

STRATEGIC HOUSING DEVELOPMENT
APPLICATION

PLANNING REPORT

FOR LANDS AT DEVOY BARRACKS,
NAAS, CO.KILDARE

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**Brady Shipman
Martin**

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CLIENT
The Land Development Agency

DATE
April 2022

DEVOY BARRACKS SHD

Planning Report

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1 INTRODUCTION

This Planning Report has been prepared in support of a Strategic Housing Development Application to An Bord Pleanála, on behalf of the Land Development Agency (LDA). The subject application site known as the Devoy Barracks Site (hereafter called 'the site') is located at Devoy Road, Naas, Co. Kildare.

The Devoy Barracks application site extends to approximately 4.11 ha. It is located to the southwest of Naas Town Centre, and immediately to the west of Kildare County Council's Head Offices and associated surface car parking area.

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*'.

Under the Naas Local Area Plan 2021-2027 (LAP) the subject site is zoned C (2) New Residential and A1 (4) 'Town Centre' and highlighted as a '*Key Development Area*'. The stated objective being: '*To provide for new residential development*' with a reference to a Specific Objective - Key Development Area - Devoy Barracks. As such the use of these lands for residential purposes is provided for, as is required under Strategic Housing Development

This Planning Report, in addition to a Statement of Consistency with Planning Policy, and Statement of Material Contravention accompanies this Strategic Housing Development Application.

The development for which permission is being sought, can be summarised as follows:

The development site is located on John Devoy Road, Naas, Co Kildare, known as Devoy Barracks. The proposed development is for the construction of 219 no. residential units, comprising of a mix of terraced houses (42 no. in total), and duplex / apartment units (177 no. in total) ranging in height from 2 to 5 storeys, a 59-place childcare facility, public and communal open spaces and all associated site works and infrastructure. Vehicular and pedestrian access is proposed via an existing access point on the John Devoy Road along the southern boundary with additional pedestrian and cycle access provided to the east, and future pedestrian and cycle connection opportunities provided to the north, west and east.

This report examines the site location, context, and planning history. It also has regard to issues of compliance with the Naas Local Area Plan 2021-2027, the Kildare County Development Plan 2017-2023, and Section 28 Guidelines, which

are the relevant statutory documents against which the development will be considered.

This Strategic Housing Development Application is accompanied by a comprehensive set of documentation which specifically seeks to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017 and the requirements of the Kildare Development Plan 2017-2023 and the Naas Local Area Plan 2021-2027.

An Environmental Impact Assessment Report – Screening Report (EIAR Screening) and an Appropriate Assessment (AA) Screening Report is submitted to An Bord Pleanála with this SHD Application.

This Planning Report should be read in conjunction with the other documentation (reports and drawings) accompanying this SHD Application. We confirm that prior to making this SHD Application to An Bord Pleanála, the drawings enclosed herewith have been checked with reference to the Planning and Development Regulations, 2001-2022.

2 SITE LOCATION AND CONTEXT

2.1 Subject Site & Context

The subject lands are primarily undeveloped and are located between a suburban and urban context. The subject site is located to the southwest of Naas Town Centre in County Kildare. It is approximately 4.11 ha in size.

Access to the site is from the roundabout on John Devoy Road on the southern boundary of the site. John Devoy Road links southward from the Newbridge Road (connecting to Main Street) to the Naas Southern Relief Road.

The subject site is currently primarily an undeveloped site, falling generally from north to south. The site is located c. 750 metres to the south east of Naas town centre.

The site is bounded to the north-west by the rear gardens of eight existing residential properties at Devoy Terrace. An existing cul-de-sac, St Patrick's Terrace, connects to the Newbridge Road adjacent to the north-east corner of the site. There are several active industrial and commercial units located at the southern end of St Patrick's Terrace.

East of the site is the surface car parking serving Kildare County Council's Head Offices. Immediately east is the MERITS (Mid-Eastern Region Innovation Think Space) building, which is complete and occupied and lands identified for future MERITS buildings. The Kildare Civil Defence Building is located to the south-east.

Arconagh, a residential estate of large detached houses, lies to the west. The Arconagh open space abuts the western boundary of the site, and rear gardens back onto its south-west boundary. Yeomanstown Stream is located adjacent the southern boundary, running from the roundabout at John Devoy road to the southernmost tip of the site boundary. The stream continues south through the construction site for the new Jigginstown/Elsmore development by Cairn Developments.



Figure 2.1: Subject site (indicative boundary) in the immediate context (Source: Coady Architects, 2021).



Figure 2.2: Subject site (indicative boundary) in the wider Naas Context (Source: Google Maps, 2021).

2.2 The Applicant

The applicant for this Strategic Housing Development Application is the Land Development Agency (LDA). The LDA is a commercial, State-sponsored body that has been created to coordinate land within State control for more optimal uses where appropriate, with a focus on the provision of affordable housing.

The subject lands are predominantly within the ownership of the Housing Agency currently, who have provided their consent for the LDA to make this application to An Bord Pleanala (Letter of Consent and map included with the accompanying documentation). It is anticipated that the lands will be transferred to the LDA during 2022 thus enabling the delivery of the project by the LDA.

Some of the lands directly adjacent the site, which are primarily required to enable permeability and connectivity are in the ownership or under the control of Kildare County Council who have similarly provided a letter of consent for the inclusion of their lands (see enclosed Letter of Consent and map).

3 PLANNING HISTORY

The subject site has one recent relevant planning application and, the wider area has a number of relevant planning applications.

Devo Barracks Strategic Housing Development

An Bord Pleanala Ref: 309954-21

Permission refused on the subject site on the 29th July 2021 for the development which proposed the construction of a residential development comprising of 221 no. residential units, containing 36 houses and 185 apartments/duplexes ranging, in height from 2 to 5 storeys and a childcare facility. The reasons for refusal are discussed in Section 4 below.

Elsmore Development

Planning Ref. 09/500050 (ABP Ref. 236928) and SHD ABP PL09.305701

The lands to the south have numerous extant permissions which have in turn been amended by the applicant. The parent permission for Phase 1 (KCC Ref. 09/500050) was granted May 2010 by An Bord Pleanala for development of 86 houses, 75 apartments, a two storey crèche, and construction of the Devo Link Road. This was further amended by KCC Reg. Ref. 11/500086 (ABP 240261) / 17853 and 171469) and subsequently extended by Reg. Ref. 15/955. The Devo Link Road included in the application is complete.

This development is now under construction, with Phase 2 for the construction of a residential development of 314 number dwellings, a crèche and a retail unit being permitted by An Bord Pleanala under Strategic Housing Development in early 2020 (ABP Ref. 305701-19).

Devroy Quarter Strategic Housing Development An Bord Pleanála Ref: PL09 .307258

A Strategic Housing Development Application for the lands to the south of the subject lands, on the opposite side of the John Devroy Road seeking permission the construction of 152 no. apartments, childcare facility and associated site works. This application was granted permission by An Bord Pleanála on the 17th September 2020.



Figure 3.1: Subject site in the context of existing and permitted development

4 REASONS FOR REFUSAL OF PREVIOUS SHD APPLICATION

The Board refused the previous Strategic Housing Development Application for the subject lands (An Bord Pleanála Ref: 309954-21) for the following reasons:

Having regard to the location of the site and in particular the absence of high frequency urban public transport services within easy walking distance of the site, the Board considers that the level of car parking provision is deficient and that it would not serve the needs of future occupants of the development. Furthermore,

the Board also considers that the street environment would be dominated to an unacceptable degree by surface car parking and that this would undermine the sense of enclosure and overall amenity of the development, and be contrary to the provisions of the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009, in particular criteria numbers 7 Layout and 11 Parking and the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended, in particular Section 2.2.1 and Section 4.4.9. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

It is also noted that in the An Bord Pleanála Direction the Board noted that:

Note 1: The Board noted the Inspectors concerns with regard to the proximity of the proposed 3 storey block containing units 1-9 of the proposed development, to the Yomanstown Stream and agreed that it would be in contravention of Objective GI 20 of the County Development Plan. Furthermore, its proximity to the rear of no. 86 Arconagh and its overbearing impact on the open space is considered to be unacceptable in terms of residential and visual amenity.

Note 2: The Board noted that the proposed development would be in contravention of Section 17.2.1 of the Kildare County Development Plan.

Section 17.2.1 relates to Building Height and is discussed further in Section 7.4 of this report.

It is considered that the reason for refusal, as well as the additional identified material contraventions have been addressed in this revised scheme and as submitted to An Bord Pleanála for application.

Additionally the opportunity has been taken to address some other identified concerns of the Inspector and made in submissions on the application. The key changes to the scheme are set out in Section 7.3 of this report and in the Architects Design Statement.

5 PRE-PLANNING CONSULTATION

Both the context and approach to the application site and the emerging design rationale for the proposed development, have been subject to consultation with the Kildare County Council Planning Department under Section 247 of the Planning & Development Act, 2000 (as amended) and Pre-Application Consultation with An Bord Pleanála.

Pre-planning engagement has been had with Kildare County Council including one formal Section 247 Pre-Planning Meeting, held on the 8th September 2021, which was attended by Kildare County Council representatives from Planning, Roads & Transport, and the Strategic Projects & Public Realm Departments.

Separate engagement has also taken place with the Roads & Transport Dept., Drainage Dept., Strategic Projects & Public Realm Dept., Parks Dept. and the Housing Dept.

Additionally Pre-Application Consultation took place with An Bord Pleanála and Kildare County Council as part of the Strategic Housing Development Pre-Application Consultation Process with a tripartite meeting being held on the 15th December 2021.

6 PLANNING FRAMEWORK

The key principles of the Development Plan are set out below with further consideration of the policies and objectives relevant to this site being set out in the Statement of Consistency. The site is located within Naas so is therefore subject to the objectives of both the Kildare County Development Plan 2017-2023 and the Naas Local Area Plan 2021-2027 (which replaced the previous Naas Town Development Plan 2011-2017). The Naas LAP states:

In the full interpretation of all objectives for Naas, it is essential that both the County Development Plan (CDP) and the Local Area Plan (LAP) are read in tandem. Where conflicting objectives arise between the CDP and the LAP, the objectives of the CDP shall take precedence. It should be noted that the general development management standards applicable to the plan area are included in the Kildare County Development Plan. This Plan therefore includes policies and objectives that are specific to the future development of the town of Naas.

6.1 Kildare Development Plan 2017-2023

The subject site is located in the administrative area of Kildare County Council and therefore subject to the Kildare County Development Plan 2017-2023. A high level overview of the planning framework is set out in the following Section with a more detailed consideration set out in the accompanying Statement of Consistency.

6.1.1 Core Strategy

Naas is identified as a Key Town in the Development Plan. Key Towns are identified as ‘Large towns which are economically active that provide employment for their surrounding areas. High quality transport links and the capacity to act as regional drivers to complement the Regional Growth Centres’. Naas is identified as a primary economic growth town to be promoted for

regional enterprise. In these towns critical mass is a core objective for economies of scale to justify strategic infrastructure provision.

The housing unit allocation for Naas, set out in the Development Plan (as varied), provides for 898 no. units over the period 2020-2023.

The Core Strategy of the Development Plan sets out a number of key Core Principles that seek to support the Plan's Vision. These Core Principles include:

- *CS 1 Provide new housing in accordance with the County Settlement Hierarchy.*
- *CS 2- Direct appropriate levels of growth into the designated growth towns as designated in the Settlement Strategy.*
- *CS 4 –Deliver sustainable compact urban areas through the regeneration of towns and villages through a plan-led approach which requires delivery of a least 30% of all new homes that are targeted in these settlements to be within their existing built up footprint.*
- *CS 5 – Support the development of the identified Key Towns of Naas and Maynooth and the Self-sustaining Growth Towns of Leixlip and Newbridge as focal points for regional critical massing and employment growth.*
- *CS 11 – 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.*

Key Towns are set out in the Core Strategy as having the potential to accommodate commensurate levels of population and employment growth, facilitated by their location on public transport corridors and aligned with requisite investment in services, amenities and sustainable transport. The growth of the Key Towns will require sustainable, compact and sequential development and urban regeneration in the town core.

6.1.2 Residential Development

In relation to the capacity of the land for housing, the Development Plan sets out the following considerations:

- *The need for land to be used economically;*
- *Appropriate density;*
- *The capacity of the physical and social infrastructure to cater for the design population;*
- *The adequacy of community facilities;*
- *Adequate privacy and residential amenity for individual dwelling units;*
- *The safety of proposed layouts and the capacity of the existing transportation network to absorb future development; and*

- *Adequate provision for cycle and vehicular parking, open space, landscaping and planting.*

The Development Plan sets out requirements for layout of new residential development which should be designed to achieve the following:

- *A strong sense of identity and a sense of place.*
- *Permeable layouts, with multiple connections to adjoining sites / estates for pedestrians and cyclists.*
- *Priority in the order of pedestrian > cyclist > public transport > car.*
- *A good sense of enclosure.*
- *Active frontage and supervised spaces.*
- *High quality materials and planting.*

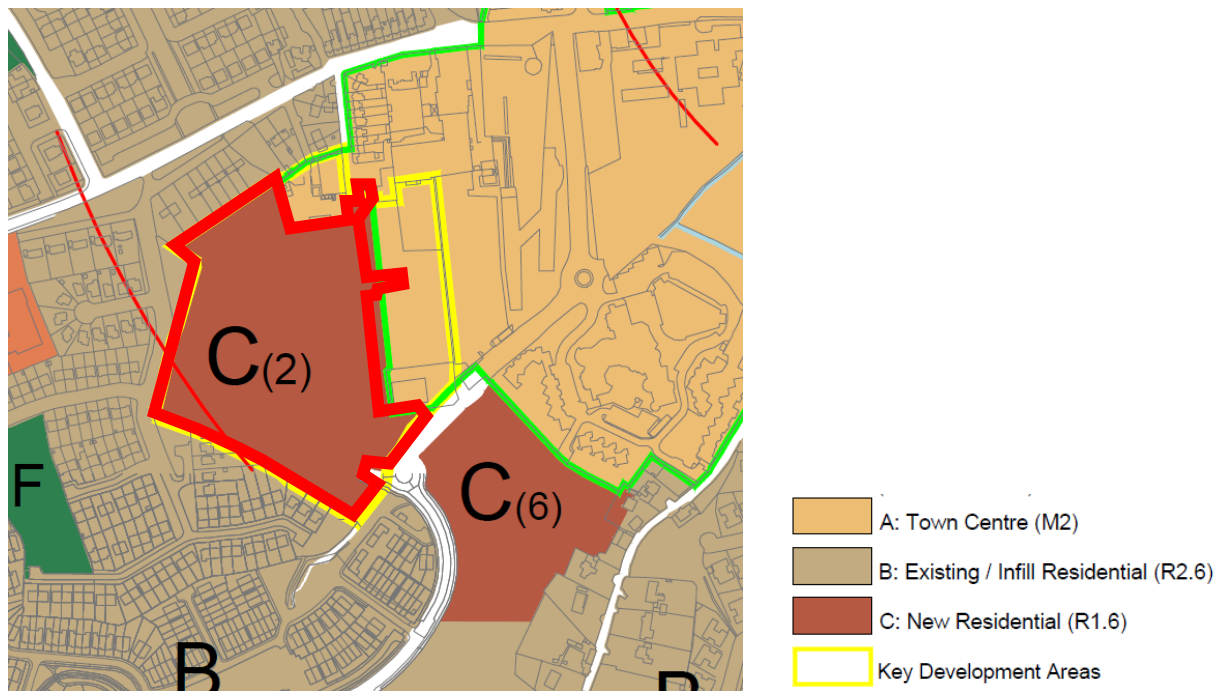
It is considered that the proposed development in this instance can help to achieve these key policies and objectives identified under the Core and Settlement strategies on this important site in Naas. It is respectfully considered that the proposed development which provides for a total of 219 residential units, a crèche and high quality public open space is in accordance with the provisions of the Development Plan on a well located serviced site, through an appropriate density to meet the existing site context between existing low density housing and the more urban campus of Kildare County Council Head Offices and a range of housing typologies to attract a mixed and integrated community. The design of the scheme includes for a high quality public realm, large accessible public open space and communal open space, minimisation of the predominance of the car in the streetscape and clear well defined routes.

6.2 The Naas Local Area Plan 2021-2027

At a special meeting of Kildare County Council on 21st October 2021, the Elected Members adopted the Naas Local Area Plan 2021 - 2027. The Naas Local Area Plan 2021 - 2027 came into effect on 1st December 2021. This plan replaced Naas Town Development Plan 2011-2017. The plan has many similar elements as the previously not adopted draft LAP which had influenced the proposed scheme.

Zoning

Under the LAP the subject site is zoned C (2) New Residential and A1 (4) 'Town Centre' and highlighted as a 'Key Development Area'. The stated objective being: 'To provide for new residential development' with a reference to a Specific Objective - Key Development Area - Devoy Barracks (refer to Chapter 10).



Key Development Area

Section 3.5 of the Naas LAP identifies that ‘One specific Key Development Area (KDA) at the Devroy Barracks which extends to ca. 4.4 hectares has been identified. Given the location of the lands proximate to the town centre and public transport, the site has the capacity to deliver a higher density’.

The proportion of residential development envisaged within each ‘New Residential’ zoned lands varies according to the context and character of each area. The figures outlined in Table 3.5 provide an estimate of residential development capacity on each site.

The subject lands are identified as being within private landholdings and the Plan indicates the following site capacity.

Site Ref No.	Location	Site Area (Ha.)	Estimated capacity Residential Units	Density Range
C (2)	Devroy Quarter	4.37	152-219	35-50

The approach to increased densities set out in the Naas LAP is supported by National Policy and Guidelines which seek to increase density on well-located and serviced sites. This is set out in the Statement of Consistency. As indicated in this report the proposed scheme has a density of 55.2 units per hectare which is considered in line with National Policy and as a balance between existing permitted densities in the area, and in line with the Development Plan.

Key Development Area- Objective & Urban Design Brief

Section 10.6 of the LAP sets out the 'Key Development Areas' which details individual urban design frameworks to guide future development on designated sites identified in the draft Plan.

Section 10.6.1 details an urban design framework for the 'Devoy Barracks Key Development Area'. This section states:

The Devoy Barracks KDA is located to the southwest of the town centre of Naas, with vehicular access off John Devoy Road. It encompasses a circa 4-hectare area under the ownership of the Land Development Authority as well as an area of land to the west and south which belong to Kildare County Council. These lands include the Kildare Civic Defence building and the MERITS building (currently under construction).

It is considered that the area has significant potential to realise its role as a sustainable and vibrant urban district. Such development, whilst mostly accommodating residential uses could also incorporate office development and/or a variety of other commercial uses. In order to create a more responsive and legible urban form it is considered that the Kildare Civil Defence building and yard be relocated to a more suitable site.

For clarity it is confirmed that the lands are not currently in the ownership of the LDA but are due to be transferred to the LDA in 2022.

For clarity and in response to the An Bord Pleanála Opinion Item 1 which requests 'A report / statement demonstrating how the proposed development accords with the objectives of the Urban Design Brief / framework for this Key Development Area (KDA), including objectives relating to Connectivity / Movement. The statement should also address the access requirements of the commercial uses proposed for the eastern side of the KDA lands as part of the overall design brief'.

It is important to note that the LAP states in Section 10.2.2 that:

*Any planning application for the development of lands within these areas (with the exception of the Strategic Reserve lands in the NWQ which cannot be developed until the masterplan is integrated in the Plan by way of a statutory amendment) will only be considered where it can be shown that the development proposal would not undermine the achievement of the overall objectives outlined for each respective area, and would contribute its 'pro rata' share of the public infrastructure and facilities set out in this plan for that area. **The urban design framework for the CRAs and KDAs are indicative only and may be altered in light of eventual road and service layouts, detailed design and topography, subject to compliance with the criteria set out in the relevant urban design framework. [Our emphasis].***

The LAP in Section 10.6 further states that:

*A design framework has been prepared for each KDA, based on an appraisal of each area in its respective contextual environment. **The frameworks set out broad parameters for the future development within the KDAs and are intended to assist a variety of parties involved in the planning process** including landowners, developers, design teams and residents. They will also guide Kildare County Council or An Bord Pleanála in the assessment of any detailed proposals submitted.*

While principal access points and connections, key building frontages and public spaces should generally be regarded as fixed requirements; a degree of flexibility can apply. For example, access points from the main road network and key connections within the KDA will be required but the actual position of each route could be altered subject to site-specific traffic and permeability considerations. Key building frontages and the layout of the urban blocks may also be varied where it is demonstrated that there is a strong urban design rationale, and that passive supervision of public spaces will not be compromised. [Our emphasis].

What is clear from the above extracts is that design frameworks set out in the LAP are 'indicative', 'broad parameters', and 'a degree of flexibility can apply'. It is considered that the proposed application accords with the framework for the KDA, as set out below and in the Architects Design Statement and where any variation occurs this is due to site specific constraints, but maintains the intent and objectives of the KDA.

Consideration of the scheme against Table 10.2 and Figure 10.22, are discussed in Section 7.6 below.



Figure 6.2: Devroy Barracks Key Development Area Urban Design Framework with site boundary indicated. (Source: KCC, 2021).

It is considered that the proposed scheme meets the objectives and considerations as set out above. The scheme provides for a higher density directly adjacent the future proposed linear open space/civic plaza towards Kildare County Council offices and Naas town centre, and then scales down to integrate with the adjacent existing residential development.

6.3 Draft Kildare Development Plan 2023-2029

During the finalisation of this application for lodgement to An Bord Pleanála the Draft Kildare County Development Plan 2023-2029 was published, on the 14th March 2022, for public consultation. This consultation period runs until 24th May 2022. As the decision of the Board, on this application, will be made before that plan is final, adopted and in force (in 2023) the Draft Kildare County Development Plan 2023-2029 has not been considered in respect of the proposed development.

7 PROPOSED DEVELOPMENT

7.1 Scheme Vision

The objective of the new development at Devroy Barracks, Naas, is to provide an attractive and desirable residential development, well connected to the surrounding community and the commercial core of the town, with its own

character and sense of place. The development will be responsive to its natural environment, making the most of ecological amenities, such as the existing trees along the boundary with Arconagh, and Yeomanstown stream along the southern boundary.

The development will provide dwellings that are affordable, sustainable, well designed with, low energy and low maintenance requirements set within a high quality landscaped public realm. A minimum of 20% of the scheme, in line with revised Part V legislation, will be provided for social housing. It is anticipated that the balance of the units will be dedicated to affordable housing, subject to commercial feasibility.

7.2 Overall Design Rationale

The design strategy for the development at Devoy Barracks is as follows:

- Provide opportunity for a north-south pedestrian and cycle link through the site, connecting St Patrick's Terrace to the north to the roundabout at John Devoy Road and Yeomanstown Stream to the south.
- Provide opportunity for a new east-west pedestrian and cycle routeway through the site, allowing for connectivity from the existing housing developments to the west, to the town centre through the civic area to the east.
- Create a new public open space at the confluence of these two routeways, at the centre of the site.
- Expand the existing open space at Arconagh to the west, retaining and augmenting the existing trees and landscape.
- Form a simple, tree-planted streetscape, with housing clusters to either side, providing access to the northern half of the site.
- Form landscaped home-zones at the end of the streets, to provide a street space for play as well as parking.
- Position terraced housing along the northern and southern boundaries of the site, backing onto the existing residential developments.
- Form housing cells of duplex and apartment typologies, creating a strong urban edge to the streetscape and enclosing communal open space as an additional residential amenity for the community.
- Provide dual aspect housing typologies for passive overlooking of public and communal open space
- Provide a variety of building heights, graduated from west to east to respond to the existing site conditions and building typologies.
- Provide a focal / gateway building at the site entrance from John Devoy Road.

This is set out and discussed in detail in the Architects Design Report prepared by the joint architects Coady Architects and MCORM Architects.

7.3 Changes from Previous Application

The design team have considered the comments from An Bord Pleanála in their refusal of the previous application and, comments from both Kildare County Council and An Bord Pleanála during the Pre-Application Process including the Tri-Partite Meeting and An Bord Pleanála Opinion. The amendments to the scheme design are outlined below:

- The number of units has decreased from 221 no. units to 219 no. dwellings; 42 no. houses; 73 no. duplexes; 104 no. apartments. This is a reduction of 2 no. units.
- The proposed housing mix is 64 no. 1 bed units (29%); 105 no. 2 bed units (48%) and 50 no. 3 bed units (23%).
- The revised layout provides a reduction in the net density from 55.7 units per hectare (uph) to 55.2 units per hectare (uph).
- The total area of public open space is provided in the Central Open Space, the Western Open Space, the Linear Open Space and Yeomanstown Stream Open Space; totalling 6,158 sq.m. (15.5% of the site area).
- A semi-private communal open space forms the centre of each duplex / apartment block, providing an additional amenity for the enjoyment of these residents. The total area of communal amenity space provided in the development is c. 4,684 sq.m., which significantly exceeds the minimum total area of communal amenity space required (1,122 sq.m.).
- Each dwelling is provided with private amenity space in accordance with the Kildare County Development Plan 2017-2023 (houses) and the Sustainable Urban Housing Design Standards for New Apartments (duplexes and apartments).
- Further increase in car parking provision from the refused SHD-1 planning application, from 235 no. to 314 no. car parking spaces. The revised scheme provides a parking ratio of 2 spaces per house, 1.22 car parking spaces per duplex and apartment and 14 no. car parking spaces will serve the crèche; 8 no. set down spaces (with the introduction of an island) and 6 no. staff parking spaces (located in the undercroft car park). This reflects an overall increase of 79 no. parking spaces; providing a parking ratio of 2 car parking spaces per house, and 1.22 car parking spaces per duplex and apartment.
- The revised scheme has benefited from the overall reduction of on-street car parking reduced by c. 54%. This has been achieved through the introduction of an undercroft car parking to the south-eastern section of the site.
- Further reductions of on-street car parking were achieved by replacing perpendicular car parking with parallel car parking and prioritizing the landscape. The revised scheme has benefited as a whole, in particular the quality of retained on street parking located on Street 2 and in the adjoining Homezone has both improved. Overall, the number of on-street parking spaces is reduced from 211 no. on-street parking spaces in the previous SHD application, to 97 no. on-street parking spaces in the current application.

- As a consequence of the removal of back-to-back perpendicular on-street car parking to key access routes, the level of separation between the blocks along key streets has been tightened in the revised scheme. (Section 2.2.3 of DMURS, Design Principle 3: Pedestrian Focus.)
- With the introduction of the undercroft car park in Cell A, the revised scheme now benefits from a communal open space on the podium level. This elevated communal open space will be accessed via 3 no. external stairs and 1 no. external lift from street level. All three access points have been given prominent positions.
- The northern route runs parallel to the public open space, adjacent to the proposed pedestrian route, while the two southern routes are located off Street 1.
- In response to the introduction of the undercroft car parking and podium level communal open space, a new unit type L1, has been created with dual entry points. The L1 unit is a three storey unit, 2 bed duplex on the ground and first floor with a 1 bed apartment on second floor. Both dwellings are own door accessed.
- The L1 units will straddle the undercroft car park to form the edges to the newly proposed podium. Since unit type L1 is dual entry, the front door of the upper apartment is accessed directly from the podium level, while front door of the lower duplex is determined by the orientation of the unit, accessed directly from street level, from Street 1 to the south, from the public open space to the north or from the linear open park to the east which runs parallel with the Kildare County Council offices and the rear of the MERITS buildings. Windows on the upper levels overlook and provide passive supervision to these public spaces. These new units provide additional variety to the streetscape and the overall development.
- The row of terraced housing is extended along the southern boundary of Street 1, responding to the existing dwellings of Arconagh and maintaining the minimum distance of 22m between the existing and proposed properties.
- The standalone duplex units (previous application no. 1-9 - unit type B1 and K1) at the south-east corner of the site have been omitted in order to address concerns of overlooking into no. 86 Arconagh, which in turn has resolved concerns of encroachment into the 10m biodiversity zone banks of the Yeomanstown Stream.
- In the revised scheme, the front door of the end terrace house (revised application no.1 – unit type F2) is located on the gable elevation and faces south towards the newly created open space which runs along the banks of the Yeomanstown Stream. This arrangement is more sympathetic to the existing context, enlivens the streetscape and provides passive supervision to the public space.
- The impact of the underground services on potential future development to the triangular piece of land adjacent to John Devoy roundabout have been reviewed and reduced in scale or redirected where possible.

- A number of design moves have occurred in and around Cell D. Through the rationalisation of the surrounding street routes and by replacing the unit A4/vehicle underpass with a standard unit A2, the car parking numbers to the scheme have been increased. Additionally, by relocating the bin/bike stores to the north boundary, a more defined enclosed communal open space central to the surrounding duplex and apartments in Cell D has been achieved.
- 28 no. 1 bed and 2 bed apartments are provided over the crèche, 7 no. units per floor around a central core with lift and stairs. The building height on this corner, adjacent the entrance to the development from the John Devoy Road roundabout is maintained at 5 storeys. Building height strategy shall remain unchanged, and this is dealt with in the material contravention statement.
- The elevation treatment and building massing has been redefined to reflect the revised scheme as can be seen in the streetscape elevations.
- Design of the surface water management system including SuDS revisited, resulting in the removal of 1no. attenuation tank to the undercroft, replaced with a wetland to the southern boundary adjacent to the Yeomanstown's Stream as part of the 100 year attenuation strategy. Further reduction of underground services to the land adjacent to John Devoy roundabout to prevent sterilisation for future development
- The potential for future connectivity routes from the site to the surrounding areas have been provided. To the north at St Patrick's Terrace and to the west at Arconagh open space, connections shall be facilitated through the delivery of the routes up to the legal boundary. This will enable the connectivity to be completed by the Kildare County Council in time and eliminate ransom strips on the development site.
- The secure bicycle and bin storage for the apartments and duplex of Cell A are located and accessed from the undercroft.

This is set out in detail in the Architects Design Statement.

7.4 Height

The proposed strategy aligns with the intent of the LAP, in respect of where increased height should be located, however, as discussed in the Material Contravention Statement prepared by BSM, it may be considered to be a contravention of the Development Plan and is set out for consideration by An Bord Pleanála.

The Kildare Development Plan, in Section 17.2.1, states that '*heights should respect the local streetscape. In towns, varied building heights are supported across residential, mixed use and town centre areas to support consolidation and to create a sense of place, urban legibility and visual diversity. Development proposals that include building heights that are greater than the prevailing building height in the area should be supported by a strong urban design rationale (as part of a Design Statement)*' and further '*Tall buildings, defined here as*

buildings that exceed five storeys and/or 15 metres, will only be considered at areas of strategic planning importance identified in a Local Area Plan’.

As set out in the Architects’ Design Statement, the lower 2-3 storey buildings are located to the north, west and south of the site where it adjoins existing two storey residential buildings. The 5 storey crèche/apartment building is located at the south-eastern corner, cranked to set back from the roundabout, framing the entrance to the site and connecting to the linear open space. Other 4 storey buildings are located throughout the scheme at key corners and adjacent open spaces to provide a varying streetscape and act as markers in the development.

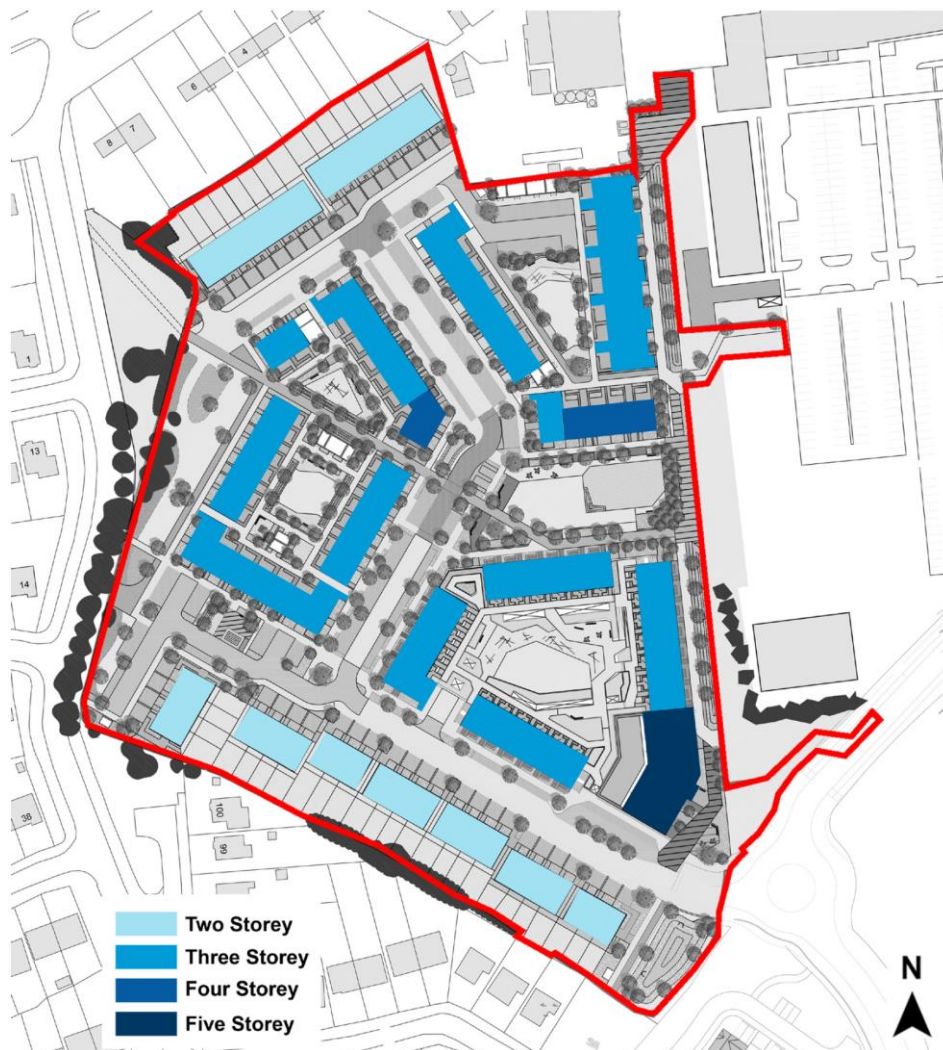


Figure 7.1: Proposed Height Breakdown. (Source: Architectural Design Statement, 2022).

A single 5 storey building is proposed as a focal building, as identified in the LAP Figure 10.22, at the entrance to the site fronting John Devoy Road. Noting that the Development Plan states, as above ‘*Tall buildings, defined here as buildings that exceed five storeys and/or 15 metres, will only be considered at areas of strategic planning importance identified in a Local Area Plan’* and given the use of “and/or” being somewhat unclear the proposed heights may be considered a material contravention.

In their consideration of the issue in the refused application, An Bord Pleanála determined that, the proposed 4 storey building at 15.6m was a contravention of the Development Plan, but not material, and the 5 storey building at c.17.8 metres was considered a Material Contravention of the Development Plan. This is considered in the Material Contravention Statement.

As identified in the Urban Development and Building Height Guidelines (2018) which pre-date the LAP, *'Newer housing developments outside city and town centres and inner suburbs, i.e. the suburban edges of towns and cities, typically now include town-houses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards). Such developments deliver medium densities, in the range of 35-50 dwellings per hectare net. Such developments also address the need for more 1 and 2 bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3, 4 or more bedroom homes across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation'*. The Guidelines identify that development proposals for more mixed heights can provide for a more attractive streetscape and should move away from 2 storey dominated approaches.

SPPR 4 in this regard states:

It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

The *Urban Development & Building Height Guidelines* establish the principle for the re-examination of height limits and is considered in the context of the LAP, which identifies a focal building on the site, and acknowledging SPPR 4.

On the basis of the Local Area Plan there would be no contravention in terms of height as the LAP takes precedence, in the basis of policies for tall buildings, over the heights in the Development Plan. However given there is inconsistency in wording used between the Development Plan and the Local Area Plan in respect of where height is to be located it may be considered that a material contravention occurs and this is considered further in the Material Contravention Statement.

7.5 Residential Accommodation

The proposed scheme comprises 219 no. units, with a mix of 1, 2 and 3 bed apartments/duplexes and houses. The proposed scheme provides the following unit mix:

	Apartment/Duplex	House	Mix
	Number	Number	%
1 bed	64	0	29.2%
2 bed	105	0	47.9%
3 bed	8	42	22.8%
Total	177	42	100%

The development site is an infill site with very little frontage to existing roads and streets. The site layout is developed to knit into the existing residential fabric while providing an appropriate scale and density for a development in close proximity to the town centre. The development comprises largely two and three storey housing, located mainly at the boundaries with adjacent housing, with taller four storey duplexes and apartments (up to 5 storeys at the John Devoy Roundabout) at visual nodal points, at the entrance to the site and along primary streets and facing onto open space.

The typologies and mix of housing; 1 and 2 bed apartments, 2 and 3 bed duplexes, and 3 bed terraced housing, provides a varied mix of housing types and sizes. This framework of housing types facilitates residents establishing long-term roots in the community, by providing flexibility to move between housing units depending on their needs at various times of their lives.

The existing landscape, new open spaces and street grain create a variety of movement, interconnecting different open spaces, framed by buildings of different nature and scale, stepping between 2, 3 and 4 storeys in height with 5 storeys proposed at the entrance and focal building.

A variety of principal dwelling types are proposed which differing form, mass and height from terraced and end of terraced housing, a number of arrangements of duplex/apartment units, and a four storey apartment block over the crèche. The overall site layout has been developed in line with the Urban Design Manual and based on universal design guidelines.

7.6 Consistency with the Naas LAP- Key Development Area Objectives & Urban Design Brief

Section 3.5 of the Naas LAP identifies that *‘One specific Key Development Area (KDA) at the Devoy Barracks which extends to ca. 4.4 hectares has been identified. Given the location of the lands proximate to the town centre and public transport, the site has the capacity to deliver a higher density’.*

The proportion of residential development envisaged within each ‘New Residential’ zoned lands varies according to the context and character of each area. The figures outlined in Table 3.5 provide an estimate of residential development capacity on each site.

The subject lands are identified as being within private landholdings and the Plan indicates the following site capacity.

Site Ref No.	Location	Site Area (Ha.)	Estimated capacity Residential Units	Density Range
C (2)	Devoy Quarter	4.37	152-219	35-50

The approach to increased densities set out in the Naas LAP is supported by National Policy and Guidelines which seek to increase density on well-located and serviced sites. This is set out in the Statement of Consistency. As indicated in this report the proposed scheme has a density of 55.2 units per hectare which is increased, based upon National Policy and as a balance between existing permitted densities in the area, and in line with the Development Plan.

Section 10.6 of the LAP sets out the ‘Key Development Areas’ which details individual urban design frameworks to guide future development on designated sites identified in the draft Plan.

Section 10.6.1 details an urban design framework for the ‘Devoy Barracks Key Development Area’. This section states:

The Devoy Barracks KDA is located to the southwest of the town centre of Naas, with vehicular access off John Devoy Road. It encompasses a circa 4-hectare area under the ownership of the Land Development Authority as well as an area of land to the west and south which belong to Kildare County Council. These lands include the Kildare Civic Defence building and the MERITS building (currently under construction).

It is considered that the area has significant potential to realise its role as a sustainable and vibrant urban district. Such development, whilst mostly accommodating residential uses could also incorporate office development and/or a variety of other commercial uses. In order to create a more responsive and legible urban form it is considered that the Kildare Civil Defence building and yard be relocated to a more suitable site.

For clarity it is confirmed that the lands are not currently in the ownership of the LDA but are due to be transferred to the LDA in 2022.

For clarity and in response to the An Bord Pleanála Opinion Item 1 which requests *‘A report / statement demonstrating how the proposed development accords with the objectives of the Urban Design Brief / framework for this Key Development Area (KDA), including objectives relating to Connectivity / Movement. The statement should also address the access requirements of the commercial uses proposed for the eastern side of the KDA lands as part of the overall design brief’.*

It is important to note that the LAP states in Section 10.2.2 that:

*Any planning application for the development of lands within these areas (with the exception of the Strategic Reserve lands in the NWQ which cannot be developed until the masterplan is integrated in the Plan by way of a statutory amendment) will only be considered where it can be shown that the development proposal would not undermine the achievement of the overall objectives outlined for each respective area, and would contribute its ‘pro rata’ share of the public infrastructure and facilities set out in this plan for that area. **The urban design framework for the CRAs and KDAs are indicative only and may be altered in light of eventual road and service layouts, detailed design and topography, subject to compliance with the criteria set out in the relevant urban design framework. [Our emphasis].***

The LAP in Section 10.6 further states that:

*A design framework has been prepared for each KDA, based on an appraisal of each area in its respective contextual environment. **The frameworks set out broad parameters for the future development within the KDAs and are intended to assist a variety of parties involved in the planning process** including landowners, developers, design teams and residents. They will also guide Kildare County Council or An Bord Pleanála in the assessment of any detailed proposals submitted.*

While principal access points and connections, key building frontages and public spaces should generally be regarded as fixed requirements; a degree of flexibility can apply. For example, access points from the main road network and key connections within the KDA will be required but the actual position of each route could be altered subject to site-specific traffic and permeability considerations. Key building frontages and the layout of the urban blocks may also be varied where it is demonstrated that there is a strong urban design rationale, and that passive supervision of public spaces will not be compromised. [Our emphasis].

What is clear from the above extracts is that design frameworks set out in the LAP are ‘indicative’, ‘board parameters’, and ‘a degree of flexibility can apply’. It

is considered that the proposed application accords with the framework for the KDA, as set out below and in the Architects Design Statement and where any variation occurs this is due to site specific constraints, but maintains the intent and objectives of the KDA.

Devoy Barracks Key Development Area Design Brief

The Plan identifies, in Table 10.2, the following design brief principles against which we have considered the proposed scheme:

Vision

To develop Devoy Barracks as an attractive, legible and permeable urban district that is home to high-quality residential neighbourhood with an element of commercial uses to be located to the east of the site adjacent to the MERITS building and Áras Chill Dara.

The proposed scheme includes for the development of 219 residential units, a c.411 sq.m crèche, extensive public open space and proposed and future connections to adjacent lands; all to be delivered by the Land Development Agency providing a mix of social housing and affordable housing.

Connectivity/ Movement

Provide for the integration of existing links between the area and Newbridge Road including the provision of pedestrian/cyclist only routes. Vehicular access to the site will be via John Devoy Road which will also include for pedestrian and cycle links. Facilitate strategic car parking provision within the perimeter block of commercial developments and where appropriate, underground parking. The KDA should be permeable and integrate seamlessly with adjacent lands. Routes and connections within the KDA should prioritise sustainable movement (walking/cycling).

Vehicular access is proposed to the site via the John Devoy Road as envisaged with a pedestrian and cycle connections provided to the east to adjoin the Merits Building, which is completed and due to be occupied in early 2022 . The exact details of this layout will be agreed with KCC post grant of planning. The proposed central public open space and linear route adjoin the adjacent Kildare County Council lands allowing for the future seamless connection of the two sites for pedestrians and cyclists. The scheme also provides for potential future connectivity to the west to Arconagh and the north via St. Patrick's Terrace subject to delivery by Kildare County Council.

Car Parking is provided both in curtilage for houses, and along the street, within perimeter block and in undercroft parking for the apartment and duplex units.

Built Form

Medium to higher density residential developments should be located within the centre of the KDA, to the west of the commercial development built form. The perimeter block building typology will be encouraged for higher density development. Lower density residential development should be located around the west and southern fringes of the KDA in order to integrate with the surrounding established residential estates.

The Local Area Plan 2021-2027 suggests medium to high density residential development within the centre of the Devoy Barracks Key Development Area, with lower density development located around the western and southern fringes.

The site layout, housing typologies and building height strategy of the proposed development seeks to deliver on this objective, providing an appropriate and balanced response to the existing site context, the need to increase affordable housing provision, and the parking needs to serve the accommodation.

The duplex and apartment typologies improve the overall density. Duplexes are generally 3 storeys in height, rising to 4 storeys at key locations, to the north of the central open space and where the east-west pedestrian / cycle path cuts through the western housing cell.

The crèche and apartment building at the site entrance rises to 5 storeys as a focal point of the development. 2-storey terraced housing backs onto the boundaries with existing housing to the north and south of the site.

Landscape and Spaces

Provide for a minimum of 15% quality open space within the residential lands. Overall, the framework provides for a coherent and legible urban structure based on the principles of permeability, continuity and urban enclosure. A defining part of the layout is the provision of a landscaped amenity space at the centre. This will create a focal point of the area and also provide for a pedestrian/cyclist link to the Newbridge Road (see Figure 10.22).

The overall aim of the landscape design is to create a high quality attractive environment with amenity facilities for the surrounding proposed residences and users of the park spaces / green links. The scheme as proposed provides for 15.5% public open space meeting, and exceeding, the LAP objective.

The site layout is developed around two distinct pedestrian and cycle routeways through the site, offering future connectivity beyond the site to the surrounding neighbourhood and to the town centre. The central public open space is located at the confluence of these routeways, at the centre of the site. Housing cells are formed around communal open space, with terraced housing backing onto existing housing to the north and south.

An east-west pedestrian and cycle pathway crosses the centre of the site, providing connectivity beyond the site to the east through the Kildare County Offices, and the potential for connectivity beyond the site to the west at Arconagh. The path is wider than the standard footpaths and other pedestrian links into the communal open spaces. This will identify this routeway as a prominent, public thoroughfare. The corner-building where the east-west route cuts through the residential block is four storeys in height, to provide legibility along this important route.

A north-south linear open space runs along the eastern boundary of the site. The layout facilitates future expansion of the open space alongside the future development of civic MERITS buildings on the Kildare County Council office campus. The linear open space provides a north-south pedestrian and cycle pathway through the site. It facilitates future connectivity through St Patrick's Terrace to the north and links to the Elsmore housing development to the south.

The linear open space defines the threshold between the residential accommodation to the west and the adjacent civic buildings to the east.

The site is laid out with a simple road network, formed around residential streetscapes and distinctly legible home-zones. The main access road turns midway through the site and connects to the northern half of the site. The east-west pedestrian and cycle pathway has primacy where it crosses the roadway; the road narrows, the surface changes to buff macadam (or similar material), and the surface is level with the path.

A crèche and apartment building is located at the south-eastern corner, at the site entrance, providing a 5 storey focal building and gateway at this important corner. The building is set back from the roundabout and cranked to form the entrance to the linear open space.

The provision of home-zones, streetscape with on-street parking, tree planting, and dwellings which are directly connected to the open spaces, provide good variety and a strong urban development.

Devo Barracks Key Development Area Urban Design Framework

The Local Area Plan identifies, in Figure 10.22, the following design brief principles against which we have considered the proposed scheme noting that the LAP in Section 10.6 further states that:

*A design framework has been prepared for each KDA, based on an appraisal of each area in its respective contextual environment. **The frameworks set out broad parameters for the future development within the KDAs and are intended to assist a variety of parties involved in the planning process including landowners, developers, design teams and residents. They will also guide Kildare County***

Council or An Bord Pleanála in the assessment of any detailed proposals submitted.

While principal access points and connections, key building frontages and public spaces should generally be regarded as fixed requirements; a degree of flexibility can apply. For example, access points from the main road network and key connections within the KDA will be required but the actual position of each route could be altered subject to site-specific traffic and permeability considerations. Key building frontages and the layout of the urban blocks may also be varied where it is demonstrated that there is a strong urban design rationale, and that passive supervision of public spaces will not be compromised. [Our emphasis].

The key elements set out in the Urban Design Framework (“UDF”) include the following:

	Urban Design Framework	Proposed Scheme
Use	The UDF indicates residential use on the Devoy Barrack section of the site with mixed/use commercial proposed to the East on MERITS/ Kildare CC lands.	The proposed scheme is for a fully residential development with a crèche located at the entrance to the site along the John Devoy Rd. This complements the completed and future MERITS buildings to the east.
Access Points	The UDF indicates access points on the John Devoy Rd and also to the north and west however it does not specify if these are to be vehicular or pedestrian/cycle.	The proposed scheme provides for vehicular access to the site on the existing access point from the roundabout. This also allows for the continued vehicular access to the completed and future MERITS buildings to be accessed from the existing Kildare CC car park from John Devoy Rd. No vehicular access is required through the Devoy Barracks site to these sites.
Streets/Routes/ Permeability	The UDF indicates local route/streets but does not specify if these are required to be vehicular. It sets up the site to provide for a high degree of permeability to existing adjacent lands.	The scheme provides for pedestrian/cyclist access to the lands to the east and is designed to allow for future connections to the north and west should connections open up in the future.
Open Space	Strategic Open Space is proposed to the centre of the site, the west adjacent Arconagh and along the north south route.	Open space is provided in a realigned format. From the site through the adjacent Kildare Council lands and onto the Newbridge Road,

		the premise of a significant central open space is retained and linked to the north south route providing a central open space for the entire KDA.
Focal Buildings	Focal Buildings are provided for at the access point on John Devoy Rd and to the west of the site.	The proposed scheme provides for a focal building of 5 storeys at the access point to the site but not to the west as it was considered to be overbearing on the adjacent Arconagh estate.



Figure 7.2: Urban Regeneration and Development Strategy for Devoy Quarter with site boundary indicated. (Source: KCC, 2021).

It is considered that the proposed scheme meets these objectives and considerations. The scheme provides for a higher density directly adjacent the future proposed linear open space/civic plaza towards Kildare County Council offices and Naas town centre, and then scales down to integrate with the adjacent existing residential development.

7.7 Residential Development Standards

The proposed development is in compliance with the Kildare County Council Development Plan 2017-2023 and the Naas Local Area Plan 2021-2027, and

where superseded by the *Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities* of December 2020 except where identified in the Material Contravention Statement.

Chapter 17 of the Kildare County Development Plan 2017-2023 sets out the development management standards for new residential developments. Compliance with the primary policies and objectives are set out below, however further details can be found in the Architects' Design Statement, Landscape Architect's Design Report and the Civil Engineer's Reports on Traffic, Drainage etc. as accompany the application. The Local Area Plan does not propose any changes to the development management standards noting that *'It should be noted that the general development management standards applicable to the plan area are included in the Kildare County Development Plan. This Plan therefore includes policies and objectives that are specific to the future development of the town of Naas'*.

This section of the Planning Report sets out compliance with these standards in tandem with the detail set out in the Housing Quality Assessment Table (HQA) prepared by Coady Architects which is included with this Application.

Site Classification

The Kildare County Development Plan (KCDP) identifies development management standards based upon a sites characteristics and location. The KCDP identifies sites as either *'Town Centre / Brownfield, Inner Suburban, Outer Suburban In close proximity to public transport or Outer Suburban Remote from public transport'*.

Inner Suburban/Infill is set out in the Kildare County Development Plan as:

The existing built fabric of large towns often contains residential areas where additional dwellings can be accommodated without compromising the existing residential amenity or residential character of the area. The provision of additional dwellings within inner suburban areas of towns can be provided either by infill or by sub-division. Infill residential development may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. Sub-division of sites can be achieved where large houses on relatively extensive sites can accommodate new residential development without a dramatic alteration in the character of the area or a negative impact on existing residential amenities. Sub-division shall be considered subject to safeguards regarding residential amenity, internal space standards, private and public open space, car parking and maintenance of the public character of the area.

It is considered that the site is classified as an 'Inner Suburban' site noting:

- its location within the Naas Local Area Plan Boundary- adjacent Town Centre Zoned Lands

- its location on appropriately zoned lands proximate to Naas Town Centre, proximate to existing transport connections,
- adjacency to Town Centre zoning,
- Its location proximate to the Council Offices and existing established residential development.

We note that the recent decision by An Bord Pleanála in respect of the Devoy Quarter Strategic Housing Development Application (ABP-307258-20) to the south-east of the site concluded that the site is, as is considered for this site, classified as Inner Suburban.

Additionally we note the Inspector's Report on the refused permission pertaining to the subject site in this regards states:

The applicant makes a case for the proposed density on the basis that the site is at an inner suburban location and can define its own density. Given the sites proximity to the town centre of Naas and to established housing that is sequentially further from the town centre, I would concur with the applications classification of the site as an inner suburban rather than outer suburban / greenfield site. The KCDP (Table 4.2) indicates that density on inner suburban sites will be site specific.

Site Coverage

The Development Plan states that 'the maximum site coverage shall be 50% for residential development, 75% for industrial and 66% for retail and commercial development. Within town centre zones, the maximum site coverage shall be 80% for all development'.

The proposed development includes for a site coverage of 21% which is considered reflective of its location between existing low-density housing and the more urban development to the east. The scheme has allowed for significant public open space and communal amenity space, and pedestrian connectivity resulting in extensive open space.

Plot Ratio

The Development Plan states that the plot ratio for sites located within an 'Inner Suburban' area shall be '0.5 -1.0'. The proposed development will contain a plot ratio of 0.45 and while this is below the Development Plan levels it is submitted that Plot Ratio is only one measurement for assessment of a proposed scheme. This plot ratio is considered in the context of the proposed density, 55.2 units per hectare, and the extent of open space proposed, 15.5% of site area, and as such is considered to be appropriate. As the proposed development does not meet the requirements of the plot ratio standards this is considered to be a Material Contravention and is considered in more detail in the Material Contravention Statement.

Separation Distances/Overlooking

The Development Plan states that in general, that the minimum separation distance between opposing above ground floor windows that will be required for habitable rooms at varying levels in the development range between 22m and 35m. The proposed scheme ensures and exceeds this separation distance for all proposed residential units, thereby ensuring the privacy of future residents.

Density

The Development Plan identifies indicative density levels, however, they specify that Local Area Plans should identify density targets for particular sites as appropriate. Higher residential densities are encouraged at appropriate locations. Such developments must ensure a balance between reasonable protection of existing residential amenities and the established character of these areas.

The Kildare County Development Plan, in Table 4.2, states that density levels for Inner Suburban/Infill Sites are site specific. The proposed scheme has a density of 55.2 units per hectare which is slightly above the general range as set out in the Development Plan, but is in line with National Planning Policy, as set out in the Statement of Consistency, to increase densities on strategic sites and reflects the quasi-town centre location of the site.

The proposed density acts as a stepping stone between the lower density Elsmore development which is under construction to the south east, at c. 36 units per ha and the higher density development permitted recently at Devoy Quarter to the south of the site at c. 72 units per ha. The proposed development transitions between the lower density existing residential development, providing for 2-storeys adjacent to 2-storeys and rising to 4-5 storeys where it meets the adjacent permitted 5 storey development at Devoy Quarter and the Kildare County Council Head Offices.

Given the Development Plan identifies a site specific density range, without specifying any upper or lower limits for sites considered as Inner Suburban, then the proposed density can be considered to be compliant with, and not a contravention of, the Development Plan.

This approach is supported by the recent An Bord Pleanála decision for the Devoy Quarter Strategic Housing Development Application (ABP-307258-20) to the south-east of the site, which concluded that:

The Board did not consider that the proposed density of 72 units per hectare would materially contravene these development plans, having regard its location contiguous to the town centre of Naas; the site should be considered as an Inner Suburban site. The Board considered the “Residential Development Parameters” relating to Inner Suburban / Infill in Table 4.2 of the Kildare County Development

Plan 2017-2023 and Table 4.2 of the Naas Town Development Plan 2011-2017 are applicable to development on the site and, therefore, the appropriate density is site specific.

This has also been confirmed by An Bord Pleanála in their refusal of the previous application for the subject lands.

The LAP notes that ‘Given the proximity and connectivity of Naas to Dublin and being a key employment centre in the Core Region, it will continue to be an attractive place to live. It is anticipated that there will continue to be a strong demand for a varied mix and type of housing within the Plan area, especially for single occupancy units given the limited supply, which can provide the elderly with more suitable housing in order for them to free up larger homes by downsizing. The Plan seeks to address this imbalance by ensuring a greater mix of house types. Residential schemes should provide for both a mix of dwelling size and dwelling type to cater for a diverse range of housing needs. The overall design and layout of schemes should be of high quality and comply with the urban design principles contained in the Kildare County Development Plan 2017-2023 (as varied) or any subsequent development plan’.

Residential Standards

The Development Management Standards chapter of the Plan sets out quantitative minimum standards for new residential units. The proposed scheme is fully compliant with and exceeds these standards. The housing quality audit prepared by Coady Architects provides a detailed breakdown of room sizes, unit sizes, private open space and storage space. Outlined below, we have set out the consistency of the development with the key standards set out in the Development Plan. It is noted that some of these standards, particularly in relation to apartments, are in line with *Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities* of December 2020.

Private Open Space

The Development Plan set out the private open space requirements for the proposed houses which is set at is 60 sq.m for three-bed houses. The proposed development meets and in some instances exceeds this standard for all proposed housing units as demonstrated in the Housing Quality Audit and House Drawings provided by Coady Architects.

The minimum private open space requirement for apartments under the Development Plans/Apartment Guidelines is 5 sq.m for one bed apartments, 7 sq.m for 2 bed apartments and 9 sq.m for 3 bed apartments. The proposed development meets and exceeds this standard for all proposed apartments as demonstrated in the Housing Quality Audit provided by Coady Architects.

The nature and type of private open space varies with the different typologies in the proposed scheme and can be summarised as follows:

- Small front gardens provide for a privacy planting strip to all units and street trees to add colour and planted amenity to the street/shared surface. Rear gardens to the houses have a secure external area for residents for recreational activity such as gardening and play and for facilitating day to day household activities.
- Private balconies in upper duplexes / apartments are generally oriented south, east or west, and overlook landscaped streets, public or communal open spaces. Minimum depths are exceeded and access is directly from living spaces.
- The private open space for the ground floor duplex and apartment units faces onto the communal open spaces at the centre of the housing clusters. A low-level hedge and railing demarcate the private open space and buffers the amenity from the adjacent pathway.

Residential Quality Standards – Apartments

Unit Mix

The proposed mix is in compliance with the unit mix requirements of SPPR 1 of the Apartment Design Guidelines which states:

SPPR 1

Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.

The proposal includes the following overall mix:

	Apartment/Duplex	House	Mix
	Number	Number	%
1 bed	64	0	29.2%
2 bed	105	0	47.9%
3 bed	8	42	22.8%
Total	177	42	100%

The proposal includes the following apartment/duplex specific mix:

	Apartment/Duplex	Mix
	Number	%
1 bed	64	36.2%
2 bed	105	59.3%

3 bed	8	4.5%
Total	177	100%

Floor Areas

The proposed floor areas are in compliance with the amended mix requirements of SPPR 3 of the Guidelines which states:

SPPR 3

Minimum Apartment Floor Areas:

- Studio apartment (1 person) 37 sq.m
- 1-bedroom apartment (2 persons) 45 sq.m
- 2-bedroom apartment (4 persons) 73 sq.m
- 3-bedroom apartment (5 persons) 90 sq.m

The proposed residential units meet or exceed the minimum standards for apartment sizes. Compliance with minimum aggregate floor areas and widths for living/dining/kitchen rooms and bedrooms is outlined in the HQA as prepared by Coady Architects, and submitted with this application.

Private and Communal Amenity Space

The *Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities'* of December 2020 state that private amenity space shall be provided in the form of gardens / patios / terraces for ground floor apartments and balconies at upper levels. Where provided at ground floor level, private amenity space shall incorporate boundary treatments appropriate to ensure privacy and security.

Where balconies or terraces are provided, they should be functional, screened with opaque material, have a sunny aspect, and have a minimum depth of 1.5m.

The Guidelines require the following minimum private open space requirements:

- Studio 4 sq.m
- 1-bed 5 sq.m.
- 2-bed 7 sq.m.
- 3-bed 9 sq.m.

The proposed balconies/external terraces meet or exceed the minimum standards for private open space. In some instances the terraces significantly exceed minimum standards.

The Guidelines also require that communal amenity space must be provided within a scheme which can be in the form of courtyards, roof gardens etc. The communal amenity space requirement for apartments is set out in *Sustainable Urban Housing: Design Standards for New Apartments 2020* as 1 bedroom apartment – 5 sq.m.; 2 bedroom apartment (3 person) – 6 sq.m.; 2 bedroom apartment (4 person) – 7 sq.m.; 3 bedroom apartment – 9 sq.m.

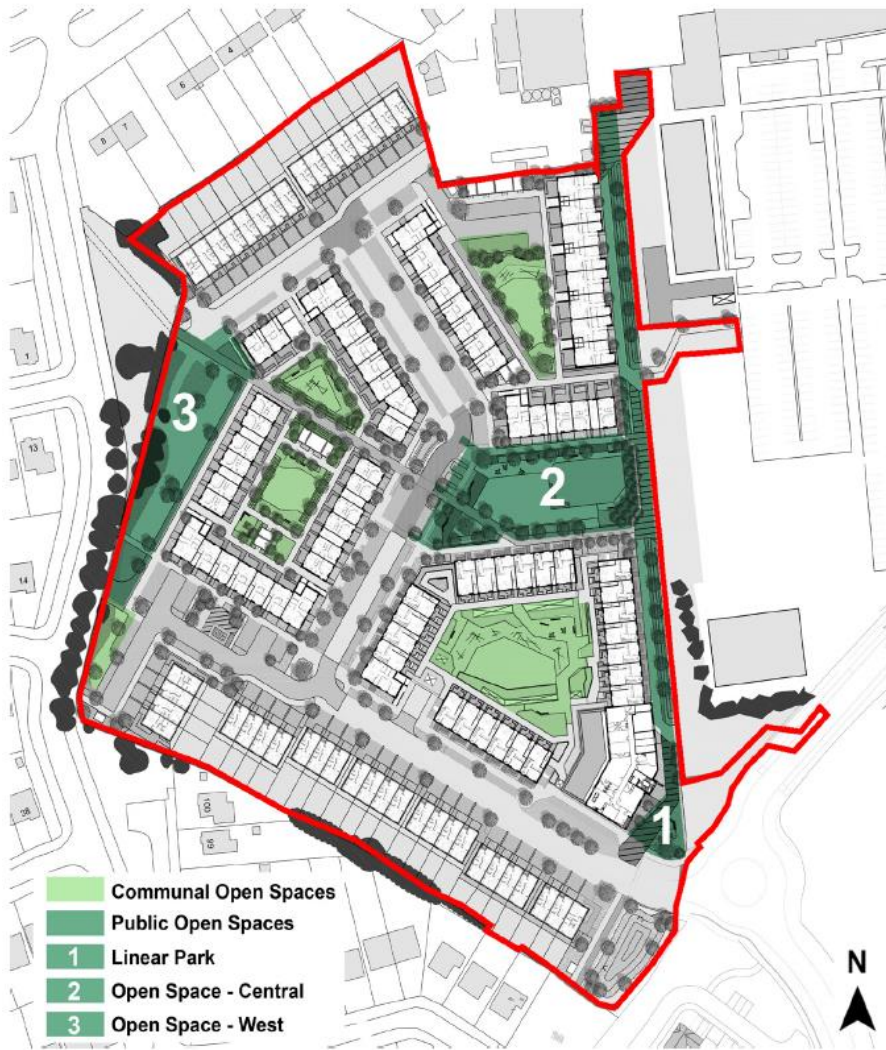


Figure 7.3: Public & Communal Open Space Strategy. (Source: Coadys, 2022).

The overall area of communal amenity space provided is 4,684 sq.m, which significantly exceeds the minimum total area of communal amenity space required (1,122 sq.m.). Paths through the communal open space will be paved or compacted gravel. Soft planting and low-level railing will define the edges.

Storage

The Guidelines states that minimum storage requirements which must be met are as follows:

- 1-bed 3 sq.m.
- 2-bed 6 sq.m.
- 3-bed 9 sq.m.

The proposed residential units meet or exceed the minimum storage area standards.

Aspect

With regards to dual aspect units the Development Plan and *Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities* require that a minimum of 50% of the overall number of units in a scheme should be dual aspect for an accessible urban location.

The Development Plan standards state that apartment units shall be provided with a good level of daylight and sunlight which contribute to a high quality living space.

The proposed scheme is in compliance with the amended mix requirements of SPPR 4 of *Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities* which states:

SPPR 4

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. [our emphasis]*
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , 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*

The proposed scheme includes for 94.52% of dual aspect units, exceeding compliance with the Development Plan and Guidelines standards, with a limited number of single aspect units (8 in total) located in the apartment block, none of which are north facing

Floor to Ceiling Heights

The proposed mix is in compliance with the amended mix requirements of SPPR 5 of the Guidelines which states:

SPPR 5

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.

The Guidelines identify that 2.4m is standard good practice however suggest that 2.7m would be the minimum standard for ground floor apartments but a higher ground floor should be considered where apartments are not proposed at ground level. The proposed scheme, has floor to ceiling heights of 2.7m at ground level across the scheme and at upper levels it varies between 2.4m to 2.7m at all levels.

Lift and Stair Cores

The Guidelines prescribe the following in relation to the provision of lift and stair cores:

SPPR 6

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.

The proposed development is in compliance with the requirements of SPPR 6 with most units having own door access and only the apartments having shared core access which is limited to 7 per floor per core.

Internal Space Configuration

Minimum internal space requirements for living/dining/kitchen rooms and bedrooms are set out in the Development Plan. Compliance with the internal rooms sizes are demonstrated in the HQA Table included in the Design Statement prepared by Coady Architects. All of the proposed units meet or exceed the Guidelines requirements.

7.8 Open Space & Public Realm

The Devoy Barracks development will create a distinctive, well-designed and attractive urban landscape. The north-south linear open space and the east-west connector route establish key pedestrian and cycle links through the development. We envisage these as shared pedestrian and cycle spaces, which will be safe for all users, will facilitate future permeable linkages to surrounding developments and to Naas town centre.

The central open space is the main public space in the development. The residential blocks to the north and south overlook the park to provide passive supervision, with the northern block stepping to four storey buildings at the north-east corner. The corner-building where the east-west route cuts through the residential block is also four storeys.

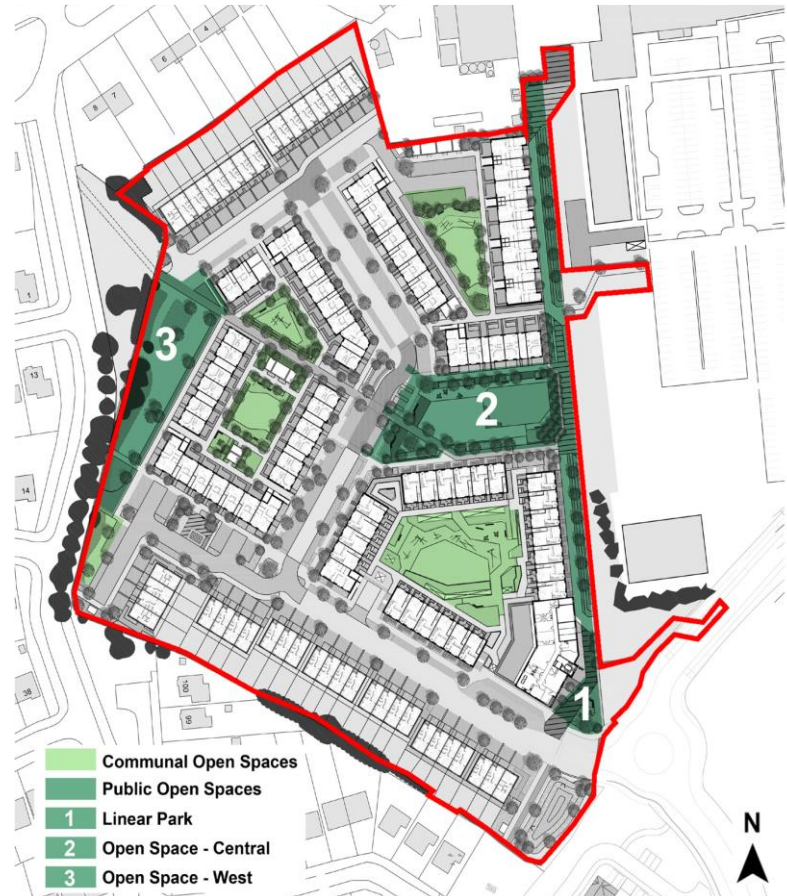


Figure 7.4: Proposed Open Space Breakdown. (Source: Coadys, 2022).

The linear open space provides the main north-south connection through the site, clearly defining the threshold between the residential accommodation to the west and the adjacent civic buildings to the east. The linear open space is provided on the subject lands but facilitates the completion of this important feature in line with future development on the Kildare County Council lands. The overall aim of the landscape design is to create a high quality attractive environment with amenity facilities for the surrounding proposed residences and users of the park spaces / green links. This takes into account the landscape objectives within the Kildare County Development Plan and National Guidelines to ensure a strong sense of place for the proposed development appropriate within the surrounding landscape context. The landscape design elements will be robust, accessible, useable, connected and passively supervised. The open spaces proposed are multifunctional, catering for both active and passive amenity uses while also fulfilling objectives of movement and access, biodiversity, microclimate/shelter and additional SUDS requirements.

The external open space arrangement has been designed to allow for flexibility in recreation activity. It allows for social interaction, for active play but also for spaces that are quiet and calming. All spaces are accessible and inclusive for all ages and abilities and are interconnected via the pedestrian/cycle routes and shared surface spaces.

There are 3 primary types of open space in the scheme:

1. Civic space – fully accessible public open space relating to the town –the linear open space/ ‘parade’.
2. Public Open Space – fully accessible public open space associated with the scheme
3. Residential Open Space – semi-public open space amenity for the residents.

The Development Plan identifies that public and/or communal open space must be provided within new residential developments and preferably should be located at specific sites or locations that would facilitate the assembly of areas of satisfactory size or usability or would enhance established on-site features.

It indicates that public open space should be provided at a minimum rate of 15% on greenfield sites and a minimum rate of 10% for large infill or brownfield sites.

Given the site is considered Inner Suburban and as such between the greenfield and infill requirements it is considered that the objective for the site is between 10-15% public open space. However as set out the Architectural Design Statement the site is achieving 15.5% public open space.

Please see Mitchells & Associates Landscape Rationale for further detail in relation to the landscaping in the proposed development.

7.9 Access, Car & Cycle Parking

The National Planning Framework and the Urban Development and Building Height Guidelines seek to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes. It is also noted that objective MTO 4.1 of the Naas Local Area Plan 2021-2027 states that the Council intends to:

“Apply the parking standards in the Kildare County Development Plan, and relevant Section 28 Guidelines, to all applications for planning permission in Naas.”

Accordingly, the subject development’s proposed car parking provision has been assessed as follows:

- car parking for houses within the development, as well as the proposed crèche, has been assessed against the Kildare County Development Plan 2017–2023 and
- car parking for apartments and duplex units within the development has been assessed against the 2020 policy document Sustainable Urban Housing: Design Standards for New Apartments (Guidelines for Planning Authorities).

The proposed car parking provision to serve the houses and crèche within the development has been assessed against and is compliant with the Kildare County Development Plan 2017–2023, which gives standard car parking rates for residential developments and maximum rates for non-residential developments as follows:

House and Crèche Car Parking (against Kildare Dev. Plan)				
Land Use	Car Parking Standards	Quantum	Standard Provision	Proposed Provision
Houses	2 spaces per unit	42 units	84 spaces	84 spaces
Crèche	0.5 spaces per staff member + 1 space per 4 children (maximum)	11 staff members + 59 children	20 spaces (maximum)	14 spaces
Total			104 spaces (maximum)	98 spaces

The proposed provision of car parking to serve the development's apartment and duplex units has been determined with reference to the 2020 *Sustainable Urban Housing Design Standards for New Apartments*, Section 4.0 of which gives more specific guidance on the parking provision for varying types of locations within town and cities.

The overall objective stated is:

"The 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."

When local considerations such as the existing adjacent context are taken into account, it is considered that the site may be considered to be categorised as an 'Intermediate Urban Location', as defined by the 2020 Design Standards for New Apartments. In respect of Intermediate Urban Locations, and their definition, the Guidelines states:

*Such 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. **[Our emphasis]***

The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors.

As noted above this list is not exhaustive however it is considered, notwithstanding both KCC and An Bord Pleanála's consideration of this in the refused application, that the site is located within walking distance of Naas, a principal town, and within walking distance of a frequency of urban bus services in line with the above. The An Bord Pleanála Inspector's Report on the previous application stating 'The site meets the definition of an 'Intermediate Urban Location' given its proximity to Naas town centre (<1000 m)'.

It should also be noted that part of the application boundary is actually zoned Town Centre indicating its adjacency to Naas Town Centre.

The subject site is located approx. 750m from the town centre and within walking distance of a number of reasonably frequent bus routes, which serve other parts of Naas including key employment areas, and both Dublin and local towns. There are two bus stops within 500 metres of the site on Newbridge road, and a further two more c. 800 metres from the site. These stops are served by routes 125, 126, 826, 726 and 846 which connect to the local towns in the surrounding area and to Dublin city and airport. Destination and frequency are set out below.

The town is also served by Naas & Sallins railway station on the Dublin to Cork/Limerick rail line, with commuter trains serving the station at intervals of approximately 20 minutes at peak times. The station is just over 3km from the town centre.

Local public transport information, within a 10 min walk of the site, is provided as follows:

Route No.	Operator	Destinations	Weekday	Peak Interval
125	Go-Ahead	Newbridge / UCD	2	-
126 ²	Go-Ahead	Rathangan / Dublin	35	20 min
717	Avalen	Clonmel / Dublin Airport	2	-
726	Dublin Coach	Portlaoise / Dublin Airport	24	60 min
736	Kenneally's	Tramore / Dublin Airport	3	-
826	Kyanitedale	Monasterevin / Naas	9	60 min
846	Kenneally's	Clane / Naas	10	30 min

¹ Average number of services per day in each direction, Monday-Friday

² Including route variants a,b,d,e,n,t,u

3no. further bus routes serve stops within a 20-minute walk of the subject development. Details of these are given as follows:

Route No.	Operator	Destinations	Weekday	Peak Interval
130/a	Go-Ahead	Athy / Dublin	5	120 min
139	JJ Kavanagh	Corduff / Naas	9	120 min
737	JJ Kavanagh	Naas / Dublin Airport	12	30 min

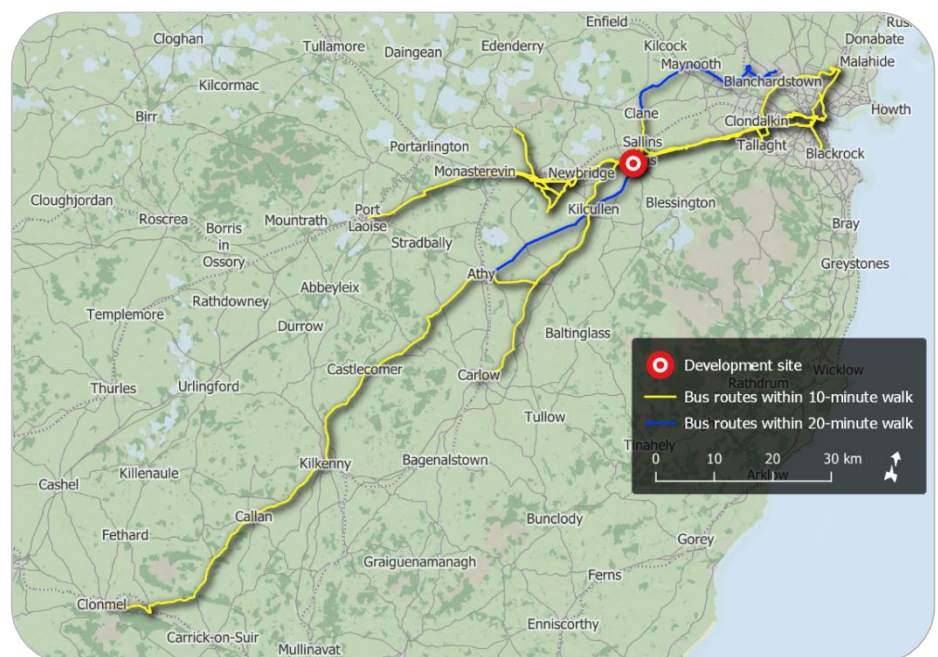


Fig 6.1 Bus routes in proximity to development site

In addition, high-quality cycle parking and associated facilities are provided in the proposed development with a total of 482 cycle parking spaces provided (84 for house residents, 298 for apartment/duplex residents, 90 for apartment/duplex visitors, and 10 for the crèche). Residents parking is provided in secure locations in addition to visitor spaces located throughout the landscaped open space in the scheme providing easy access for visitors.

The development's proposed bicycle parking provision significantly exceeds the standard requirements of the Kildare County Development Plan 2017–2023, providing ample cycle parking facilities to support a high modal share for cycling among development residents and visitors. This is in keeping with the approach taken to avoid excessive car parking provision. Cycle parking provision, compared to the Development Plan requirements, is set out below:

Land Use Type	Cycle Parking Standard	Quantum	Standard Provision	Proposed Provision
Apartments	1 [resident's] space per unit	177 units	177 spaces	298 spaces
	1 visitor space per 2 units	177 units	89 spaces	90 spaces
Houses	n/a	42 units	n/a	84 spaces
Crèche	1 space per 5 staff members + 1 space per 10 children	11 staff members + 59 children	8 spaces	10 spaces
Total			274 spaces	482 spaces

Naas is the location of some significant employment lands, all of which are within a combination of walking, cycling or bus connections to the site. For example the site is located within a 10 min walking distance of the town centre, and 20 min walking distance of the Aldi Distribution Centre and Newhall Business Park to the west of the site and Naas General Hospital to the east of the site. The site is a 10 minute cycle to the M7 Business Park, a 6 minute cycle to Naas General Hospital and a 15 minute cycle to Millenium Park and 20 min cycle to Sallins & Naas Train Station.

In addition the site is directly adjacent to the Kildare County Council Head Office and the newly constructed MERITS building which is stated in the LAP as being:

Located within the town centre is the Mid-Eastern Region Innovation Think Space (MERITS) building currently under construction. Partnering with Enterprise Ireland and Maynooth Works (Maynooth University's business incubator unit) the development aims to attract 120 tech entrepreneurs from all over the Mideast in an innovative co-working space. The building will house both start-ups and

expanding businesses as well as providing research and training space for existing companies who wish to access support. It forms part of a network of innovative co-working spaces in the mid-east region. The creation of incubator units and hot-desking in the town centre will give the people who work remotely more than a desk, but an all-inclusive social element also.

Further build out of the MERITS complex is proposed providing for further directly adjacent employment.

The 2020 Design Standards for New Apartments state that planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard. In addition, the policy states that for 'Peripheral Urban Locations', a benchmark guideline for apartments of one car parking space per unit should generally be required.

For Intermediate Urban Locations, the guidelines state:

"In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net, planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard."

It is therefore implied that a maximum of one residents' car parking space per unit (excluding visitor parking) should generally be provided for apartments in 'Intermediate Urban Locations'. Similarly, it may be inferred that a maximum of 1 visitor car parking space per 5 units is recommended for 'Intermediate Urban Locations'. On this basis, it is submitted that the development's proposed car parking provision accords with the national policy guidelines as set out below:

Apartment/Duplex Car Parking (against Apt. Guidelines)

Car Parking Type	Car Parking Maxima (inferred)	Quantum	Maximum Provision	Proposed Provision
Residents	1 space per unit	177 units	177 spaces	177 spaces
Visitors	1 space per 5 units	177 units	35 spaces	39 spaces
Total			212 spaces	216 spaces

It is submitted that the proposed provision of car parking for the development's apartments and duplexes, which equates to an average of 1.22 car parking spaces per unit, provides a balanced approach which is in line with adjacent permitted schemes and national objectives to reduce reliance on the private car as the primary mode of transport.

In addition the quantum, design and layout of on-street parking has been considerably altered since the previous SHD application. This current SHD application provides an overall reduction in on-street parking in the order of c. 54% when compared to the previous application. Overall, the number of on-street parking spaces is reduced from 211 no. on-street parking spaces in the previous SHD application, to 97 no. on-street parking spaces in the current SHD application. Parking is now provided in a combination of in-curtilage (for houses) and on-street and at undercroft for duplexes/apartments units providing for an improved public realm and urban environment.

See Cronin & Sutton Consulting Engineer's Traffic Impact Assessment Report which accompanies this Application for further details.

In addition high-quality cycle parking and associated facilities are provided in the proposed development with a total of 482 provided. Residents' bicycle parking is provided in secure locations in addition to visitor spaces located throughout the landscaped open space in the scheme providing easy access for visitors.

The development's proposed bicycle parking provision significantly exceeds the standard requirements of the Kildare County Development Plan 2017–2023, providing ample cycle parking facilities to support a high modal share for cycling among development residents and visitors. This is in keeping with the approach taken to avoid excessive car parking provision.

The proposed residential development will promote sustainable travel patterns due to its location, layout, design and proximity to the public transport and cycle networks. This is considered in greater detail in the Residential Travel Plan prepared by Cronin & Sutton Consulting Engineers.

The proposed residential development is designed to minimise any traffic impact on the existing residential development in the area. The access and internal layout is designed in accordance with DMURS and includes for good permeability and will promote and facilitate sustainable travel patterns as part of the overall development.

7.10 Social & Community Provision

The scheme also provides for a quantum of ancillary residential amenities in the form of a new crèche which is proposed on the site to cater for the needs of the development.

The 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 developments where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings.

A crèche is located on ground floor at the southern end of the linear open space and proximate to the site entrance and is designed to accommodate 59 children as per the Development Plan requirements and Childcare Guidelines.

The proposed crèche is c.411 sq.m. with an external play area of 265 sq.m. The crèche will be located on the ground floor of the 5 storey apartment block fronting onto John Devoy Road. Parking spaces will be provided for drop off along with staff parking which is provided adjacent to the crèche.

The external play area associated with the crèche will be of a high quality, suited to the needs of the children using the crèche. The external play space is located to the north west of the crèche building to ensure it is removed from the adjacent road and in a safe and secure location on the site.

Due to its location, it was considered that the proposed crèche will meet future residents demand for childcare facilities. This is set out in a Schools Demand and Childcare Facilities Report which will be included with the planning application.

It is considered that space within the crèche could also, subject to the requirement of a future occupier, be utilised outside of crèche operating hours by residents and community users. This would ensure a level of animation and activity at this part of the site in the evening and weekends and provide a valuable space for the community.

Objective HCO 3.2 of the Naas Local Area Plan sets out that ‘

Require the provision of appropriately located and purpose-built early learning and childcare facilities to meet the pro-rata childcare needs of housing development during the plan period. Childcare facilities will be required, by a condition of planning permission, to be developed within the first phase of any new residential development.

It is confirmed that the crèche will be provided in Phase 1 of the proposed development.

In addition to the Schools Demand and Childcare Facilities Report, a Social & Community Infrastructure Audit has been carried out, which has been completed with reference to the Social Infrastructure Audit of the Naas Local Area Plan.

7.11 Sunlight and Daylight

As identified in the Sunlight and Daylight Access Analysis prepared by ARC the BRE Guide provides that “The quantity and quality of daylight inside a room will be impaired if obstructing buildings are large in relation to their distance away”.

Generally speaking, new development is most likely to affect daylight access in existing buildings in close proximity to the application site.

The following conclusions are set out in the Sunlight and Daylight Access Analysis Report:

Overview of the potential impact of the proposed development on daylight access to existing buildings outside the application site

ARC's analysis indicates that the construction of the proposed development will result in little or no change in daylight access within neighbouring existing buildings. The potential impact of the proposed development on daylight access within neighbouring existing residences surrounding the application site (e.g. on residential lands surrounding the site at Devroy Terrace, Arconagh or Elsmore Grove) is, therefore, likely to range from none to "imperceptible".

Similarly, the potential impact of the proposed development on non-residential lands to the north and east of the site is likely to be minor. ARC assesses the potential impact on daylight access within existing non-residential buildings to the north, adjacent to St. Patrick's Terrace (e.g. the commercial warehouses off the R445), and to the east (on Kildare County Council lands) as ranging from none to "imperceptible" to "slight" under a worst case scenario.

Given that the potential for development to result in impacts on daylight access diminishes with distance, it is the finding of ARC's analysis the proposed development will have no undue adverse impact on daylight access within buildings in the wider area surrounding the application site.

Overview of the potential impact of shadows cast by the proposed development outside the application site

Having regard to the shape, layout and orientation of the application site and to the scale of the development now proposed, the potential of the proposed development to result in overshadowing of lands outside the application site is limited.

To the west, shadows cast by the proposed development are likely to extend outside the boundaries of the application site to the residential estate at Arconagh to a small extent during the mornings throughout the year. To the south, shadows cast by the proposed development are likely to extend to houses and gardens along the southern boundary of the site for a short time during the very early mornings and very late evenings during the spring, summer and autumn months. ARC's analysis indicates that shadows cast by the proposed development are not likely to interfere with the capacity of any house or garden at Arconagh to receive an adequate amount of sunshine over the course of the year within the meaning of the BRE Guide. Similarly, ARC's analysis indicates that

amenity spaces within Arconagh will continue to receive a level of sunlight in excess of the level recommended by BRE Guide) to achieve an appearance of adequate sunlighting over the course of the year after the construction of the proposed development. Given this, the proposed development is not likely to result in any undue adverse impacts on sunlight access to the residential estate at Arconagh. The potential impact of the proposed development on sunlight access to Arconagh is assessed as none to “imperceptible”.

Similarly, the subject development is likely to have little or no impact on the Elsmore residential estate to the south. The potential impact of the proposed development on sunlight access to the Elsmore residential estate is assessed as none to “imperceptible”.

During the spring, summer and autumn months, shadows cast by the proposed development will extend to the rear of a number of rear gardens at Devoy Terrace for a very short time during the mornings resulting in an “imperceptible” change in the shadow environment. During the winter months when the shadow environment is dense and shadows are long, shadows cast by the proposed development are likely to result to extend further into the rear gardens and to the rear of some houses at Devoy Terrace during the mornings and early afternoons. Notwithstanding the construction of the proposed development, relevant windows within the existing dwellings at Devoy Terrace and their associated rear gardens will continue to receive a level of sunlight in excess of the level recommended by the BRE Guide to achieve an appearance of adequate sunlighting over the course of the year. The potential impact of the proposed development on sunlight access to Devoy Terrace is assessed as none to “imperceptible” to “slight”.

To the east, shadows cast by the proposed development are likely to extend onto Kildare County Council lands during the afternoons and evenings throughout the year. Additional overshadowing is likely to fall on the surface car park, on the existing single storey Kildare Civil Defence building and on the two storey Mid Eastern Region Innovation Think Space (MERITS) building (now under construction). While shadows cast by the proposed development will result in additional overshadowing of the Kildare Civil Defence building and the Mid Eastern Region Innovation Think Space (MERITS) building (now under construction), ARC’s analysis indicates relevant windows within the existing buildings are likely to continue to receive a level of sunlight in excess of the level recommended by the BRE Guide to achieve an appearance of adequate sunlighting over the course of the year after the construction of the proposed development. For a time around mid winter, shadows cast by the proposal have the potential to extend as far as the Kildare County Offices for a short time during the late afternoon / evening. However, the shadow environment at this time of year is so dense that the impact of this additional overshadowing is not likely to be noticeable. The potential impact of the proposed development on sunlight

access to Kildare County Council lands is assessed as none to “imperceptible” to “slight”.

Overview of Daylight Access Analysis for Proposed Scheme

ARC’s analysis indicates that the main window of the overwhelming majority of habitable rooms at ground floor level is likely to receive in excess of 27% Vertical Sky Component and, therefore, be adequately daylight within the meaning of the BRE Guide. Further analysis of habitable rooms at ground floor level not likely to achieve 27% Vertical Sky Component at the main window (as well as apartments on the first floor) indicates as follows:

- 35 of 35 (100%) of sample rooms subject to detailed daylight access analysis are likely to achieve the Average Daylight Factor recommendations set out in the BRE Guide (1% Average Daylight Factor for bedrooms, 1.5% Average Daylight Factor for living rooms; 2% Average Daylight Factor for kitchens).
- 20 of 35 (57%) of sample rooms subject to detailed daylight access analysis are likely to achieve the recommendations set out in IS EN 17037: 2018 for Method 1 / Daylight Factor analysis.
- 35 of 35 (100%) of sample rooms subject to detailed daylight access analysis are likely to achieve the recommendations for residential development set out in the National Annex to BS EN 17037: 2018.

Overall, the results of ARC’s analysis of Vertical Sky Component of lowest level habitable rooms and supplementary Average Daylight Factor analysis indicate that all habitable rooms within proposed residences are likely to achieve the recommendations of *Site layout planning for daylight and sunlight: a guide to good practice* (the BRE Guide) for daylight access in residential development.

Overview of Sunlight Access Analysis for Proposed Scheme

ARC’s analysis indicates that the proposed communal open spaces are predicted to receive levels of sunlight considerably in excess of the level recommended by the BRE Guide for amenity spaces. ARC’s analysis, therefore, indicates that the proposed communal open spaces will appear adequately sunlit throughout the year within the meaning of the BRE Guide.

More than this, the proposed internal open spaces are predicted to receive a high level of sunlight access throughout the day and for most of the year. ARC’s analysis indicates that this proposed communal open space will afford residents a place within the proposed development where they can go to sit and enjoy the sunshine on a sunny day for a significant portion of the day for most of the year.

A fully modelled daylight and sunlight analysis of the proposed development has been carried out with detailed analysis and results set out in the Sunlight and Daylight Access Analysis prepared by ARC.

8 PART V REQUIREMENTS

Initial consultation has taken place with Kildare County Council Housing Department and Cluid Housing in respect of the Part V provision on the site. A submission has been made to Kildare County Council and Cluid Housing in respect of 20% of the scheme to comply with S96 (Part V, now 20%) of the Planning and Development Act 2000 (as amended). A letter from Kildare County Council confirming same is included as part of the Part V Pack.

9 ENVIRONMENTAL CONSIDERATIONS

9.1 APPROPRIATE ASSESSMENT

An Appropriate Assessment (AA) Stage 1 Screening was carried out by BSM. It concludes that an AA is not required. The Screening report is submitted with this SHD Application. The Board, as competent authority, is invited to come to a similar determination.

9.2 ENVIRONMENTAL IMPACT ASSESSMENT REPORT

The Environmental Impact Assessment Screening Report (by BSM) included with this documentation, has assessed the potential impact of the proposed development on the environment. The proposed development is below the thresholds of a mandatory EIAR. The screening exercise has been completed and the methodology used has been informed by the available guidance, legislation and directives.

The overall conclusion and determination of this screening for requirement for an Environmental Impact Assessment ('EIA') is that there is no requirement for an Environmental Impact Assessment of the proposed development. The Board, as competent authority, are invited to come to a similar determination.

9.3 ECOLOGICAL SURVEYS

As part of the previous Strategic Housing Development Planning a number of environmental surveys were carried out and these have been updated for this application and are referenced in both the EIA Screening Report and the Bat Survey Report which accompany this application.

The ecological survey of the site found that it is dominated by a large area of unmanaged rank grassland, of relatively low species diversity. Patches of bramble-dominated scrub are encroaching in places. The western and southern boundaries comprise of a gappy semi-mature/mature hedgerow/tree line. This area is of some limited ecological value for breeding birds and as a habitat corridor. The Yeomanstown Stream runs along the southern site boundary. The

site is open and exposed and there are no features of any potential value for roosting bats. No evidence of badgers or other protected mammal species were recorded.

In summary, the site, which comprises an area of abandoned grassland, is of no more than local importance (lower value) in accordance with the ecological resource valuations presented in the National Roads Authority Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA / TII, 2009 (Rev. II)). These surveys have informed the AA and EIA Screening Reports discussed above.

10 CONCLUSION

It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this zoned strategic site. This Planning Report demonstrates that the proposed development is fully in accordance, except where identified in the Material Contravention Statement, with recent Government guidance in relation to the delivery of residential developments, *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*, December 2020 (Dept. Housing, Planning & Local Government), Kildare County Development Plan 2017-2023, the Naas Local Area Plan 2021-2027.

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines and that the proposal as presented should be permitted by An Bord Pleanála.