAP provides a table of estimated unit numbers to be accommodated on the Magee lands in accordance with the indicative framework plan provided in the LAP. This table indicates a total of 161 residential units on the lands.

- 3.147 The indicative recommendation of 161 no. residential units on the Magee Lands is qualified / clarified by the following paragraph of the LAP:

*“The table below estimates the potential numbers of residential units that may be accommodated within the proposed design brief. **The actual final numbers of residential units will only be determined following detailed design and planning considerations** for the development of each phase.” (JSA emphasis)*

- 3.148 The quantum of units envisaged by the LAP is considered by the Board to be a conservative figure, and the decision of the Board on the previous SHD, and their opinion on the pre-application proposals states the need for greater densities on the subject site. The design proposed for the Magee lands complies broadly with the design brief set out in the LAP, while also providing a considerably greater quantum of housing (totalling 375 no. units in Phase 1) as required to address the reason for refusal on the previous scheme, and ABP’s opinion on the pre-application proposals.

- 3.149 This is considered to be appropriate having regard to the housing allocations set out in the LAP and in the current Kildare County Development Plan, and the fact that the site is sequentially best located within Kildare town to provide a significant quantum of housing in close proximity to the town centre.

- 3.150 The scheme also has regard to the level of housing need and demand in the GDA as set out in the Rebuilding Ireland Plan for Housing and Homelessness, which highlights the need for the swift delivery of housing across all tenure types. It is envisaged that the proposed development will play a significant role in responding to the demand for private housing in Kildare Town, while also contributing a significant quantum of social housing (38 no.) to the Local Authority housing stock.

- 3.151 The LAP also states that the indicative framework plan set out therein is *“provided for illustration purposes only, demonstrating how the site organisation can be used to provide a new street pattern, sympathetic to the historic core using a mix of building uses and types to create a vibrant new area”*.

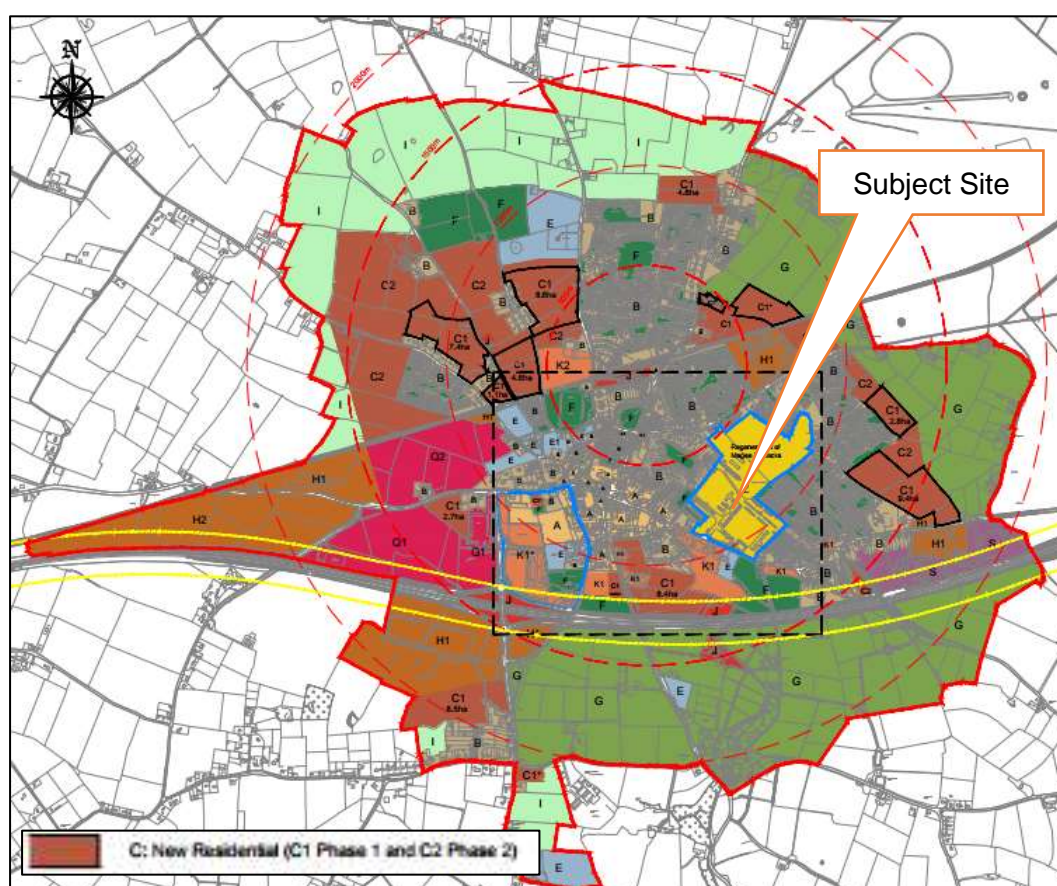
- 3.152 The proposed development differs from the illustrative masterplan provided in the LAP; however it is considered that the proposed development, as part of the wider masterplan, is broadly consistent with the overall development principles for the future redevelopment of Magee Barracks including the provision of a street pattern which is sympathetic to the core of the town, and with the vision as set out in the LAP which is:

*‘To create a new vibrant community quarter in the heart of Kildare town, which provides a mix of employment, education, residential and community uses, high quality public realm and open spaces, creating a built environment that reflects both the military history of the site and the existing urban fabric of the town’*

- 3.153 The proposed also provides for a mix of building types and uses, thereby ensuring the creation of a lively new neighbourhood.



- 3.154 The Kildare Town LAP states that the delivery of units within Kildare Town will follow the sequential approach with residential development only being permitted on Phase 2 lands once the Phase 1 lands are developed appropriately. It is considered that the Magee Barracks site is sequentially the best available location within Kildare Town for housing provision and is suitable for the provision of the proposed quantum of residential units. The strategic location of the former Magee Barracks is clearly illustrated in the extract from the Kildare Town LAP zoning map provided below.
- 3.155 Furthermore, a broad planning search was conducted in respect of the Phase 1 Residential zoned lands as set out in the LAP, the results of which are outlined in Appendix 1 of this Statement of Consistency. This search revealed that the large majority of C1 sites have active planning permissions (as noted in the core strategy allocations for Kildare Town in the CDP and in the Kildare Town LAP). Of the remaining sites zoned for residential development, the former Magee site is the best placed sequentially to meet housing demand.



**Figure 3.14: Extract from Kildare Town LAP zoning map**

- 3.156 Following the undertaking of a detailed, in depth design process for the subject site, and having regard to the decision of the Board on the previous scheme, a total residential provision of 375 no. units is proposed for the Phase 1 development on the subject site, with a further 250 no. units envisaged within the Phase 2 future development. This proposed housing provision is cognisant of the central strategic location of the site and will provide for an attractive new neighbourhood on this significant brownfield site.
- 3.157 This housing provision will play a central role in the meeting of the existing remaining housing allocation / deficit for Kildare Town as outlined in the County Development Plan and responding to strong market demand for housing in the area.

- 3.158 This overall housing allocation and density on the former Magee site is seen to be appropriate having regard to the size and location of the site, which constitutes the best sequentially located site for residential development within Kildare Town.
- 3.159 A review of the planning history for Kildare Town for permissions on Phase 1 zoned lands (included as Appendix 1 of this report) indicates that the majority of the Phase 1 lands have active planning permissions for residential development. It is therefore considered that the Core Strategy unit target should be allocated to lands at the former Magee Barracks and the remainder of the Phase 1 lands in order to provide the required unit target in a sustainable manner.

#### **4.0 CONCLUSION**

- 4.1 The statement set out herein demonstrates the consistency of the proposed development with the relevant national, regional and local planning policy context.
- 4.2 At a national and regional level, this statement has demonstrated the consistency of the development with the following:
- Project Ireland 2040 - National Planning Framework,
  - Regional Spatial & Economic Strategy (RSES) - Eastern and Midland Regional Assembly
  - Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2018)
  - Urban Development and Building Heights Guidelines (2018)
  - Design Manual for Urban Roads and Streets (2013);
  - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
  - Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities;
  - Guidelines for Planning Authorities on Childcare Facilities (2001);
  - Smarter Travel – A New Transport Policy for Ireland (2009-2020);
  - The Planning System and Flood Risk Management (2009); and
  - Birds and Habitats Directive – Appropriate Assessment;
- 4.3 Compliance is also demonstrated with the policies and provisions of the Kildare County Development Plan and the Kildare Town Local Area Plan, which are the key planning policy documents at a local level. We note that ABP considered the quantum of units envisaged by the LAP to be a conservative figure and requested greater densities and an increased unit quantum on the subject site. We would agree with this consideration, however if An Bord Pleanála consider the unit quantum of 375 now proposed to be a material contravention of the Kildare Town Local Area Plan 2012 – 2018, we have enclosed a Statement of Material Contravention having regard to Section 37(2)(b)(ii) and (iii) of the Planning and Development Act, 2000 (as amended).
- 4.4 The proposed unit quantum is considered appropriate having regard to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities, and having regard to the sites appropriate location sequentially within Kildare Town.
- 4.5 We note that the LAP sets out a Design Brief/ Urban Design Framework for Magee Barracks. We have set out in detail herein the areas where the proposed development complies with the LAP and the development principles for the future development of Magee Barracks. Deviations from the indicative framework set out in the LAP for Magee Barracks are considered to occur where the LAP is inconsistent with recent national planning policy (including the National Planning Framework, the Regional

Spatial and Economic Strategy for the EMRA, the Urban Development and Building Heights Guidelines and the Apartment Guidelines 2018) in relation to sustainable densities, integration of land use and transportation and the need to regenerate at appropriate densities our town centres, brownfield lands and lands with good public transport provision. In particular the LAP is not considered to accord with the requirement to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities, and having regard to the sites appropriate location sequentially within Kildare Town.

- 4.6 It is respectfully submitted that the proposed development will provide an appropriate form of high-quality residential development at an appropriate density for this substantial site which is zoned for regeneration. The changes introduced since the pre-application submission include the addition of 4 no. blocks of apartments providing 122 no. units which replaces 56 no. duplex units, which seeks to address the Board's concerns regarding density.
- 4.7 This statement of consistency demonstrates that the proposed development complies with the national, regional and local planning policy framework and that the proposal will provide for an efficient use of this strategically located and underutilised brownfield site.
- 4.8 The proposed development and accompanying documentation and reports have been prepared following pre-planning consultation with Kildare County Council and An Bord Pleanála as detailed in Section 4 of the Cover Letter/Planning Report prepared by John Spain Associates.
- 4.9 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.

## **APPENDIX 1: PHASE 1 RESIDENTIAL ZONED LANDS IN KILDARE TOWN - PLANNING HISTORY REVIEW AND MAP**

### **Phase 1 Zoned Lands, Planning History Review**

A review of the planning history for Kildare Town revealed the following permissions for the Phase 1 zoned lands. Figure A1 clearly indicates that the majority of the Phase 1 lands have active planning permissions for residential development. It is therefore considered that the Core Strategy unit target should be allocated to lands at the former Magee Barracks and the remainder of the Phase 1 lands in order to provide the required unit target in a sustainable manner. Figure A1 indicates the location of each landholding in the context of the Kildare Town LAP land use zoning map.

#### ***Rathbride Road, Kildare Town, Co. Kildare***

Reg. Ref. 07910 Planning permission was granted on 6<sup>th</sup> May 2009 for a total of 98 no. resident; units, 1 no. shop unit, 1 no. crèche unit and all associated site works at lands off Rathbride Road, Kildare Town, Co. Kildare.

**Reg. Ref. 14282** Extension of duration application to extend Reg. Ref. 07/910 at Rathbride Road Kildare

Kildare County Council decided on 25<sup>th</sup> July 2014 to extend the appropriate period of planning permission Reg. Ref. 07/9910

#### ***Melitta Road, Kildare Town, Co. Kildare***

**Reg. Ref. 13/250** Extension of duration permission of Reg. Ref. 06/1697 for a residential development consisting of a total of 110 houses, including 2 no 3 bed detached houses, 94 no. 3 bed semidetached houses and 14 no. 3 bed terraced houses all of which are 2 storeys and a single-story crèche.

An extension of duration was granted on 28<sup>th</sup> May 2013 for a further period of 5 no. years.

**Reg. Ref. 06/1697** Planning permission was granted on 15<sup>th</sup> July 2008 for a residential development consisting of a total of 110 houses, including 2 no. 3 bed detached houses, 94 no. 3 bed semidetached houses and 14 no. 3 bed terraced houses all of which are 2 storeys and a single storey crèche /

#### ***Dunmurray Road, South Green, Kildare Town, Co. Kildare***

**Reg. Ref. 13154** Extension of duration permission of Reg. Ref. 071449 for a mixed-use development (Phase 1B) consisting of 245 no. dwelling units and a local services centre. The residential element consists of 219 no. two storey houses of varying types, 48 no. four bedroom semidetached houses etc. at Dunmurray Road, South Green, Kildare

Extension of duration was granted on 17<sup>th</sup> June 2013 for a period of 5 no. years up to and including the 6<sup>th</sup> August 2018.

**Reg. Ref. 071449** Permission granted on 8<sup>th</sup> August 2008 for a mixed-use development consisting of 245 no. dwellings unit and a local service centre.

#### ***Hill Road, South Green, Kildare Town, Co. Kildare***

**Reg. Ref. 13155** Extension of duration of Reg. Ref. 07/1450 for residential development consisting of 212 no. dwellings of varying types as follows: 38 no. 4 bedroom semidetached houses, 75 no. three bedroom end of terrace houses, 22 no. 2 bedroom md terrace houses and 6 no. 2 bedroom and of terrace houses at Hill Road, South Green, Kildare Town

Permission granted on 26<sup>th</sup> April 2013 for a further 5-year period up to and including 6<sup>th</sup> august 2018.

**Reg. Ref. 071450** Permission granted on 8<sup>th</sup> august 2008 for residential development consisting of 212 no. dwellings of varying types.

### ***Greyabbey, Kildare Town, Co. Kildare***

**Reg. Ref. 042974** 10 year planning permission to develop lands on site art Greyabbey, Kildare. The development consists of 8 no two storey car showroom with ancillary offices at ground and first floor level, 28 no. two storey warehouse/industrial/manufacturing units arranged in block of 4 or 2 units and containing ancillary office space at ground and first floor levels, 48 no. two storey light industrial /warehouse units within ancillary office space at ground and first floor levels, 2.1 hectares reserved for services sites with vehicular entrance, a 3 storey office block, 2 no. two storey office blocks a single storey security hut at entrance to industrial and business park. ; A 150 no. bed, three storey hotel with a 4 storey central core element including leisure centre, conference/function rooms, bar/restaurant, and associates site works. ; A residential development comprising of 342 no. residential units on 9.51 hectares with a range of dwelling types , 2 no. crèche units, public park; A motor services complex comprising 3 no storey 110 bedroom hotel with restaurant and ancillary facilities, a 2 storey petrol filling station with ancillary office and storage, car wash; A restaurant, public house contained within part 2 storey part single storey drive thru restaurant, 2 no three storey blocks containing 8 no. retail units and 16 no. 2 bedroom apartments

Planning permission was granted on 8<sup>th</sup> February 2007 by Kildare County Council. A 1<sup>st</sup> party appeal was made to an Bord Pleanála but was withdrawn.

**Reg. Ref. 161360** Extension of duration granted on the 24<sup>th</sup> of February 2017 for the extension of permission 042974 until the 22<sup>nd</sup> of June 2022.

**Reg. Ref. 071211** Permission for the change of use and all associated site works for buildings no. 8.1,8.2,8.3. & 7.5 and part of the neighbourhood centre. Building 8.1 change of use from workshops on the ground and first floors to retail on the ground floor and 2 no. 2 bedroom residential units on first floor. Building 8.2 change of use from workshops on the ground and first floors to retail on the ground floor and 2 no two-bedroom residential unit on first floor. Building 8.3 change of use from workshops to retail on ground floor and 6 no. two bedroom residential units on first floor. Building 7.5 change of use from office to retail on ground floor and medical centre and dental on first floor. Previously approved Building 8.4 will be omitted and replaced with 10 no. residential units consisting of 6 no. 2 bed units, 2 no. 3 bed units and 2 no. 4 bed units.

Permission was granted on 21<sup>st</sup> November 208 by Kildare County Council.

**Reg. Ref. 17523** Permission on a portion of the above site at Greyabbey (which relates to Reg. Ref. 042974) for the development of 207 no. residential units, private and public open space, a creche and all associated site and ancillary works.

A request for Further Information was made in respect of this application on the 4<sup>th</sup> of July 2017.

#### ***Loughamine, Kildare Town, Co. Kildare***

**Reg. Ref. 072012** Planning permission was granted by Kildare County Council on 1<sup>st</sup> April 2008 for the construction off 16 no. dwellings, car parking and bicycle parking at Loughamine Kildare

**Reg. Ref. 13262** Extension of duration of Reg. Ref. 072012. Permission granted on 30<sup>th</sup> May 2013 by Kildare county Council to extend the life of the permission up to and including 30<sup>th</sup> March 2018.

#### ***Loughlione, Kildare Town, Co. Kildare***

**Reg. Ref. 061003** Planning permission for the construction of 75 no. two storey houses and a two storey crèche and play area as follows, 56 no. two storey three-bedroom terraced houses, 12 no. two storey four-bedroom terraced houses, 7 no. two storey 4 no bedroom detached houses and a two storey crèche.

Planning permission was granted by Kildare County Council on 15<sup>th</sup> October 2007.

**Reg. Ref. 111135** Extension of duration granted on 30<sup>th</sup> January 2012 for planning permission 061003 for a period of 5 no. years.

B.3 The following planning permissions relate to development on Phase 1 lands which have been or are currently under construction.

#### ***Curragh Road, Kildare Town, Co. Kildare***

**Reg. Ref. 072326** Planning permission for 10 no detached 4 bedrooms 2 storey houses, 20 no. semidetached 4 bedroom 2 storey houses, 7 no. detached 3 bedroom 2 storey houses, 186 no. semidetached 3 bedroom 2 storey houses, 13 no terraced 2 bedroom 2 storey houses at Collaghknock Glebe, Curragh Road, Kildare

Kildare county council granted permission on 9<sup>th</sup> July 2009 for the subject development.

#### ***Melitta Road, Kildare Town, Co. Kildare***

**Reg. Ref. 14967** Planning permission granted by Kildare County Council on 4<sup>th</sup> May 2015 for 38 no. new houses consisting of 2 no two storey plus dormer five bedroom semidetached houses and 34 no. two storey plus dormer four bedroom semidetached houses and 2 no two storey four bedroom detached houses to replace 45 n. previously approved houses Reg. Ref. 13/250 reducing the total number of proposed houses from 112 to 105 and for all associated revision to parking, internal road, new boundary walls and footpaths and services on site next to Melitta Lodge, Melitta Road, Kildare, Co. Kildare

#### ***Greyabbey, Kildare Town, Co. Kildare***



**Reg. Ref. 151185** Planning permission for development of a residential scheme on a site of 10.12 hectares consisting of 208 no. residential units comprising 5 no. five bedroom two storey houses, 82 no. four bedroom two storey houses and 121 no. three bedroom two storey houses. The proposed development will also consist of the provision of car parking spaces, vehicular and pedestrian access and access via the Nurney Road, with associated upgrade works to the Nurney Road to include a right hand turning lane, footpath and cycle lane, provision of internal routes for vehicles, cyclists and pedestrian; SUDS provision of pumping station including ancillary associated infrastructure, renewable energy facilities, signage, hard and soft landscaping works, boundary treatments and all other site excavation works above and below ground.

Planning application is currently at further information stage. Requested by the Council on 25<sup>th</sup> February 2016.

### ***Tully Road, Kildare Town. Co. Kildare***

**Reg. Ref. 111153** Planning permission for a period of 10 years consisting of the demolition of an existing two storey office building and agricultural outbuildings and the construction of 170 no. dwellings. The residential development will consist of 2 no. vehicular access point from Tully Road and 2 no vehicular access point from Meadow Road. The development includes a two storey commercial building with separate vehicular access from Tully Road comprising a crèche at ground floor and office accommodation at first floor at land bounded to the north by Meadow Road to the west by Tully Road and to the south by the M7 motorway

Permission was granted by An Board Pleanála on 28<sup>th</sup> March 2013.

Figure A.1 below indicates the location of the above referenced planning permissions in relation to the Kildare Town Development Area. It is clear that the majority of Phase 1 lands contain active planning permissions, however, a number of Phase 1 sites to the east of the town are undeveloped. These lands in addition to the former Magee Barracks site are sequentially the next areas to be developed, and Magee Barracks is the best located site in sequential terms of those remaining.

It is clear that the former Magee Barracks site occupies a strategically located landholding which is sequentially preferable when considered against other Phase 1 zoned lands. As such it is considered appropriate to bring forward the Phase 1 development of 241 no. units on the former Magee Barracks at this time, with the subsequent Phase 2 development to come forward under the new LAP which will be prepared in 2018. This will deliver a sustainable development in accordance with the sequential approach and proper planning of the area.

Table A1 and A2 provides a summary of extant planning permissions and constructed developments to date on residential zoned land in Kildare Town.

**Table A1: Details of Phase 1 Planning Permissions**

Register Reference	EOD	Location	Decision Date	No. of Units	Expiration	Status
07/910	14/282	Rathbride Road	Grant 25/07/2014	98	2019	Extant
06/1697	13/250	Melitta Road	Grant 28/05/2013	110 (72 of which are	2018	Extant

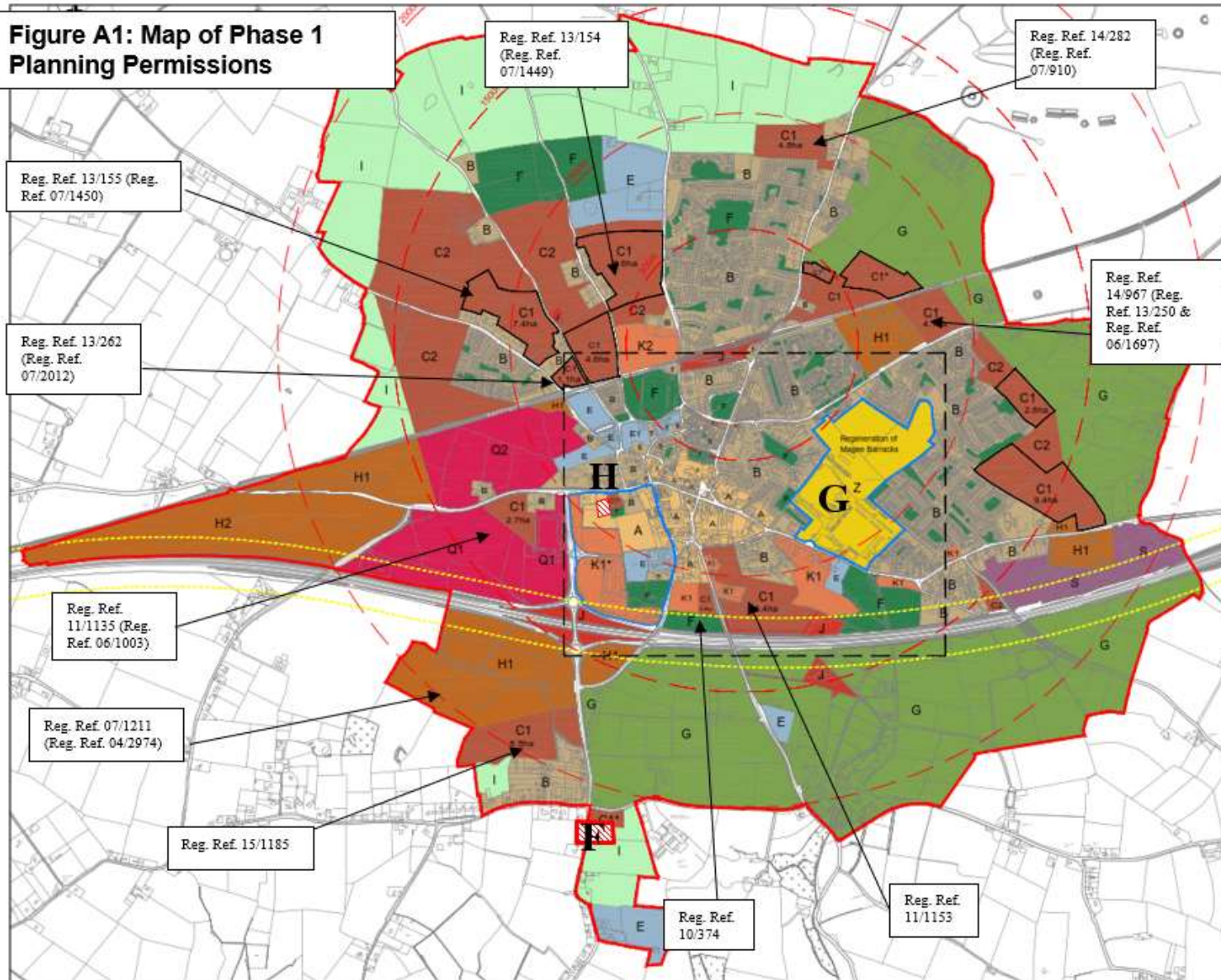
				complete)		
07/1449	13/154	Dunmurry Road, South Green	Grant 17/06/2013	245	06/08/2018	Extant
07/1450	13/155	Hill Road, South Green	Grant 26/04/2013	210	06/08/2018	Extant
04/2974		Greyabbey, Kildare	Grant 08/02/2007	257	10 year permission 2017 extended to 2022	Extant
07/2012	13/262	Loughamine Kildare	Grant 30/05/2013	16	30/03/2018	Extant
06/1003	11/1135	Loughlun, Kildare Town	Grant 30/01/2012	74	2017	Extant
10/374	15/653	Tully Road	21/09/2015	18	2020	Extant
<b>Total Extant Units</b>				1,029		
<b>Minus Unit Complete under Reg. Ref. 06/1697</b>				957		

Table A2: Constructed Development on Phase 1 Lands

Register Reference	Extension of Duration	Location	Decision Date	No. of Units	Expiration	Status
07/1211	n/a	Greyabbey, Kildare	Granted 21/11/2008	20	2018	Constructed / Under Construction
11/1153	n/a	Lands bounded to the north by Meadow Road, to the west by Tully road and to the south by M7 motorway	Granted 28/03/2013	170	2023 (10 Year permission)	Constructed / Under Construction



**Figure A1: Map of Phase 1 Planning Permissions**



**Appendix 2 - Assessment of Potential Material Contraventions**

Assessment of Potential Material Contraventions				
Policy Document	Policy	Kildare County Council Pre-App Opinion	An Bord Pleanala Assessment of Reg. Ref.: ABP-301371-18	Applicant Response
<b>Kildare County Development Plan 2017-2023</b>	<p><b>Core Strategy and Settlement Strategy</b></p> <p>The core strategy of the County Development Plan identifies Kildare Town as a Moderate Sustainable Growth Town located in a hinterland area.</p> <p>The Settlement Strategy sets out a settlement hierarchy to underpin decisions regarding the location and scale of new developments such as housing, employment creation and social and physical infrastructure provision.</p> <p>Policies include:</p> <p>SS 1: Manage the county's settlement pattern in accordance with the population and housing unit allocations set out in the RPGs, the Settlement Strategy and hierarchy of settlements.</p> <p>SS 2: Direct growth into Large Growth Towns, followed by Moderate Sustainable Growth Towns and Small Towns, whilst also recognising the settlement requirements of rural communities.</p>	<p>The report by KCC states that based on an assessment of the zoned lands in County Kildare, that there is a potential capacity surplus in Kildare Town of 2,027 units, the highest surplus of any town in the County. This figure represents c. 51% of the total capacity surplus units of the County as a whole.</p> <p>The report states that <i>'it is considered that the proposed development on lands not designated specifically for new residential development would significantly alter the settlement strategy figures for Kildare Town to the detriment of currently zoned land within the town and to the wider Hinterland/County area and in this regard, is considered to run counter to the Core and Settlement Strategy policies and objectives of the Kildare County Plan 2017-2023'</i>.</p> <p>The report concludes by stating:</p> <p><i>'It is considered that the proposed development would materially contravene the provisions of the Kildare Town Local Area Plan 2012-2018 for failure to adhere to the provisions set out for the regeneration of a strategic site, would artificially distort the Core and Settlement Strategy figures set out in the Kildare County Development Plan 2017-2023 for future housing provision within Kildare Town, would in the absence of provision of a wider range of uses on site, lead to an increase in commuting levels from the town, contrary to the provisions of the Core Strategy and would therefore fail to accord with the proper planning and sustainable development of the area.'</i></p>	<p>In the Report on the previous scheme, the ABP Inspector stated the following:</p> <p><i>'I refer the Bord to the 'Land Use Zoning Objectives Map' within the Kildare Town LAP which clearly shows the location of the subject site relative to Kildare town centre and relative to Phase 1/Phase 2 residentially zoned lands. I note that this Plan has been in place since 2012 so there has been ample time for developer's to apply for permission on such Phase1/Phase 2 zoned lands during that period and there has been relatively limited permissions granted on these lands during that time'.</i></p> <p><b><i>'I do not concur with the assertion of the planning authority that the proposal represents a material contravention of the plan. The proposal is located adjacent to the town centre on lands zoned for a mix of uses, in which residential development is permitted in principle. The site is located in much closer proximity to the town centre than other Phase 1 /Phase 2 lands, some of which are located a considerable distance away from the town centre and I therefore consider that the development of this site for such uses is sequential in nature and could reasonably be seen as a natural extension to the town centre'</i></b> (emphasis added).</p> <p>And;</p> <p><i>'I note the policies and objectives within Rebuilding Ireland - The Government's Action Plan on Housing which also fully support and reinforce the need for urban infill residential development such as that proposed on sites in close proximity to quality public transport routes and within existing urban areas. I consider that this former Magee Barracks site is one such site'.</i></p> <p>In summation we note in relation to Core Strategy and unit quantum that the Board</p>	<p>Having regard to the discussion below and herein and having regard to the opinion of ABP in this regard, we do not consider the proposed development would materially contravene the Kildare County Development Plan 2017-2023 in respect of the Core and Settlement Strategy.</p> <p>Firstly the Board have accepted the principle of a high density residential development on this site under the first application (Reg. Ref.: ABP-301371-18) and did not consider that the previous proposal of 264 no. units materially contravened the CDP. As noted, ABP required a higher quantum of development on the subject site and refused the proposal on lack of sufficient density.</p> <p>The Board have also advised in their pre-application opinion of the need for a revised density calculation which has necessitated an increase in unit numbers, further endorsing the need for appropriate density of residential development on the subject site.</p> <p>The Board also noted the site's location proximate to a train station and town centre, and that the site is an appropriate location for a significant quantum of residential development having regard to national planning policy, particularly the NPF.</p> <p>Table 3.4 of the CDP sets out the Development Capacity of County Kildare and Kildare Town shows a potential capacity surplus of 2,027 units over 134 hectares of zoned land. The quantum of undeveloped zoned land (recorded in 2015) in Kildare Town is the second highest in the county.</p> <p>In relation to this large quantum of undeveloped zoned lands and potential capacity surplus in Kildare Town, it is considered that the opportunity to regenerate a strategic brownfield site proximate to the town centre which will deliver significant residential development in addition to retail and childcare facilities and public space is compliant with proper planning and sustainable development.</p> <p>As noted, and reinforced by ABP, the subject brownfield site is considered to be sequentially very suitable for residential development, and the proposed development will significantly contribute to achieving the housing targets for Kildare Town within the Development Plan period.</p> <p>The existence of other less suitably located zoned lands in Kildare Town noted by ABP as being located a considerable distance away from the town centre, which have not been brought forward for development would not appear to be a justifiable reason for curtailing the development of a substantial brownfield regeneration site at a sustainable density.</p>



		<p>On a related matter, Kildare County Council also consider that a higher net density could be achieved in parts of the site, with other regeneration uses elsewhere, notwithstanding the issues raised in the Opinion and previous report on the refused SHD.</p>	<p>have accepted the principle of higher density development on the subject site on the previous application and indeed refused the scheme based on the density not being sufficiently high.</p> <p>ABP also considered that the revised proposals presented at pre-application stage required further consideration in relation to the method of calculation of net site area and density which has resulted in a further increase in density and unit quantum (298 to 375 no. units).</p>	<p>The development of suitably located zoned lands adjacent to public transport and the town centre has the positive planning benefit that less sequentially suitable lands on the periphery of the town which proliferate urban sprawl and car based travel are not required in the short term. This is considered positive having regard to best practice in planning and sustainable development.</p> <p>This overall housing allocation and density on the former Magee site is seen to be appropriate having regard to the size and location of the site, which constitutes the best sequentially located site for residential development within Kildare Town.</p> <p>In conclusion we do not consider the proposed development would materially contravene the Kildare County Development Plan 2017-2023 in respect of the Core and Settlement Strategy.</p>
	<p style="text-align: center;"><b>Housing Mix</b></p> <p>Policy MD1 states:</p> <p><i>“Ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the county in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual to support a variety of household types”.</i></p> <p>Objective MDO1 of the Development Plan is to <i>“Require that new residential developments provide for a wide variety of housing types, sizes and tenures”.</i></p> <p>Objective MDO3 requires ‘that applications for residential or mixed-use development with a residential element are accompanied by a Statement of Housing Mix, in accordance with Table 17.3, to address the mix of dwelling types proposed. The Statement of Housing Mix should demonstrate a need for such accommodation, based on local demand and the demographic profile of the area’.</p>	<p>The report by KCC on the pre-application proposals states that half the units are 3 bed units and only 29% of the units are 1 or 2 bed units.</p> <p>It is considered that the proposed housing mix may not fully address the requirement for smaller household sizes and remains a predominantly 3 and 4 bed suburban scale development.</p>	<p>The report of ABP on the pre-application proposals did not provide an opinion on the proposed housing mix.</p>	<p>Having regard to the requirements of Kildare County Council, a revised housing mix has been developed which increased the proportion of 1 and 2 bed units to 12.3% and 33.6% respectively, with the proportion of 3 bed units reduced to 36.3%.</p> <p>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.</p> <p>We do not consider the revised proposals would materially contravene the Kildare County Development Plan 2017-2023 in respect of housing mix.</p> <p>The proposed development exceeds the thresholds set out in Table 17.3 of the Kildare County Development Plan 2017-2023 and therefore a Statement of Housing Mix has been submitted with the planning application.</p> <p>The proposed housing mix has been determined having regard to demographic and social analysis and local market knowledge of housing demand in the town; in addition to national planning policy and the Boards decision in relation to the previous SHD application on the subject site.</p>

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Kildare Town Local Area Plan 2012-2018	<p><b>Unit Quantum</b></p> <p>The LAP provides a table of estimated unit numbers to be accommodated on the Magee lands in accordance with the indicative framework plan provided in the LAP. This table indicates a total of 161 residential units on the lands.</p> <p>The indicative recommendation of 161 no. residential units on the Magee Lands is qualified / clarified by the following paragraph of the LAP:</p> <p><i>“The table below estimates the potential numbers of residential units that may be accommodated within the proposed design brief. <b>The actual final numbers of residential units will only be determined following detailed design and planning considerations for the development of each phase</b>” (JSA emphasis).</i></p>	<p>The report by KCC states the following in relation to the LAP:</p> <p><i>‘It is considered that the proposed development would materially contravene the provisions of the Kildare Town Local Area Plan 2012-2018 for failure to adhere to the provisions set out for the regeneration of a strategic site’.</i></p> <p>It notes this opinion has had regard to the number of dwelling units on the site in the absence of significant other land uses on the Regeneration site.</p>	<p>The Inspectors Report states:</p> <p><i>‘I note that the number of units envisaged for the site within the LAP is 161 no units. Given the location of the site. and having regard to current national policy in this regard. I consider this to be a conservative figure. The planning authority in their Chief Executive Report acknowledge that the number of units capable of being delivered on the lands, notwithstanding the provisions of the LAP, may be expected to be higher than this figure of 161 units’.</i></p>	<p>The quantum of units envisaged by the LAP is considered by the Board to be a conservative figure, and the decision of the Board on the previous SHD states the need for greater densities on the subject site.</p> <p>We would agree with this consideration, however if An Bord Pleanala consider the unit quantum of 375 now proposed to be a material contravention of the Kildare Town Local Area Plan 2012 - 2018 (in regards to unit quantum) we have enclosed a Statement of Material Contravention having regard to Section 37(2)(b)(i) and (iii) of the Planning and Development Act, 2000 (as amended).</p> <p>The proposed unit quantum is considered appropriate having regard to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities, and having regard to the sites appropriate location sequentially within Kildare Town.</p> <p>The Kildare Town LAP states that the delivery of units within Kildare Town will follow the sequential approach with residential development only being permitted on Phase 2 lands once the Phase 1 lands are developed appropriately. It is considered that the Magee Barracks site is sequentially the best available location within Kildare Town for housing provision and is suitable for the provision of the proposed quantum of residential units.</p> <p>Furthermore, a broad planning search was conducted in respect of the Phase 1 Residential zoned lands as set out in the LAP, the results of which are outlined in Appendix 1 of the Planning Report/Cover Letter which accompanies this Statement of Consistency. This search revealed that the large majority of C1 sites have active planning permissions (as noted in the core strategy allocations for Kildare Town in the CDP and in the Kildare Town LAP). Of the remaining sites zoned for residential development, the former Magee site is the best placed sequentially to meet housing demand.</p>
	<p><b>Design Brief/ Framework Plan for Magee Barracks</b></p> <p>The subject site is zoned ‘Z - Regeneration of Magee Barracks’ in the Kildare Town Local Area Plan 2012-2018, The aim of this Zoning Objective is listed as follows in the LAP:</p> <p><i>‘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</i></p>	<p>The report by KCC states the following in relation to the LAP:</p> <p><i>‘It is considered that the proposed development would materially contravene the provisions of the Kildare Town Local Area Plan 2012-2018 for failure to adhere to the provisions set out for the regeneration of a strategic site’.</i></p> <p>It notes this opinion has had regard to the provisions of the Design Brief for the lands set out in the Kildare Town Local Area Plan 2012-2018.</p>	<p>The Inspectors Report states:</p> <p><i>‘In terms of material contravention, the planning authority also raise concerns in relation to the absence of provision of wider range of uses on site. I refer the Bord to the Design Brief for the site, as contained within Section 7.6.2 of the LAP. This brief is largely indicative in nature. Its principles for the future development of the site aim to increase commercial and sustainable economic activity by facilitating and encouraging enterprise and the creation of employment. The planning authority have raised serious concerns regarding the level of commercial development on the lands, including uses with significant employment potential.</i></p>	<p>Compliance with the Design Brief/ Framework Plan for Magee Barracks is discussed in detail in the Statement of Consistency.</p> <p>The LAP states that the indicative framework plan set out therein is <b>“provided for illustration purposes only, demonstrating how the site organisation can be used to provide a new street pattern, sympathetic to the historic core using a mix of building uses and types to create a vibrant new area”.</b></p> <p>The proposed development differs from the illustrative masterplan provided in the LAP; however it is considered that the proposed scheme retains the core goals as set out in the LAP as detailed herein, including the provision of a street pattern which is sympathetic to the core of the town. The proposed also provides for a mix of building types and uses, thereby ensuring the creation of a lively new neighbourhood.</p> <p>The masterplan contains a mix of residential, retail (permitted supermarket and 3 no. proposed retail units) (employment generating), community</p>

	<p>and residential uses in accordance with the design brief set out in section 7.6 of this plan’.</p>	<p>The opinion states that ‘it is considered that the prospective development represents a poor reflection of the strategic importance of the site due to the lack of a wide range of appropriate uses within the application site. Notwithstanding the separate concurrent permission/applications on the landholding for a medical treatment facility and a retail discount store, it is considered that there has been little consideration of the vision set out in the Design Brief to provide for an appropriate mix of employment, education and community uses within the application site.</p> <p>Whilst there may be the creation of a new integrated community quarter through the proposal and the existing educational facilities adjacent, it is considered that the lack of significant employment generating land uses, to reduce the need for commuting should be more acutely considered on this strategic regeneration site, to allow for the site to more fully integrate into the town’s urban fabric’.</p>	<p>‘I note that this application provides for a degree of commercial activity, with three retail units, a childcare facility and cafe/gallery uses proposed. I also note the location of two schools within the overall site. Finally, I note that a large area of Phase 1 commercial lands are located immediately opposite the R445 from the subject site. <b>Taking the overall land parcel as a whole, and considering adjacent zonings, I am satisfied with the degree of commercial development being presently proposed</b> and I do not concur with the assertion in some of the submissions received that Kildare will become purely a commuter town if this proposed development is permitted’.</p> <p>‘The overall masterplan objectives are being fulfilled by the provision of educational, commercial, community and residential uses on the overall site and its immediate environs.</p> <p><b>‘Therefore having regard to all of the above, I am satisfied that the proposal as provided for in this current application is acceptable in principle; is not a material contravention of local policy and is in accordance with the provisions of the National Planning Framework with regards to the sustainable development of such regeneration sites’ (Emphasis Added)</b></p>	<p>(childcare facility and open space), educational (existing schools on former Magee Barracks lands) and a Cancer Treatment Clinic (proton therapy) (employment generating) on the overall landholding, in compliance with the requirements of the design brief for a mix of uses.</p> <p>In relation to employment the permitted supermarket will provide for employment/commercial within the former Magee lands. The proposed neighbourhood centre will provide a modest level of employment within the Phase 1 development. The major employment use within the Magee lands is to be provided via a separate current application for a Cancer Treatment Clinic. This large-scale, high value employment use will benefit Kildare town economically and in terms of direct and indirect employment creation.</p> <p>In relation to education and community, firstly we note that c 3.62 ha (8.95 acres) of the Former Magee Barracks Site has been provided to the Department of Education, prior to our client purchasing the lands, for the provision of two no. primary schools. Both of the schools have now been completed. This c. 8.95 acres provides a significant portion of the 10 acres of open space and community facilities referenced in the Local Area Plan.</p> <p>The applicant proposes to provide c. 3.2 ha / 8.09 acres of open space on the overall masterplan lands Thus, when taken with the school site, the requirement of “about 10 acres” of open space and community facilities on the overall Magee Barracks site will be significantly exceeded.</p> <p>In addition, the Phase 1 application will include a childcare facility of circa 680 sq.m, neighbourhood centre facilities (3 retail units and a café including gallery/exhibition space) and a public square (Magee Square).</p> <p>In conclusion, we have set out in detail herein the areas where the proposed development complies with the LAP and the development principles for the future development of Magee Barracks. Deviations from the indicative framework set out in the LAP for Magee Barracks are considered to occur where the LAP is inconsistent with recent national planning policy (including the National Planning Framework, the Regional Spatial and Economic Strategy for the EMRA, the Urban Development and Building Heights Guidelines and the Apartment Guidelines 2018) in relation to sustainable densities, integration of land use and transportation and the need to regenerate at appropriate densities our town centres, brownfield lands and lands with good public transport provision. In particular the LAP is not considered to accord with the requirement to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage on a site close to the town centre of Kildare and its services and facilities, including public transport facilities, and having regard to the sites appropriate location sequentially within Kildare Town.</p> <p>In summary the design proposed for the Magee lands complies broadly with the design brief set out in the LAP, while also providing a considerably greater quantum of housing (totalling 375 no. units in Phase 1) as required to address the reason for refusal on the previous scheme and pre-application opinion from ABP.</p>
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