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PLANNING AND DEVELOPMENT
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Statement of Response to ABP's Opinion

In respect of

**Proposed Residential Development,
Ballymany,
Newbridge,
Co. Kildare**

Prepared by

Simon Clear & Associates

On behalf of

Briargate Developments Newbridge Limited

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Introduction

The pre-application consultation Opinion from An Bord Pleanála in relation to the proposed strategic housing development at Ballymany, Newbridge, Co. Kildare was received on the 23rd December 2020, case reference: ABP-308498-20.

Having regard to the above, the opinion states that An Bord Pleanála *‘is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.’*

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted with the planning application that could result in them constituting a reasonable basis for an application for strategic housing development and to assist the Board in its decision making process:-

Design and Layout

- 1. Further consideration / amendment of the layout of the scheme along the southern portion of the site, along the distributor road and adjoining Phase 1, to ensure the proposed development protects the residential amenities of houses approved under Phase 1.**

Response:

The masterplan layout has developed to provide enhanced connectivity to the link road (referred to as distributor road above) with additional open space provided towards Ballymany Road. This has been achieved by relocating the approved creche facility into the heart of the scheme; the facility itself has been enlarged to provide a central community facility to serve the full development of the site, including Phase 1 proposals.

The number of units proposed along the southern section of the Link Road has been reduced since the Tripartite meeting to better reflect the density of the Phase 1 lands. With the reduction in the number of units along this section of the Link Road, greater setbacks between the units under construction in Phase 1 and the

subject application have been achieved resulting in the proposed dwellings being located and designed to protect the amenity of the current Phase 1 scheme while complimentary materiality has been selected to ensure a cohesive scheme is created.

The local section shows the level change relationship between the houses accessed from the link road and the adjacent houses in Phase 1. Connectivity is not possible due to the level change. The proposed houses are lower at roof level than the houses in Phase 1.



Section 6 Prepared by Reddy Architects Showing relationship between the Proposed Development and Units Under Construction in Phase 1

- 2. Further consideration/amendment of the layout of the public open space, and surface car park at the northern boundary with Standhouse Lane (Road) to improve the relationship with Standhouse Road and the public realm. The layout should ensure adequate permeability through the site.**

Response:

The design has been revised to provide a set-back landmark building within a soft landscaped setting alongside the proposed junction, while parking has been integrated with the streetscape. The reduced car parking area allows a more significant open space presentation. Footpath links towards the Newbridge Railway Station are provided along this frontage, to link seamlessly with existing footpaths to the east along Standhouse Road.



CGI View from the Link Road at Junction with Standhouse Road

Open Space

- 3. Further consideration / amendment of the layout to ensure adequate provision of safe active and passive public open spaces. A landscaping and design plan with associated drawings and documentation should be submitted with any application clearly indicating how the areas of public open space integrate with and enhance the development.**

Response:

The landscape design team has worked with the design architects and has met and consulted with the Parks Department in Kildare County Council to provide a comprehensive and integrated open space design, which works with the proposed built fabric and circulation through the scheme. Homezones have been introduced to provide a safe movement environment with an animated streetscape, dedicated play areas and larger open spaces. The existing topography of the site has been considered to ensure integration of useable open spaces within the site boundaries and integrating with the Phase 1 open space and movement proposals. Please refer to the Landscape Drawings and Report prepared by Jane McCorkell Landscape Architect for further details. The Open Space Plan Dwg Ref. PP255-03-03 prepared by Jane McCorkell illustrates the connectivity between all areas of public open space.

Transportation

- 4. Further consideration of the documents as they relate to access to the site. Clarity is to be provided concerning the delivery, capacity and function of the proposed distributor road; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development.**

Response:

A link road is indicated under KCC Roads Objective from Green Lane across Ballymany Road (R445) and extending to Standhouse Road and no further. This link road is not a 'distributor road' and has been designed and permitted to DMURS 'link road' standards.

Construction on the permitted road has commenced under Phase 1, for completion and delivery by mid-2022.

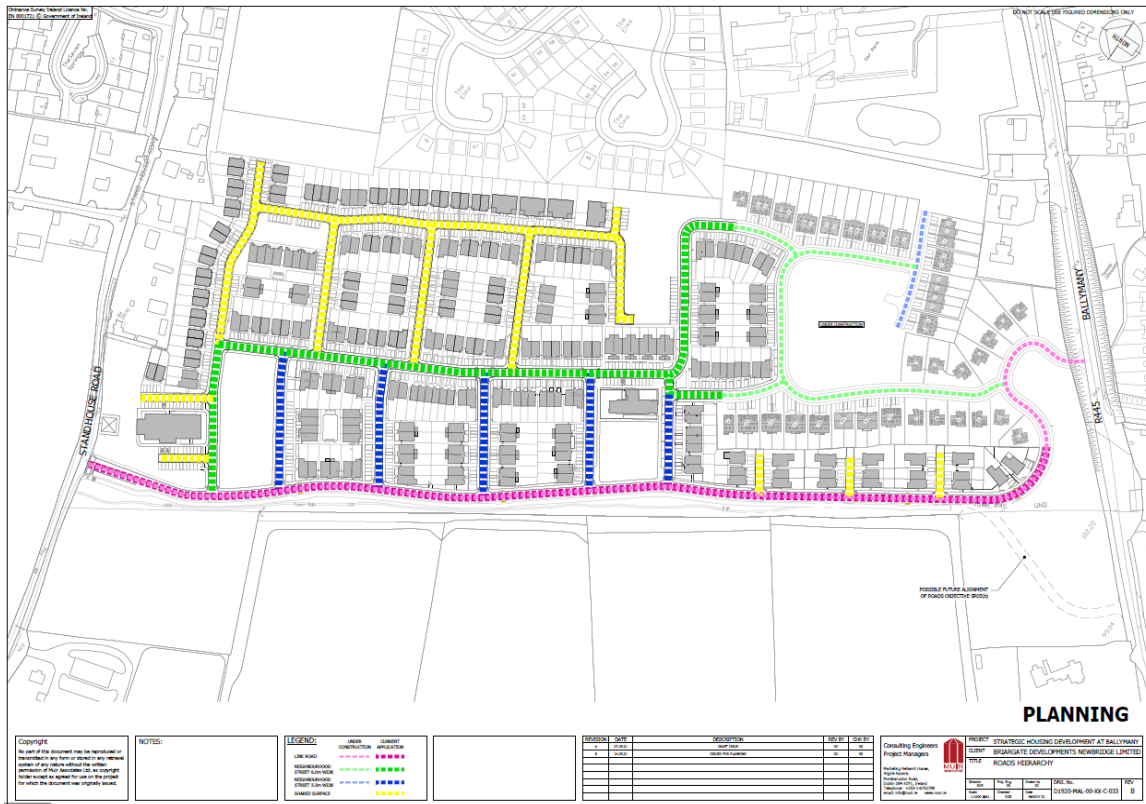
Frontage development to 23 houses has been eliminated and replaced by 4 short culs de sac junctions proposed in this planning application. This will improve the cyclist and pedestrian passage alongside the link road and will improve access to Newbridge railway station.

- 5. Further consideration / amendment of the proposed hierarchy of streets within the scheme, including the provision of homezones to ensure that through traffic is directed towards the distributor road and not through the scheme.**

Response:

The MAL drawing below shows a clear strategy for a roads and streets hierarchy (Dwg Ref. D1920-MAL-00-XX-C-033). The main link road runs externally along the western edge and discourages through-traffic. A central 6m carriageway spine route facilitates internal car traffic and feeds out to the link road. The homezone network is traffic calmed with reduced speed limit to create safe neighbourhoods

of distinct character with pedestrian and residents safety at the forefront, while the materiality of these streets allow for wayfinding and definition.



Additional Information to be submitted with an application

1. A site layout plan which clearly indicates the permitted development under construction and timelines for completion of same, the permitted development that is subject to proposed amendment under the SHD application and the proposed development. In addition, appropriate documentation to demonstrate appropriate consents/compliance with the parent permission, where applicable, in so far as it may relate to any consideration of the proposed SHD development that would be dependent on such previous permission(s).

Response:

Please refer to the SHD Comparison and Detail plan (Dwg No. P20-071K-RAU-XX-XX-A-DR-31018) prepared by Reddy Architecture enclosed. The enclosed plan provides the layout for Phase 1, including the Link Road, which is currently under construction. The

areas where the proposal differs from the permitted development at the interface with Phase 1 is outlined in blue bubbles.

Phase 1 has been commenced with houses available for sale from August 2021, with completion in May 2022. The proposed SHD scheme relates to phases not commenced. There is minor adjustment required in order to integrate Phase 1 with later phases of development as proposed. All of the basic infrastructure is integrated, roads, paths, cycle lanes, water supply and drainage services, ducting for power/communications etc.



SHD Comparison Detail Drawing Prepared by Reddy Architects

Permission enures for the benefit of the land and of all persons for the time being interested therein (S39(1) P+D Act). The SHD development would not be dependent upon previous permissions. As shown, it would integrate seamlessly. In any event, for the time being the land is in single ownership and no consents are required to make the application,

other than for footpath improvements along Standhouse Road. A letter of consent from the adjoining landowner is enclosed.

2. A report that addresses and provides a clear design rationale for the proposed density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development. The documentation should where applicable, i.e. where density, height and housing typologies contravene the local area plan/development plan, consider the 2018 Urban Development and Building Height Guidelines, SPPR3, criteria 3.1 and 3.2 to support any such deviation from development plan standards.

Response:

The proposed development is upon land for which permission for residential development has previously been granted and is being put into effect. The RAU Design Statement has addressed the density, design and character of residential units and the details of materials and finishes. Further detail is included in the Planning Report enclosed. A Statement of Material Contravention has been prepared to address any items which may be considered a material contravention of the Kildare County Development Plan and the Newbridge Local Area Plan. SPPR 3 is covered in detail in the Statement of Consistency enclosed.

3. A report providing a clear rationale and/or justification for the extent, location and visual dominance of proposed car parking.

Response:

The internal layout and parking provision structure has been changed and parking reduced in response to the ABP Opinion, to the extent that there is no visual dominance of car parking. Car parking is provided to the front of residential units, with most housing units having 2 no. car parking spaces within their curtilage. Car parking for duplex units is provided in a similar manner, to the front of the dwellings and car parking for the apartment building is located to the east and west of the building.

The pattern of car parking provided is similar to the pattern permitted on the lands under Ref. 16/658 (ABP-249038) as shown in the original Van Dijk Architects Site Layout Plan enclosed.

The pattern and provision of car parking proposed is also consistent with the recently permitted SHD development at Athgarvan Road, Kilbelin, Newbridge (Ref. 302141), which provides car parking to the front in the curtilage of dwellings.

A total of 617 car parking spaces are provided in the subject development. The breakdown is as follows:-

- Houses – 477 (2 spaces per unit, with the exception of House Type D, which have 1 space per unit)
- Duplexes – 78 (1.25 space per unit, with the exception of 4 no. Duplex Type 1a, which have 1 no. space per unit)
- Apartments – 35 (1 space per unit plus 8 visitor spaces)
- Visitor – 6 (throughout the site)
- Creche – 21 (plus an additional 3 no. drop-off spaces)

The provision of car parking is in accordance with the *Sustainable Urban Housing: Design Standards for New Apartments 2020*. Please refer to the Statement of Consistency with Section 28 Guidelines for more information.

An improved access arrangement for pedestrians to access the Newbridge train station has been achieved by a land swap allowing provision of a linked footpath extending from the site frontage to reach existing footpaths on the south side of Standhouse Road and from there to the train station. This connectivity to public transport has allowed a commensurate reduction in on-site car parking provision to an appropriate level.

4. A report that addresses and provides a justification for the proposed housing mix.

Response:

Please refer to the Planning Report for a Statement on Housing Mix.

5. Visual Impact Assessment including CGIs and photomontages.

Response:

Please refer to the GNET Photomontages, to the RAU Design Statement for CGIs and to the Landscape strategy. A Visual Impact Assessment using the GNET Photomontages is included in the Planning Report enclosed. A chapter on Landscape and Visual Impact Assessment is also included in the enclosed EIAR and has been prepared by Jane McCorkell Landscape Architect.

6. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

Response:

Please refer to the RAU 'Proposed Taking in Charge' Dwg No. P20-071K-RAU-XX-XX-DR-A-31013 for details.

7. A site layout plan indicating the location of bicycle parking and bin storage for the apartment units.

Response:

Please refer to the layout plans prepared by RAU for details of the location of bin and bicycle storage. Further details, including a Waste and Cycle Storage Detail are included on Dwg No. P20-071K-RAU-XX-XX-DR-A-31015.

8. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces and Part V provision.

A Proposed Phasing Plan Dwg No. P20-071K-RAU-XX-XX-DR-A-31017 has been prepared by RAU and provides details of phasing and the delivery of the open space throughout the site. A separate Proposed Part V Layout and Schedule Dwg No. P20-071K-RAU-XX-XX-DR-A-31016 has been prepared to show the proposed Part V units. The Part V units will be delivered as per the phasing plan.

9. Childcare demand analysis, including but not restricted to the status of the creche as located within Phase 1, justification for size of the proposed crèche located in Phase 1 having regard to the existing childcare facilities in the vicinity of the site, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.

Response:

A childcare facility is now provided in the centre of the application site and it has been sized accordingly to cater for any potential demand arising from the entire development of the landholding, including the 54 no. units in Phase 1 currently under construction. Details of the calculations in this regard are included in the Social Infrastructure Audit enclosed. Please refer to the RAU detail creche floor plans and elevations in this regard. The proposed creche has been relocated to provide easy access for all future residents of the scheme and will be delivered in Phase 2 of development on the lands, in line with the 75 dwelling quota.

10. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.

Response:

Details of the calculations in this regard are included in the Social Infrastructure Audit. Given that the Newbridge LAP identifies that the school provision in Newbridge has capacity to cater for c.6,400 pupils it is considered that Newbridge has a provision of educational services capable of serving the growing population of the town.

11. A landscape and permeability plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces, areas to be gated and proposed boundary treatments.

Response:

The applicant's Landscape Architect, Jane McCorkell, has met with the KCC Parks Department to develop an integrated landscape and permeability plan. A number of

landscape plans have been prepared including a Landscape Masterplan, an Open Space Plan and a Boundary Details Plan, which provide details of the permeability between areas of open space, identifies the status of the areas of open space and details of boundary treatments proposed. Please refer to the Landscape Package for full details.

12. Address the issues raised in the report of Irish Water dated 15th December 2020 and the report of the planning authority's Water Services dated 3rd November 2020.

Response:

Irish Water

In regard to Irish Water related elements of this planning application the applicant has successfully concluded coordination with Irish Water and has been issued with the below listed confirmations of feasibility and design:

- *Confirmation of Feasibility No. CDS20006671 which confirms that subject to a valid connection agreement being put in place, the proposed connection to the Irish Water wastewater network can be facilitated subject to the completion of the Upper Liffey Valley Regional Sewerage Scheme Contracts 2A and 2B which are due to be completed by February 2021.*
- *Confirmation of Feasibility No. CDS20007354 which confirms that subject to a valid connection agreement being put in place, the proposed connection to the Irish Water network can be facilitated subject to the completion of the water network upgrades along Standhouse Road for a length of approximately 700m.*
- *Following the above mentioned Confirmations of Feasibility the applicant has issued Irish Water with the proposals for watermain and wastewater connections. Irish Water reverted by issuing Statement of Design Acceptance in April 2021 confirming that they don't not have any objections to the proposed development watermain and wastewater connections to the Irish Water networks.*

The above response was prepared by Muir Associates Consulting Engineers. A detailed response to the Planning Authority's Water Services Report is provided in the enclosed Engineering Planning Report prepared by Muir Associates Consulting Engineers.

13. Submission of an Archaeological Impact Assessment.

Response:

A Cultural Heritage chapter is included in the enclosed EIAR. The chapter has been prepared by Byrne Mullins & Associates, Archaeological and Historical Heritage Consultants. The site has been fully investigated from the archaeological perspective and resolved. An identified archaeological resource has been identified towards the north western quarter and its zone of influence has been preserved and protected in a proposed public open space area.

In relation to residual impact, the author of the chapter confirms that it is not envisaged that any negative residual effects will occur with respect to Cultural Heritage as a result of the project proceeding as proposed with the adoption of the archaeological mitigation strategies outlined in Section 10.8.2.2. (Figure 10.14) and Section 10.9, and the implementation of such mitigation strategies.

The cumulative impact of the proposed development and other existing and/or approved developments in the area of the project was assessed by considering the existing baseline environment and the predicted impacts of this and other approved developments. It is not envisaged that any negative cumulative effects will occur with respect to Cultural Heritage as a result of the project proceeding as proposed.

14. An Appropriate Assessment Screening Report or a Natura Impact Statement, as may be necessary.

Response:

A Natura Impact Statement prepared by Panther Environmental Solutions Ltd is enclosed.

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.

15. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

Response:

A Statement of Material Contravention has been prepared and is enclosed.

Simon Clear