

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 16th October 2019

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT COMPRISING 314 NO. DWELLINGS, OPEN SPACE, CRECHE AND RETAIL SPACE AT ELSMORE, NAAS, CO. KILDARE

On behalf of the applicant, Cairn Homes Properties Ltd, 7 Grand Canal, Grand Canal Street Lower, Dublin 2, we hereby submit this planning application to An Bord Pleanála in respect of a permission for a residential development of 314 no. dwellings, a creche (c. 610 sq. m) and retail space (169 sqm).

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

Proposed Development

The proposed development for which permission is sought is described as follows in the public notices:

The development will consist of the demolition of an existing dwelling and agricultural buildings on the subject site and the construction of a residential development of 314 no. dwellings, a creche (c. 610 sq. m), retail unit (c. 169 sq. m) as follows:

A) 208 no. houses comprising; 14 no. 2 bedroom houses (House Types H & H1), 172 no. 3 bedroom houses (House Types B,B1,B2,C,C1,C2), and 22 no. 4 bedroom houses (House Types A,D,D1) [Houses provided with two car parking spaces and solar panels all house types 2 storey] – Type A & B1 alternative brick option;

B) 78 no. apartments (38 no. 1 bedroom, 40 no. 2 bedroom with balconies or terraces) in 4 no 4 storey apartment buildings (Block 1 with plant at undercroft level);

C) 16 no. 1 bedroom Maisonette apartments in 4 no. 2 storey buildings;

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPI,
Stephen Blair BA (Mod) MRUP MIPI MRTPI Mary Mac Mahon MSc TCP Pg Dip MSP Pg Dip Env Eng Dip Env Plg Law Dip Mgmt Dip EIA & SEA B Soc Sc MIPI

Associate Directors: Stephanie Byrne BA MRUP MIPI, Blaine Cregan B Eng BSc MSc

John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

D) 6 no. 2 bedroom duplex apartments and 6 no. 3 bedroom duplex apartments in 3 storey duplex building;

E) Demolition of 1 no. existing single storey house (c. 95 sq. m) and derelict unroofed agricultural buildings of c. 657.8 sq. m. (overall demolition 752.8 sq. m);

F) Open Space of c. 1.32 hectares including playground areas; all ancillary landscape works with public lighting, planting and boundary treatments including regrading/re-profiling of site where required as well as provision of cycle paths and pedestrian connections and landscaping integrated with Rathasker Road and pedestrian bridge over Yeomanstown Stream (also known as Rathasker Stream);

G) Vehicular and pedestrian access from 2 no. existing access points from the constructed Devoy Link Road for Area A and use of existing entrance to Elsmore Phase 1 for Area B [from the Devoy Link Road], 578 No. car parking spaces and 159 no. cycle parking spaces (including single storey bin/cycle stores);

H) Provision of a crèche at ground floor of block 3 [c. 610 sq. m] along with associated play area, 169 sq. m retail unit ground floor of block 4;

I) Surface water attenuation measures and underground attenuation systems as well as all ancillary site development works (reprofiling of site as required) as well as connection to existing public water supply and drainage services.

J) Temporary marketing signage for a period of 3 years (5 no.).

K) All associated site development and landscape works.

The proposed development in Area A will replace and supersede the permitted development relating to this parcel of land as part of Elsmore Phase 1 development under Planning Reg. Ref. 09/500050/ABP Ref. PL73.236928 [extended under Reg. Ref. 15/955] (and as subsequently amended by Planning Reg. Refs 11/500086 [ABP Ref. PL73.240261], 17/853, & 17/1469).

An Environmental Impact Assessment Report (EIAR) has been prepared in respect of the proposed development and accompanies this application.

The proposed residential development has been prepared in accordance with the requirements of the relevant Section 28 Guidelines, the NPF, the Regional Spatial and Economic Strategy for the East and Midlands, the Kildare County Development Plan 2017-2023 and the Naas Town Development Plan 2010-2016, and has been the subject of a series of pre-application consultations with the Planning Authority under Section 247 and a tri-partite meeting with An Bord Pleanála prior to the submission of this planning application to An Bord Pleanála.

Location

The subject site is located within the townlands of Naas West & Jigginstown, Naas, Co. Kildare, on two parcels of land (Area A - c. 7.17 hectares, Area B - c. 1.53 hectares) located to the east and west of the Devoy Link Road on an overall site of c. 8.7 hectares.

Zoning

The subject site is zoned “C” or “*new residential*” zoning, which has the objective to “*provide for new residential development.*” A small portion of the subject lands are zoned “B” –

Existing/Infill Residential". The proposed residential development and a creche is in accordance with the land use zoning objective.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A pre-application meeting was undertaken with An Bord Pleanála on the 11th July 2019, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This meeting was attended by representatives from Kildare County Council and the applicant's team, and the items on the Board's agenda were discussed.

This planning application is accompanied by a Statement of Response to the Board's Opinion of the proposed development (which is dated the 31st July 2019). The Statement of Response, which should be read in conjunction with all application documentation, clearly set out how the items raised by the Board have been fully addressed in the documentation now submitted for approval.

John Spain Associates Statement of Response is intended to provide a useful overview of the responses to the items in the Board's Opinion. The overall Statement of Response refers the reader to other documentation within the application pack which provides greater detail in respect of the items addressed within the JSA Statement of Response.

Consultation with Planning Authority under Section 247

The first stage of the SHD process is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended). A description of the pre-application consultation undertaken by the Applicant with Kildare County Council under Section 247 has been included within the Planning Report and Statement of Consistency.

Part V

The applicant has entered into initial discussions with the Housing Department of Kildare County Council in respect to the Part V requirements. The applicant's Part V proposals are described and mapped in the Part V material accompanying this SHD application prepared by McCrossan O'Rourke Manning Architects. The proposed Part V allocation is the transfer of 31 no. units by the applicant to Kildare County Council. The detail is provided in Appendix 2 of the Statement of Consistency.

The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Kildare County Council as per their requirements prior to the commencement of development.

Drawings, Plans and Particulars

The planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001-2018.

The planning application drawing packages include a Site Location Map, Site Layout Plan, Taken in Charge drawing, Landscape Masterplan and Engineering drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under Q. 23 of the SHD Application Form. Lands under the control of the applicant are identified on the drawings.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this planning application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the National Planning Framework (NPF), the RSES for the Mid-East Region, the Kildare County Development Plan 2017-2023 and the Naas Town Development Plan 2011-2017.

Environmental Impact Assessment Report (EIAR)

An Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology,
- Project Description and Alternatives Examined,
- Population and Human Health,
- Archaeology and Cultural Heritage,
- Biodiversity,
- Land and Soils,
- Water,
- Air Quality and Climate,
- Noise and Vibration,
- Landscape and Visual Impact, including Photomontages,
- Material Assets – Waste,
- Material Assets – Traffic,
- Material Assets - Utilities,
- Risk Management,
- Interactions and cumulative,
- Principal Mitigation and Monitoring Measures,
- Non-Technical Summary.

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority
- Copies to the 4 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only, as set out below (copy of emails confirming same and cover letters issued to same are attached for reference purposes).

EIA Portal

Appendix 2 of this cover letter comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal on the 14th October 2019 under Portal ID number 2019173.

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in Section 6 of the Application Form.

Irish Water Requirements

The requirements in respect of Irish Water (IW) set out in Section 20 of the SHD Application Form are addressed in the form, the IW correspondence received (accompanying the application form) and the Water Services Report, including appendices, prepared by DBFL Consulting Engineers.

DBFL Consulting Engineers received a Statement of Design Acceptance dated 24 September 2019 from Irish Water, enclosed with the application form and at Appendix F of the Infrastructure Design Report, following further consultation prior to lodgement.

The applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

Prescribed Bodies

As required in the Board's Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below, and a copy of email correspondence confirming this preference to receive a soft copy only is included as Appendix 1 to this cover letter.

1. Irish Water;
2. Transport Infrastructure Ireland; **(soft copy only)**
3. National Transport Authority (NTA); **(soft copy only)**
4. Kildare County Childcare Committee **(soft copy only)**.

Fee

Please find enclosed fee of **€56,469.12** (including EIAR fee), made payable to An Bord Pleanála for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule issued on the 15th of March 2017. The basis of calculation is as follows

314 no. units x €130	€40,820.00
784.5 sq. m x €7.20	€5,649.10
EIAR	€10,000.00

Enclosures

The following documentation accompanies this planning application in accordance with Section 4 and 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and Articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017:

List of Inputs	
Particulars	
1.	Cover Letter prepared by John Spain Associates
2.	Site Notice/Newspaper Notice
3.	Application Form for SHD Schedule of Areas / Plot Ratio / Site Coverage
4.	Prescribed Bodies Letters
5.	EIAR Portal Confirmation Email
6.	SHD Application Fee
7.	Letter of Consent – Kildare County Council
8.	Irish Water letter Confirmation of Design Acceptance
9.	Part V Proposals (contained in Appendix 2 of Statement of Consistency & Planning Report.
10.	Kildare Childcare Committee Letter
11.	Life Cycle Report (Cairn)
12.	Site boundary in .dwg format (CD-ROM)
John Spain Associates	
13.	Statement of Consistency & Planning Report
14.	Social Infrastructure Assessment
15.	Response to ABP Opinion
16.	EIAR Volume 1 (Non-Technical Summary), Volume 2 (Main EIAR Report) and Volume 3 (Appendices)
MCORM Architects	
17.	Architectural Design Statement
18.	Architectural Drawings plans elevations sections (including schedule of drawings and accommodation)
19.	Housing Quality Assessment
DBFL Consulting Engineers	
20.	Traffic and Transport Assessment Report
21.	Preliminary Construction Management Plan
22.	DMURS Compliance Statement
23.	Infrastructure Design Report
24.	Engineering Drawings and Schedule
25.	Site Specific Flood Risk Assessment
The Big Space Landscape Architects	
26.	Landscape Drawings and Landscape Design Statement
Miscellaneous Reports/Docs	
27.	Schedule of Miscellaneous Drawings
28.	Energy Statement – Waterman Moylan
29.	Lighting Statement – Waterman Moylan
30.	Public Lighting Layout - Sabre
31.	Appropriate Assessment Screening Report (Padraic Fogarty - Openfield)
32.	Bat Report (Brian Keely)
33.	Arboricultural Report and Drawings (The Tree File)
34.	Daylight/Sunlight (Chris Shackleton Consulting)
35.	CGIs & Photomontages (Chris Shackleton Consulting)

List of Inputs	
36.	Construction & Demolition Waste Management Plan - Byrne Environmental
37.	Operational Waste Management Plan - Byrne Environmental

The application website is www.jigginstownshdplanning.com.

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 and application guidance documents issued by An Bord Pleanála.

Six no. hard copies, and three no. soft copies, of this planning application have been submitted to Kildare County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

APPENDIX 1: CORRESPONDENCE FROM PRESCRIBED BODIES NOTING PREFERENCE FOR RECEIPT OF SOFT COPY APPLICATION DOCUMENTATION ONLY

Kildare Childcare Committee

Rory Kunz

From: Info <info@kccc.ie>
Sent: Wednesday 11 September 2019 10:17
To: Rory Kunz
Subject: Re: Residential Development Naas

Hi Rory,

The soft copy (CD) will be fine.

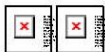
Thank you.

Kind regards,
Louise Finnegan
Clerical Officer

Kildare County Childcare Committee
Unit 21 Thompson Enterprise Centre
Clane Business Park
Clane
Co. Kildare
W91 E6NY

045 861307
www.kccc.ie

RCN: 20054175
CRO: 355991
CHY: 15585



Opinions expressed in this email are those of the writer and not the company. E-mail traffic is monitored within Kildare County Childcare Committee and messages may be viewed. This e-mail and any files with it are solely for the use of the addressee(s). If you are not the intended recipient, you have received this e-mail in error. Please delete it or return it to the sender or notify us by email at info@kildarechildcare.ie

[Privacy Policy](#)

On Tue, 10 Sep 2019 at 13:12, Rory Kunz <rkunz@johnspainassociates.com> wrote:

Dear Sir/Madam,

National Transport Authority

Rory Kunz

From: Info
Sent: Wednesday 21 August 2019 12:23
To: All Staff - JSA
Subject: FW: SHD Applications

From: David Clements <David.Clements@nationaltransport.ie>
Sent: Wednesday 21 August 2019 12:17
To: Info <info@johnspainassociates.com>
Subject: SHD Applications

Hi,

Could you please inform your planners that the NTA does not require hard copies of SHDs, as we end up recycling almost all of the documents. They only need to send us a cover letter and CD in future.

Thanks,

David Clements
Land Use & Transport Planner
Transport Planning and Capital Investment



Dún Saéine
Iveagh Court
Harcourt Lane
Dublin 2

Tel: + 353 (0)1 879 8305
Email: david.clements@nationaltransport.ie
Web: www.nationaltransport.ie

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Government
Awards 2018
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Transport Infrastructure Ireland

Rory Kunz

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Tuesday 10 September 2019 13:14
To: Rory Kunz
Subject: RE: Residential Development Naas

Dear Mr. Kunz,

I can confirm that a soft copy (CD) is acceptable to TII.

Yours sincerely,
Michael McCormack
Senior Land Use Planner

From: Rory Kunz <rkunz@johnspainassociates.com>
Sent: Tuesday 10 September 2019 13:12
To: Landuse Planning <LandUsePlanning@tii.ie>
Subject: RE: Residential Development Naas

External Email Warning

CAUTION: This email originated from outside of TII. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

If you are unsure about the validity of an email please contact IT Support on 3666.

Dear Sir/Madam,

I refer to a proposed Strategic Housing Development relating to lands at Naas, Co Kildare for 317 no. dwellings (apartments and houses), which is due to be submitted to An Bord Pleanála. TII has been listed by An Bord Pleanála as a consultee for the future application and a copy of the application will be sent to you.

I would appreciate if you could confirm whether you would accept a soft copy of the application on a CD or whether you would require a full hard copy of the application/EIAR and associated documents. If you have any questions, please let me know.

Best regards,
Rory

Rory Kunz, *Executive Director*,
John Spain Associates,
39 Fitzwilliam Place,
Dublin 2,
D02 ND61.

T: 01 662 5803
M: 087 322 5858
e-mail: RKunz@johnspainassociates.com
web: www.jsaplanning.ie

APPENDIX 2: EIA PORTAL CONFIRMATION

Rory Kunz

From: EIAportal <EIAportal@housing.gov.ie>
Sent: Monday 14 October 2019 10:51
To: Rory Kunz
Subject: EIA Portal Confirmation Notice Portal ID 2019173 Cairn Homes Properties Limited

A Chara,

An EIA Portal notification was received on 14/10/2019 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 14/10/2019 under EIA Portal ID number **2019173** and is available to view at

<http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2019173

Competent Authority: An Bord Pleanála

Applicant Name: Cairn Homes Properties Limited

Location: Sites within the townlands of Naas West & Jigginstown, Naas, Co. Kildare, on two parcels of land (Area A - c. 7.17 hectares, Area B - c. 1.53 hectares) located to the east and west of the Devoy Link Road overall site of c. 8.7 hectares.

Description: The development will consist of the construction of a residential development of 314 no. dwellings, a creche (c. 610 sq. m), retail (c. 169 sq. m), open space 1.32 hectares.

Linear Development: No

Date Uploaded to Portal: 14/10/2019

Morgan O Reilly

EIA Portal team

An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil
 Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0
 Custom House, Custom House Quay, Dublin D01 W6X0

T (+353) 1 8882710

www.tithiocht.gov.ie www.housing.gov.ie

 Is faoi rún agus chun úsáide an té nó an aonán atá luaite leis, a sheoltar an ríomhphost seo agus aon comhad atá nasctha leis. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bhainisteoir an chórais.

Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithviorais chun viorais ríomhaire a aimsiú.

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