



**SIMON CLEAR & ASSOCIATES
PLANNING AND DEVELOPMENT
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Planning Context Report

Proposed Strategic Housing Development at Ballymany, Newbridge, Co. Kildare

**Prepared on Behalf of
Briargate Development Newbridge Limited**

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Introduction

This report has been prepared on behalf of Briargate Development Newbridge Limited to accompany a SHD planning application to An Bord Pleanála for a residential development with creche on a site c.1.2km south west of Newbridge town centre.

The development will provide 336 no. residential dwellings in a mixture of houses, duplexes and apartments (245 no. houses, 64 no. maisonettes and 27 no. apartments). The building heights range from 2-storey houses to 2 and 3-storey duplexes and the apartment building is part 3/part 4-storey. The creche facility is located towards the centre of the site and will cater for any childcare demand arising from the development of the entire landholding.

The site benefits from a recent planning permission, under Ref. 16/658 (ABP-249038), which has established principles and details relating to access, road pattern in accordance with DMURS, water supply, foul water drainage, and surface water treatment in accordance with SuDS requirements.

Phase 1 of the development, as permitted under Ref.16/658 is currently under construction and includes 54 no. dwellings and the construction of a section of the Link Road under Objective SRO 5 (b) of the KCDP, which seeks the construction of a link road from the L7042 Green Road to the L7037 Standhouse Road, including a new junction with the R445 Ballymany Road.

The applicant is proposing to develop the remainder of the site in a phased manner at a moderately increased density than that permitted under Ref. 16/658.

Site Location and Context

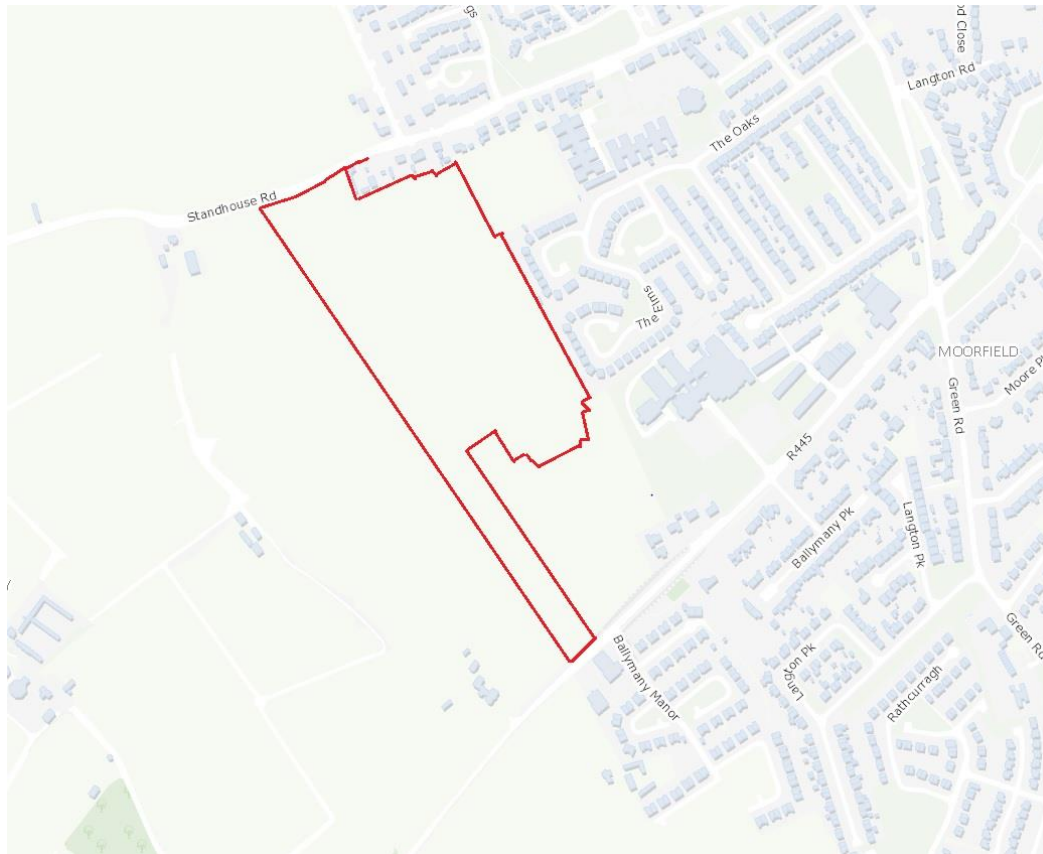
The development site is located on the southwestern edge of the built-up area of Newbridge. The south eastern boundary of the site is occupied by Phase 1 residential development, which is currently under construction. Part of the eastern boundary adjoins an existing residential development, The Elms, and the western boundary adjoins the mature landscape of the tree-lined Ballymany studfarm. Standhouse Road and a number of individual residential dwellings are located along the northern boundary of the site.



Aerial Image of the Subject Site

The site is located north of the M7 with main vehicular access from the R445, Ballymany Road, which is a bus route.

Standhouse Road (L7037) runs along the northern boundary and will be improved along the site frontage with a new junction and footpath provision to link to the existing footpath leading to Newbridge train station.



Site Location Map with Site Outlined in Red

The subject site outlined in Red has an area of 11.4ha.

Relevant Planning History

Ref. 06/547

Kildare County Council granted planning permission for low density residential development for 190 houses (down from 196 applied for) and for sand and gravel extraction from the land. The sand and gravel extraction was carried out but the housing development did not subsequently proceed. The excavated condition of a significant part of the site, with aggregate stockpiles derives from this planning permission.

Ref. 16/658 ABP 249038

An Bord Pleanála granted permission in April 2018 for a mixed-use development comprising 280 no. dwelling houses, a single storey crèche facility (307m²) and a 103 no. bedroom nursing home facility at Ballymany, Newbridge, Co. Kildare.

The initial scheme had a density of 15.7 units per hectare and ABP sought a revision to increase density in accordance with Ministerial Guidance. The permitted scheme has a density of 21.7 units per hectare.

Reg. Ref. 19/710 (ABP-305410-19)

Planning permission refused by KCC and ABP for amendments to the initial phase of development on the subject lands. The amendment sought permission for the construction of 71 no. dwellings in lieu of 33 no. dwellings and a crèche. 1 no. reason for refusal was provided by ABP, which can be summarised as the density being too low, resulting in an inefficient use of scarce zoned and serviced land.

Response to Previous Reason for Refusal

As noted above, the reason for refusal related to density and can be summarised as follows:-

- It is considered that the proposed development of 22.6 units per hectare and the impact of the proposed amendment on the density of the overall residential development of the appeal site and adjoining lands to the north which would increase to approximately 24.3 units per hectare, would therefore result in a form of development which would result in an inefficient use of scarce zoned and serviced lands, and which would be contrary to the provisions of the Guidelines and the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The subject proposal, which provides 336 no. residential dwellings on a site of 9.61ha, provides a residential density of c.35 units per hectare. It is considered that the increased density proposed is in accordance with the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities issued by the Department of Environment, Housing and Local Government in May 2009, Section 4.5 of the Kildare County Development Plan, 2017-2023 and Policies LD01 and LD03 of the same plan, all of which were directly referenced in the reason for refusal issued by ABP under Ref. 305410-19.

Reg. Ref. 20/1307

Planning permission was sought for amendments to the creche facility permitted under Ref. 16/658. This planning application was withdrawn as the SHD application includes a

childcare facility to replace the permitted facility in Phase 1. The proposed creche has been designed with capacity to cater for the development on the entire landholding.

Reg. Ref. ABP 310912

Permission refused on this site for a development of 336 no. residential units, consisting of 245 houses, 91 apartments, creche and associated site works. Permission was refused for 1 no. reason - absence of EIAR. The current proposal is the same as previous and an EIAR has been prepared to accompany the application.

Detailed Description of Development

The proposed SHD residential development with creche will consist of the following:-

- Construction of 336 no. residential units consisting of 245 no. houses, 27 no. apartments and 64 no. duplexes;
- The 245 no. houses will comprise 2-storey, detached, semi-detached and terraced units to include:-
 - 17 no. 2-bed houses;
 - 184 no. 3-bed houses;
 - 44 no. 4-bed houses;
- The 27 no. apartments are located in a part 3-storey and part 4-storey building and include:-
 - 13 no. 1-bed units;
 - 13 no. 2-bed units;
 - 1 no. 3-bed unit;
- The 64 no. duplexes are located across 6 no. 2 to 3-storey buildings and include:-
 - 32 no. 1-bed units;
 - 16 no. 2-bed units;
 - 16 no. 3-bed units;
- A 2-storey creche;
- Car parking, bicycle parking, internal roads, services infrastructure, bin stores and bicycle stores;
- Footpath improvements along Standhouse Road;
- Landscaping, open spaces, play areas, boundary treatment and public lighting;
- All associated site works and services.

The entire development consists of 45 no. 1-bed units, 46 no. 2-bed units, 201 no. 3-bed units and 44 no. 4-bed units.

There are 8 no. house types as follows:-

House Type	Area (m ²)	No. of Rooms	No. of Storeys
B1	132	4	2
C1	107.5	3	2
C2	114	3	2
C3	108.4	3	2
C4	107.5	3	2
C5	110	3	2
D	87.6	2	2
E	161.9	4	2

The duplexes are provided in a number of 2 and 3-storey blocks throughout the site.

The apartments are provided in a part 3 and part 4-storey building located towards the north of the site.

The 2-storey creche is provided towards the centre of the site, adjacent an area of open space and is easily accessible from the Link Road. The creche has been designed to provide sufficient capacity to cater for any childcare demand arising from the development of the overall landholding, including the 54 no. units under construction in Phase 1.

Public open space is provided throughout the site with a total area of 17,626m² (15.4% of the net site area). In combination with the open space being provided under Phase 1, the overall site will have 25% of the total development area as open space. The areas of open space are easily accessible from all units.

Pre-Planning Meeting with Kildare County Council (KCC)

A pre-planning meeting was held with KCC on 19th August 2020. Please refer to the record of pre-planning meeting included as Appendix 1 for details.

Tri-partite Meeting

This required meeting between ABP, KCC and the applicant was held on 18th December 2020, after which ABP issued an Opinion, an Inspector's Report and recommendations for

matters to be considered in any subsequent planning application. Please refer to the enclosed Response to ABP Opinion Report for further details.

Design Rationale

ABP have sought a clear design rationale for the proposed density, design and character of residential units. Some details are provided in the Architectural Design Statement prepared by Reddy Architects but a more detailed response is provided below and has been formulated in conjunction with the project Architect.

The context of the site has been carefully considered with its unique constraints and opportunities informing the design:

- The site is located with a designated residential area on the western edge of Newbridge, and it is important that the proposals provide for the necessary development density to provide efficient land use whilst also respecting the established pattern and scale of the area. The site will have a very prominent aperture onto both the Ballymany Road and onto Standhouse Road, and the proposal seeks to integrate with the residential fabric at the town's periphery.
- The scheme seeks to provide a strong entrance, with a high-quality landscaped edge and a landmark building (3/4 storey apartment block) announcing the presence of the development providing a new high-quality streetscape at the northern entrance into the site.
- The existing mature treeline to the west reflects the equine agricultural history of the context as well as providing a refuge for biodiversity and assist with integrating the new development into the landscape and establishing the scheme as part of the local environment as gently as possible.
- A cycle and pedestrian route has been facilitated through the site alongside the previously approved (and under construction) link road, which runs along the western boundary of the site and has been provided with a meandering pedestrian path through the green areas. This route provides a significant new pleasant pedestrian and cycle route for the wider community.

In addition to the context of the site as apparent, and the wider urban and ecological context, the design proposals are cognisant of the two significant developments peripheral to this

parcel of land, namely the Phase 1 housing consisting of 54 housing units, under construction; and the link road, which is also under construction and due for completion in mid 2022.

This SHD must ensure that it is integrated into the Phase 1 development in a meaningful way through the road network, the public open space and the appropriate density proximate to the medium density Phase 1 housing.

From Phase 1, two additional north south routes are created within the site, both connecting into the Phase 1 road network, one forming a central spine road through the scheme and the second route as a pedestrian friendly route across public open space and through a homezone that runs along the eastern edge of the site.

Both of these routes culminate at the north of the site at two public open spaces with a site context for a landmark building being formed within the north western space.

The predominant urban design intent of the scheme is to create a strong urban form that reflects the rectilinear pattern of the site and the landscape setting into which it is being placed. As part of this the intention has been to maximise connections and routes through the landholding while also ensuring that traffic speeds are calmed as much as possible.

The link road is to be delivered as a street edge with buildings facing out onto the street with the use of double fronted facing houses in all locations. The hierarchy of the road network in the scheme is clearly defined, with the link road being the primary north - south conduit, the central spine as a local street to provide access to all areas within the site, and the north south homezone as a pedestrian priority street.

All streets are faced with high quality buildings and are fully overlooked, as are all public open spaces.

Character and Materiality

The overarching aim is to create a cohesive development between Phase 1 (under construction) and the SHD proposal, and to link these proposals both to the urban form of

Newbridge Town and also to respect the green edge as the site approaches the verdant and tree-lined green edge to the west.

A fundamental consideration for the scheme was how to create clearly legible character areas within the site and this task is a combination of understanding urban form and its relationship with the landscaped spaces. As such, the proposal seeks to create character areas based around the key readily identifiable spaces within the site:

1. The new extended green edge to the entire development at the southernmost edge;
2. The link road edge and its relationship to the new linear verge along the western edge of the site;
3. The new portion of the development that fronts onto the main public open space of phase 1;
4. The public space around the main public building of the scheme (the creche);
5. The tiered public space at the central eastern edge of the site, which forms the pedestrian gateway to the homezone;
6. The main central spine road/boulevard through the site;
7. The main homezone, terminating at the pocket park;
8. The larger public open space at the archeological protection zone and
9. The gateway public space at the north of the site and the landmark apartment building in this location.

The house typologies between the Phase 1 and SHD schemes will be connected through similar material palette which will continue through the main routes into the scheme from Phase 1.

Finish Materials

The range of finish materials is devised in a logical manner having mind to hierarchy, scale, edge conditions and movement so that the materials support an overall patina and sense of place throughout the site. The approach to materiality is based generally on presenting high quality materials at the junctions between the building and the street edge, and also to punctuate the ends of urban block with taller brick elements or colour. Generally, entrances to homes are clearly defined with roof canopies or undercrofts, and the approach in terms of the streetscape is to remove as much clutter from the front of the houses as is possible.

The approach is to have a family of brick and render colours and textures that are used for each of the character areas, and that this use of materiality to define one area from another will be subtle enough to ensure cohesiveness within the development, but have enough definition to provide visual delight, contrast and also importantly legibility for residents and visitors (i.e. ‘I live in the house with the dark brick, light grey canopy and red door!’).

Consistency of approach and detailing is also important. Some of the most successful planned developments in both Ireland and the UK rely on consistency of approach and materiality for their strength and durability (Georgian Dublin and the New Town, Edinburgh), and this rigor to detail, with subtle change in colour and texture are an integral part of achieving consistency and quality.

For example, a material such as a high quality red or grey brick and colour washed renders will be employed in the most visually exposed areas of the site along the south eastern site edge and towards the most elevated part of the site in the north western corner forming a defined edge, with softer colour and tones forming the palette in the residual defined character areas.

The approach to character areas has also informed the Landscape proposals of Jane McCorkell, whom the architects have worked with closely for the realisation of the scheme.

Statement on Housing Mix

The Kildare County Development Plan and the Newbridge Local Area Plan require a statement on housing mix to be submitted with applications for residential development over 20 units and the Opinion from ABP also requested a justification for the proposed housing mix.

Policy HL5 of the NLAP states the following:-

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;*
- *The provision of a range of housing types and tenures;*

- *The need to provide a choice of housing, suitable for all age groups and persons at different stages of the life cycle;*

- *The need to cater for special needs groups.*

- *The nature of the existing housing stock and existing social mix in the area*

The housing stock in Ballymany and Newbridge primarily consists of 2-storey detached or semi-detached 3 and 4-bedroom family homes. The proposed development adds a variety of housing typologies with apartments and duplexes in addition to the traditional detached and semi-detached dwellings. The proposal provides accommodation suitable for smaller family sizes, in accordance with future trends identified in the National Planning Framework.

- *The desirability of providing for mixed communities*

The proposal provides a range of house types and tenures, which will attract a diverse range of people and families to reside in the development. The variety of accommodation will assist in creating a mixed community.

- *The provision of a range of house types and tenures*

The proposed development includes 8 no. house types and includes 1-bed apartments and duplexes, 2 and 3-bed apartments, duplexes and houses and 4-bed houses. Further details of the breakdown of house types and units is provided in the Statement of Consistency and Architectural HQA and Development Statistics.

- *The need to provide a choice of housing, suitable for all age groups and persons at different stages of the life cycle*

As noted above, the proposal includes a range of house types. The variety in house types has been designed to cater for all age groups and family sizes including individuals, small families, larger families and those looking to downsize. The development has been designed to include adaptable units suitable for all age groups. Please refer to the 12 urban design criteria included in the Architect's Design Statement enclosed for details.

- *The need to cater for special needs groups*

The development has been designed in accordance with the Building Regulations and particularly Part M, which focusses on access and use for all. The majority of the units on site are ground floor access and a ground floor living space has the ability to be converted to a bedroom if required.

The proposed development has been designed with due regard to the principles of universal design. All homes have level access and inaccessible areas have been eliminated throughout the development. The public realm is designed to ensure accessibility on equal terms for people of a range of ages and physical mobility and the gentle topography of the site will ensure that the streets and spaces are all comfortably accessible.

A wide number of house types have been proposed in terms of both size and design meeting the aspirations of a variety of people and households. The housing mix for the development has been developed in tandem with the applicant's property agents, Savills, to respond to the future housing market. The overall ratios of the various house types, number of bedrooms and type of tenure was developed over a series of workshops with the property agents, the design team and the developer, who is an established residential provider in County Kildare, to ensure that the emergent scheme would fulfil the needs of the local and anticipated future housing demand. As such, the development is very strong in the provision of dwelling typologies and sizes.

Housing affordability and also unit sizes are a major challenge in the emerging housing market, and this scheme seeks to provide a significant number of 2-bedroom houses, and own door 1 / 2- & 3-bedroom Duplex units.

Overall, we see that the scheme provides for the following demographics by way of house types:

- Larger family homes with the 54 units being constructed in Phase 1 and the detached and semidetached 4-bedroom dwellings as part of this application.
- 3-Bedroom homes for starter homes and smaller families. There are options in the 3-Bedroom house typologies provided across the scheme to allow for choice and affordability.
- 2-Bedroom houses for small families, young professionals and downsizers.

- Ground Floor own door access 1- & 2-Bedroom Duplex, which will facilitate the elderly and also people with mobility issues.
- 27 universally accessible apartments at the north of the site.
- 1-, 2- & 3-Bedroom Duplex units to provide for young professionals and families who may not want to transition into a traditional house setting.

The variety of proposed housing typologies is a positive aspect to visitors, avoiding unnecessary physical and visual barriers. It also facilitates regular visual breaks in the building line. Permeable connections to adjacent lands both developed and subject to future development have been proposed. The network of roads, paths and cycle routes ensure full permeability throughout the scheme.

The hierarchy of streets is clear and legible, and all houses are proximate to well designed and proportioned public open space.

Visual Impact Assessment

An Bord Pleanála requested that a Visual Impact be carried out for the proposed development. This visual impact provides an analysis of the photomontages prepared by GNET 3D Specialists.

Sand and gravel extraction was carried out on the lands with planning permission, which reduced levels over the southern half of the site compared to adjoining lands - to the east, the Elms housing estate and to the west - the tree-lined Ballymany Stud and the subject site is nestled between these.

The natural ground level of the site is significantly lower in comparison to the Curragh. The general topography between the site and the Curragh is undulating by up to 20m upwards between the site and the Curragh, which is generally elevated. Due to this reduced ground level, natural topography, distance and intervening mature trees at Ballymany Stud, there will be no visual impact from the development post-construction phase onto the Curragh.



Measured distance across Ballymany studfarm from the edge of the Curragh to the western edge of the site >800m.

Phase 1 of the development granted under planning reference Ref. 16/658 (ABP-249038), is currently under construction to the south of the subject site and will provide a screen to the views towards the development from Ballymany Road from the south.

Photographs to support visual assessment were taken from a number of vantage points close to and more distantly from the Curragh Plains; from the M7 Curragh junction; and railway overbridge locations, as described below.

View 1 shows that Phase 1 of the existing permitted development currently under construction and houses to the edge of the link road in the proposed development will be visible on the approach to Newbridge on the R445 from the motorway junction, in the vicinity of the entrance, opposite Brennan's petrol filling station and shop.



View 1

View 2 shows that the permitted and proposed development will not be visible in the opposite view on the exit from Newbridge on the R445 to the motorway junction, due to the existence of a berm along the roadside frontage.



View 2

View 3 shows that the permitted and proposed development will not be visible in views from the front of the Keadeen Hotel located to the east of the site.



View 3

View 4 shows that part of the roofs and gables of proposed houses will be visible and in scale with the existing residential development in The Elms housing estate when viewed from the public open space in that development.



View 4

View 5 shows that the proposed development will constitute a significant change to the existing hedgerow bounded rural road when the new link road and the adjacent residential development is opened onto the Standhouse Road. While significant, the view will be positive in the context of introducing landscaped residential development on zoned land and a new road in accordance with the provisions of the KCDP.



View 5

View 6 shows that the proposed development will not be visible further west along Standhouse Road.



View 6

View 7 shows that the proposed development will not be visible in views from the road crossing the Curragh passing the northern boundary of the Ballymany studfarm. The distance across Ballymany studfarm has been measured at in excess of 800m, as shown in the measured aerial map above.



View 7

View 8 shows that the proposed development will not be visible in views from the road (R413) that passes behind the new stand in the Curragh racecourse.



View 8

Views 9 and 10 show that the proposed development will not be visible in views from railway overbridges north of the development site. These views have been chosen because these bridges are local points of elevation in an otherwise relatively low lying local road network.



View 9



View 10

View 11 shows that the proposed development will not be visible in views from the Curragh side of the roundabout exiting the motorway towards Newbridge. The trees in the

foreground surround the Ballymany Stud and specimen trees exist outside the entrance gates to the stud farm.



View 11

CGIs have been generated by Reddy Architects and external contour mapping has been studied to support the Visual Appraisal of the proposed development. It is considered that the proposed residential development will have an insignificant impact on the visual character of the area and the Curragh Plains.

Planning Policy

Please refer to the enclosed Statement of Consistency for a detailed analysis of the proposed development and compliance with planning policy.

Departmental Circular Letter: NRUP 02/2021 – Residential Densities in Towns and Villages

The above circular letter was issued in April 2021 and provides clarity in relation to the interpretation and application of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) in advance of issuing updated Section 28 guidelines that will address sustainable residential development in urban areas later in 2021.

The most recent guidance indicates an appropriate sustainable residential density of 30/35-50 units per hectare in suburban/edge locations, such as the subject site. Circular Letter 02/2021 issued by Peter Burke, Minister for State for Local Government and Planning to clarify the application of the Sustainable Residential Development Guidelines (2009) relating to assessment of residential densities in ‘peripheral and/or less accessible urban

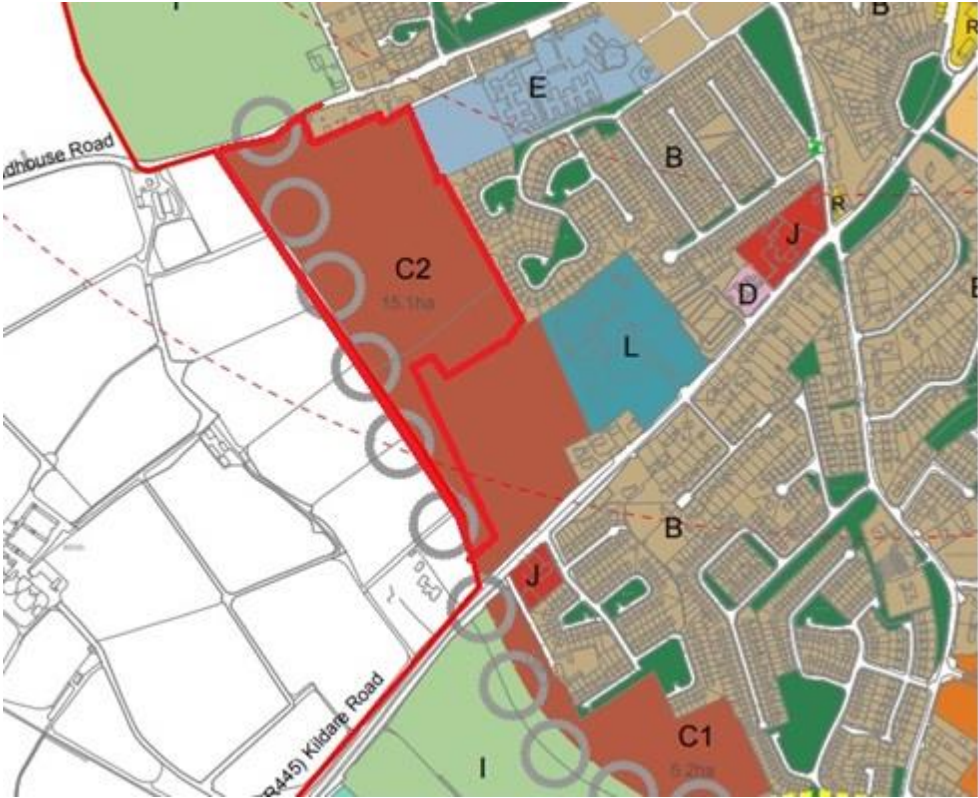
locations’, as defined in the Apartment Guidelines (2020) has been taken into account in the preparation of this planning application.

The proposed development has been designed to a density of 35 units per hectare, which is in accordance with the guidance set out in the above guidelines and further clarified in the circular.

Newbridge Local Area Plan 2013-2019

The subject lands are located within the boundary of the Newbridge LAP 2013-2019 and are zoned C2 – New Residential.

Lands zoned C2 have a specific objective where ‘a maximum density of 15 units per hectare will apply.’



Zoning Map with Site Outlined in Red

The proposed development with a density of 35 units per hectare is not in accordance with the low density prescribed for the subject lands in the Newbridge LAP. The NLAP is a subsidiary plan and after its preparation, general densities consistent with Government policy were included in the KCDP made in 2017. Later Government Guidelines, the NPF

and RSES all indicate a need for greater density on zoned, serviced land in towns and this is reflected in Variation 1 of the KCDP.

Planning permission exists on the lands for development for development at a density greater than that indicated in the SLO and Phase 1 of that permission is currently being put into effect. In 2019, An Bord Pleanala refused permission for development on part of the land for one reason, citing insufficient density of development in the proposal.



The LAP, according to section 19(2) of the Planning and Development Act 2000 as amended in 2010, should be consistent with the objectives of the relevant county development plan including the Core Strategy and should, where inconsistent, be made consistent with the superior plan.

Therefore, while the LAP is inconsistent with the KCDP and Government Guidelines in respect of the SLO affecting these lands, on the face of it this proposal appears to be a Material Contravention of the Newbridge LAP and this matter is addressed in the Material Contravention Statement provided to assist the assessment of the planning application being considered by An Bord Pleanala.

Part V

33 no. units have been outlined on the enclosed Part V Site Layout Plan which are proposed to satisfy the Part V requirement for the development.

The 33 no. units consist of the following:-

	TYPE D 2Bed (4P) House	87.6m ²	3no.
	TYPE C1 3Bed (5P) House	107.5m ²	14no.
	TYPE C5 3Bed (5P) House	110m ²	2no.
	TYPE C3 3Bed (5P) House	110m ²	2no.
	TYPE B1 4Bed (7P) House	123m ²	3no.
	TYPE Du1 1Bed (2P) Duplex (Ground Floor)	52.7m ²	3no.
	3Bed (5P) Duplex (1st / 2nd Floor)	116.2m ²	2no.
	TYPE Du3 2Bed (4P) Duplex (Ground Floor)	87.2m ²	2no.
	2Bed (4P) Duplex (First Floor)	82.7m ²	2no.

The applicant has begun discussions with the Housing Department of KCC and they have been provided with an initial assessment on the units by the Housing Department. The applicants will work with the Housing Department to agree the final Part V details post planning. Details of the unit types and costings are included in the Part V details submitted.

Engineering Services

An Engineering Planning Report has been prepared by Muir Associates and includes details of traffic and transport, compliance with DMURS, foul and surface water drainage and water supply. The Engineering Report includes the Irish Water Confirmation of Feasibility Letter and Statement of Design Acceptance.

Muir Associates have prepared a number of additional reports including a Site Specific Flood Risk Assessment (detailed below), Outline Construction and Demolition Waste Management Plan, Outline Construction Management Plan and an Outline Travel Plan. An independent Stage 1 and 2 Road Safety Audit was carried out by Bruton Consulting Engineers. A full Traffic and Transport Assessment prepared by PMCE Traffic Consultants is enclosed.

Site Specific Flood Risk Assessment

The SSFRA prepared by Muir Associates Consulting Engineers concludes that there is no inappropriate risk of flooding arising from or an inappropriate residual food risk to the proposed development, its occupants or users and adjoining properties from any of the following sources:- tidal, fluvial, pluvial, ground water or human/mechanical.

The subject site is located within 'Flood Zone C' and there is no significant risk of groundwater flooding.

Natura Impact Statement

Panther Environmental Solutions Ltd prepared a Natura Impact Statement (NIS) on the subject lands as during Stage 1 Screening for Appropriate Assessment, *"the assessment determined that during construction works, the proposed development has the potential to impact upon the qualifying interests / special conservation interests of Pollardstown Fen SAC, Mouds Bog SAC and the River Barrow and River Nore SAC due to a potential deterioration in water quality and dust. Therefore, a Natura Impact Statement is required."*

The NIS found that *'it is not anticipated that the proposed development, subject to recommended mitigation measures, by itself or in combination with other developments, would impact negatively upon the Natura 2000 network during the site preparation or operational phases of the project.'*

'It is the conclusion of this Natura Impact Statement that, subject to recommended mitigation measures, there would be no potential for significant impacts on European sites as a result of the proposed development and mitigation measures to be employed. This conclusion refers to the development by itself or in combination with other developments.'

Arboricultural Report

A Tree Survey prepared by Lawlor Landscapes is enclosed. The report categorises the trees on the site and concludes that the majority of the trees categorised are Category A, 1 no. tree is Category B and 2 no. trees are Category C. There is 1 no. Category U tree, which is recommended for removal. All other existing trees on the site will be retained.

Landscape Proposal

A Landscape Masterplan has been prepared by Jane McCorkell Landscape Architects after consultation with the Parks Department of Kildare County Council and provides details of hard and soft landscaping, boundary treatments and play areas.

Noise Impact Assessment

Decibel Noise Control carried out a noise impact assessment for the proposed development. *‘The assessment concludes that with the specified double glazing in place predicted internal noise levels in the proposed dwellings will be in keeping with BS8233: 2014 – Guidance on sound insulation and noise reduction for buildings and World Health Organisation (WHO) recommendations and guidance.*

In accordance with the ProPG assessment the noise survey results indicate that the site may be regarded as a low risk area and good acoustic design demonstrated so that any adverse noise impact will be avoided in the finished development.

The five public open spaces included in the development are within acceptable limits with reference to Kildare County Council Noise Action Plan 2019-2023, British Standard BS8233:2014 & ProPG guidelines.’

Daylight and Sunlight Report

A Daylight and Sunlight Report has been prepared by Right of Light Consulting to assess the proposed development and a second report was also prepared to assess any potential impact of the proposed development on the existing neighbouring properties at The Elms. Both reports are enclosed and conclude that the proposed development *achieves a high level of compliance with the BRE recommendations and the proposed design will provide the development’s future occupiers with adequate levels of natural light.* In relation to any potential impact on the neighbouring dwellings it is concluded that *the numerical results in this study demonstrate that the proposed development will have a low impact on the light receivable by its neighbouring properties and the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.*

Environmental Impact Assessment Report

An Environmental Impact Assessment Report (EIAR) has been prepared for the proposed development and is enclosed. The EIAR examines each environmental factor, describing the existing baseline environment, the subject proposal, its likely impacts and direct and indirect significant effects pertaining to that environmental factor and mitigation measures, where appropriate.

Notice of the planning application and EIAR was given to the Department of Housing, Local Government and Heritage and confirmation of same is enclosed with the application.

Statement of Consistency

The enclosed Statement of Consistency accompanying this submission demonstrates that the proposed development complies with the relevant national, regional and local planning guidelines and objectives and that the proposal will provide for a sustainable and efficient use of land zoned for residential development.

Simon Clear.

February 2022.

Appendix 1

SHD Pre-Planning Meeting

Kildare County Council 19th August 2020 – KCC Board Room

Attendees:

Martin Ryan – Senior Executive Planner - MR
George Willoughby – Roads Department - GW
Carmel O’Grady – Parks Department – CO’G
Oisín Boyle – Assistant Planner - OB

Anthony Neville – Briargate Developments - AN
Karen Doran – Briargate Developments - KD
Simon Clear – Simon Clear & Associates – SC
Mark Kennedy – Reddy Architecture - MK
Seamus O’ Rourke – Muirs Associates – SO’R

MK provided a description of the proposed development. Development has commenced on Phase 1 of the parent permission on foot of Ref. 16/658 (ABP-249038). Phase 1 includes the full link road, which is excluded from the subject proposal.

The ABP refusal on **Reg. Ref. 19/710 (ABP-305410-19)** was discussed. ABP refused a proposed modification of Phase 1 for reasons including lack of adequate density.

The landform within the overall site falls from west to east, with significant tree cover to the western side and a ground level below that of adjoining estates to the east. 3-storey corner units are proposed.

For KCC, MR indicated a density of 21.7 units per hectare is acceptable but 35 uh. is not. The prospective applicants were invited to review the planner’s report on previous refusal from KCC (Ref.19/710). SC indicated that whereas the density was indicated as too high for KCC, it was too low for ABP and the applicants have to follow and demonstrate consistency with National and Regional guidance.

MR requested images of as-built 3-storey houses as an example to demonstrate acceptability of this built form, which is not normally acceptable in peripheral suburban estates in Kildare

OB provided a critique of the design details for buildings proposed, including: -

- 1) Query whether all units are compliant with storage standards;
- 2) House type A&B – request for change of front elevation from Juliette balcony to window;
- 3) A3 & A1 house type – dormer element considered to have ‘boxy’ design;
- 4) Lack of permeability between public open spaces and provide details of natural play elements in the eastern playspace;
- 5) All houses to have aspect over open space and increase interconnectivity between open space areas;
- 6) Apartment/Duplex design – ensure against blank gables and improve overlooking of streets;
- 7) Bin storage including terraces – details to be provided in application documents;
- 8) Boundary walls – provide some relief in the contiguous elevation towards the western link road. Provide details of the treatments of boundaries to rear gardens.
- 9) Character areas should be identified within the overall residential scheme;
- 10) Avoid long straight internal roads that may not be DMURS compliant;
- 11) Car parking, bicycle parking, car charging to be clearly delineated and in accordance with standards;
- 12) Urban Design – The indicated central cluster should be more dispersed and have aspect to POS.

MK responded to detail issues and noted suggestions for layout and design measures, particularly relating to design standards, open space dispersion, natural play areas using landform, double aspect corner units, internal road alignment adjustment etc.

For KCC, MR queried crèche provision within the particular proposed development. Regarding crèche provision it was indicated that the crèche permitted and located in Phase 1 would be commensurately enlarged and a planning application for enlargement would be submitted in advance of the SHD application

Traffic and Transportation

For KCC, GW sought clarification on the link road construction, that it was proceeding under the current Phase 1 programme of works. This was confirmed and that the road would have fewer junctions and less frontage development.

The Ballymany junction access is as per the permitted development and the arrangement does not preclude the future cross roads junction that may be traffic light controlled. However, these considerations are premature until land is acquired from the incumbent.

SO'R to send cross section of cycle track and materials and to indicate cyclist crossing locations to GW – refers to Phase 1 construction compliance.

It was indicated that: -

- Internal roads with >70m straight are undesirable;
- 5.5m width is the required width on normal internal estate roads with 2m footpaths

Applicants were requested to provide: -

- Traffic and Transportation Assessment. Previously recorded traffic counts will provide a baseline if 2020 (Covid affected) counts are low;
- Permeability and accessibility assessment by applicant;
- Road Safety Audit – Stage 1 & 2;
- Autotrack;
- Incoming Noise Report;
- Parking – cars & bikes, visitors and electric;
- Creche – set down and parking;
- Construction management Phasing – to provide for no conflict for early occupants.

For KCC, CO'G provided comments on the submitted information, from the Parks Department

- One eastern open space area was regarded as peripheral – a more usable space, overlooked, to be provided in the north east sector;

- The proposed open space around the area of archaeological potential was acceptable as open space;
- The overall principles should be to create active and quality open space, well thought out and designed from toddler to youth/old;
- Design open space as integral within the development and reflect landform - exploit the land profile on east side - well designed and executed plan required;
- Make provision for tree protection during construction;
- Ensure good quality finishes and surfaces, fences, railings etc. throughout the development;
- Use appropriate scale trees;
- Develop natural play spaces – using mounding, logs, sand etc – easily inspected and maintained, without loose sand or loose mulches – safety surface grass matting preferred;
- No timber edges to paths – tarmac and concrete;
- Pollinators;
- Exercise equipment.

The Services Department was not represented and separate contact to that Department will be made by SO'R.

Part V requirements will be met and separate negotiations will be conducted with the Housing Department.