

**Statement of Response to Item No. 3 –
A report demonstrating compliance with the
Guidelines for Planning Authorities on
Urban Development and Building Heights**

In respect of

**Proposed Strategic Housing Development at the Former
Magee Barracks, Hospital Street (R445),
Kildare Town, Co Kildare**

Prepared by

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On behalf of

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Statement of Response Item No. 3 - A report demonstrating compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights issued by the minister in December 2018 in accordance with SPPR3 of those guidelines.

Item No. 3 of the Board's request for additional specific information in respect of the proposed development is addressed below and in Section 03 of the Design Statement prepared by RKD Architects. Please also refer to the accompanying Landscape and Visual Impact Assessment (Chapter 7 of the EIAR) and the Daylight Assessment prepared by NRG Consulting.

The changes introduced since the pre-application submission include the addition of 4 no. blocks of apartments providing 122 no. units which replaces 56 no. duplex units located centrally within the site and away from site boundaries with surrounding residential areas, which seeks to address the Board's concerns regarding density and protects residential amenity. This report therefore considers the compliance of the proposed scheme (including the apartment blocks introduced) with the Urban Development and Building Heights Guidelines.

A number of additional DMURS features have also been introduced including a curve in the main spine road and traffic islands which reduce the width of the roadways, provide for horizontal realignment which will reduce the speed of vehicles and provide for additional tree planting. The changes also include alterations to open space provision and layouts as detailed in the accompanying Landscape Design Rationale Report prepared by BSM.

Introduction:

The following report in addition to Section 03 of the accompanying Architectural Design Statement prepared by RKD Architects intends to demonstrate compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights issued by the minister in December 2018 in accordance with SPPR3 of those guidelines.

The Urban Development and Building Height Guidelines were published on the 7th of December 2018 under Section 28 of the Planning and Development Act 2000, as amended. The Guidelines are intended to set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040. Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Planning Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.

Therefore, the Strategic Planning Policy Requirements (SPPRs) in these Guidelines will take precedence over local planning policy including Development Plans and Local Area Plans. Development Plans and Local Area Plans are to be reviewed to reflect the new Guidelines.

The Building Height Guidelines advocate a move away from blanket caps on building heights and seek to encourage greater height in central and/or accessible urban locations, such as the subject site, to encourage compact urban form and the delivery of housing and employment at accessible urban locations.

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

The Guidelines state that *“the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and **more flexible**”*

in securing compact urban growth through a combination of both facilitating increased densities and building heights' (emphasis added).

SPPR 1 states the following:

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

The proposed development is located at a strategic location on a significant brownfield site adjacent to the town centre and within 1km of Kildare Train Station. The proposed development therefore represents an opportunity to provide for increased building heights and densities.

Under Section 3 of the Guidelines (Development Management Principles), it is stated:

*'In relation to the assessment of individual planning applications and appeals, it is Government policy that building heights must be generally increased in appropriate urban locations. **There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility'**.*

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

SPPR3 states: *'It is a specific planning policy requirement that where:*

- (A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise'.*

In accordance with Part A of SPPR3, where a development complies with the relevant criteria and the planning authority agrees, then permission can be granted for the development notwithstanding conflicting development plan and local area plan policies.

SPPR 4 notes the requirement to 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'*.

Assessment under SPPR3:

Section 3.2 of the Guidelines states that in the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/ An Bord Pleanála, that the proposed development satisfies the following development management criteria:

At the scale of the relevant city/town:

- ***The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.***

The subject site is located within 500 metres of the centre of Kildare Town, and within easy walking distance (i.e. less than 1km) of Kildare Train Station, with regular services to Heuston Station in Dublin, Galway City, Cork City and Limerick City. A Bus Eireann stop is located adjacent to the site on Hospital Street (R445) opposite the existing service station. Services from this stop operate to Dublin City, University College Dublin, Naas and Monestarevin. Pedestrian access from the site is provided via footpaths on both sides of Hospital Street/R445.

It is proposed that the development will provide dedicated cycle lanes to accommodate movement within the development. These cycle lanes will travel along the main link street. In addition, cycle lanes will be provided along the R445 Hospital Street to cater for cyclists.

Please refer to the Design Statement, Section 3.4 of the Mobility Management Plan and the Traffic Impact Assessment for further details.

- ***Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.***

The proposed heights of houses and duplex terraces in the proposed development at Magee Barracks range from 2 to 3 floors whilst the apartment blocks are 4-5 storeys with the top floor setback. The apartments are located centrally within the site and integrate sensitively into the proposed scheme and surrounding context.

The proposed development is not located within any architecturally sensitive areas. The boundary of the Kildare Town Architectural Conservation Area is located within 200m of the application site boundary at its closest point. The accompanying Landscape and Visual Impact Assessment chapter (prepared by chartered landscape architects Brady Shipman Martin) of the EIAR (Chapter 9 and accompanying photomontages) concludes that the proposed development will have no significant landscape or visual impacts on surrounding key views, or on the town centre or its associated Architectural Conservation Area, and therefore the design and heights proposed integrate successfully into the urban form of the town.

The former Magee Barracks site is well positioned within the town layout and urban structure, and comprises of strategically located, but underutilised lands adjacent to the town core and surrounded by existing residential, commercial and community uses.

The design and layout of the proposed residential development has been informed by the nature of existing nearby and adjacent housing stock and has sought to provide for a development which can be integrated into the existing urban fabric of Kildare Town in a sensitive, site-specific manner.

Taller apartment and duplex buildings are located centrally within the site in order to respect the existing scale of built form and surrounding residential context, and to provide a strong urban core and varied streetscape centrally within the site. The surrounding predominantly two storey residential units are not considered to be architecturally sensitive. A Landscape

and Visual Impact Assessment as discussed above is included in the EIAR submitted with the planning application to assess the impact of the proposed development on the surrounding properties and overall landscape character of the area.

The layout is highly accessible for all users, with a permeable layout both internally and externally through the provision of numerous linkages to surrounding land uses including residential, educational and commercial.

In relation to the cultural context, the layout aims to integrate the geometry and focal point provided by the former military parade ground into the regeneration proposals, with the new neighbourhood park (Parade Park) functioning as a destination and nodal point within the overall masterplan area.

A series of heritage and historic references and design measures have been integrated into the proposed development in order to respect the site heritage and create a sense of place. These measures are outlined within the Site Heritage/ Sense of Place document produced by RKD Architects.

The provision of additional employment uses on the former Magee Barracks lands via the proposed Cancer Treatment Clinic and supermarket will further integrate the redeveloped Magee Barracks site into its established surroundings, via the employment of local residents in the proposed developments.

- ***On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.***

The Magee Barracks site would be considered a larger urban redevelopment site. It is considered that the proposed development and recently permitted developments on the overall lands including a supermarket and cancer treatment clinic make a substantial positive contribution to place-making, as set out in detail in the accompanying Sense of Place document and Design Statement prepared by RKD Architects.

The proposed development will make a strong contribution to place-making firstly through the extensive series of site heritage/sense of place measures incorporated within the overall design and designed to reflect the former military use of the site. This is achieved through the proposed grid layout, building form and materiality, the re-purposing of prominent existing site features, design interventions and place naming.

The proposed development includes place-making elements such as distinct character areas distinguished by differing house type materiality and unit types (houses, duplexes, apartment blocks etc) and by the open space strategy for the lands.

Public Spaces

In relation to the incorporation of public spaces, the layout aims to integrate the geometry and focal point provided by the former military parade ground into the regeneration proposals, with the new neighbourhood park (Parade Park) functioning as a destination and nodal point within the overall masterplan area. Parade Park is laid out formally and focussed on a central spine approximately 20m wide, which serves as the main activity zone of the park and principal feature

The proposal also incorporates a new public square fronting Hospital Street (R445) named “Magee Square”, defined by a colonnade to frame the space but also allow views and movement through. The internal walls of the colonnade will have etched panels containing the history of the barracks and these will be lit at night. The public square reminiscent of the former parade ground will provide a flexible space with integrated seating. The existing London Plane trees will be retained on the western side of the space adding maturity and character.

The former clock located on the water tower will be salvaged and re-purposed as a prominent heritage feature in Magee Square. The site of the water tower will be retained as a small pocket park and the footprint of the tower will be marked by a paved area containing seating.

New Streets

The proposed layout of the development provides for new streets through the scheme including a tree-lined avenue with segregated cycle and pedestrian routes and 2 no. types of local streets. The proposed streets will benefit from passive overlooking, carefully designed landscaping and planting and an appropriate sense of enclosure provided by trees and surrounding buildings, making the development a comfortable place to live, walk and interact. The design of the scheme prioritises meaningful transitioning through the site, from access points, through landscaped parklands and tree-lined streets, to adjoining residential communities, schools and parks.

In summary a positive contribution to place making is provided through a series of proposals which include specific architectural references to existing site architecture, naming conventions reflecting the sites former military use, the design of landscaping and open spaces to reflect the site heritage; in particular the design of Parade Park which reflects the former geometry of the military parade ground and draws references from the site’s former use, and Magee Square which forms the setting for local retail, gallery/ exhibition and café uses and will contain the refurbished water tower clock and a formal colonnade which will frame the square. Magee Square will also integrate building façade materials from the Officer’s Mess Building to make a direct heritage reference which helps to create a sense of place.

The ABP Inspector in their report on the previous scheme welcomed the interventions proposed to reflect the historical significance of the site.

In relation to massing and height, Camara Gardens (Apartments) is provided centrally within the scheme to respect the scale of adjoining developments whilst increasing density. It is broken into 4 separate blocks in order to create a permeable block approach. The blocks are separated by pedestrian routes which offer visual connections through the site and good daylight penetration. The top floor of the apartments is set back in order to break down the height and mass, thereby providing variety in scale and form whilst achieving the required density of development on the subject site.

As set out in Section 3 of the Design Statement prepared by RKD Architects, varying but controlled building heights create a modulating roof line in support of a rich and diverse architectural response. Maximum building heights (4+1) are proposed adjacent to internal primary roads and public open spaces to avoid negative impact on adjoining developments, while providing passive surveillance of open spaces.

The apartment blocks are located adjacent to the main link street and to mark prime corners facing onto Parade Park and Magee Gardens. The proposed height at this prominent location enhances the urban context for the new open spaces and creates a visual ‘signpost’ to identify open space destinations.

The site is bounded predominantly by established 2 storey residential housing (Ruanbeg). In order to respond to and be sensitive to this scale, 2 storey units are proposed adjacent to boundaries and with the private gardens (11m in length) extending to the boundary.

At the scale of district/ neighbourhood/ street

- ***The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape***

This area of Kildare Town consists of a mix of residential, commercial and light industrial uses. The surrounding residential developments are primarily of a low-medium density. The application site itself currently presents an obstacle to movement within Kildare Town along an east – west axis and north – south from Hospital Street (R445).

The proposed development includes the establishment of a new neighbourhood centre and public square (Magee Square) which ensures an active street frontage onto Hospital Street, substantially improving the public realm and streetscape. The retention of several existing specimen trees on site is provided for within Magee Square integrating the natural environment into the proposed development.

The masterplan proposals also include a main link street through the site which will link Hospital Street (R445) to Melitta Road in the future and includes active frontage as per DMURS requirements.

The proposed development has been designed sensitively to respond to the surrounding context and the natural and built environment, with appropriate setbacks provided to neighbouring residential areas and linear buffer open space and landscaping provided in some instances.

In addition, the proposed development responds to recent development and the permitted and proposed development context in the surrounding area. From the outset of design development of the masterplan proposals for the regeneration of Magee Barracks, the design team have taken cognisance of the planning history and proposed and permitted development context of the area and have designed in accordance with principles of integration and connectivity, with particular focus on the need to respond to the recently constructed schools on the adjacent site north west of the Magee Barracks lands off Melitta Road, and the permitted supermarket and cancer treatment clinic. The proposal also provides for potential future connections (subject to agreement) with Ruanbeg, Magee Terrace and the existing schools, and the integration of the adjoining open spaces within these neighbouring residential areas.

The proposed development has been designed to respond positively to the existing surrounding residential developments, in terms of scale and height and appropriate separation distances are provided in this regard also.

- ***The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.***

The proposed development encompasses four blocks of apartments of varying heights and with good permeability. Materials and finishes are of an appropriately high standard, as shown on the architectural drawings.

The general heights of houses and duplex terraces ranges from 2 to 3 floors whilst the inclusion of 3+1 and 4+1 floor apartment blocks addresses the ABP concern regarding

residential site density and increased building height requirements outlined in the Building Height Guidelines.

Varying but controlled building heights create a modulating roof line in support of a rich and diverse architectural response. Maximum building heights (4+1) are proposed adjacent to internal primary roads and public open spaces to avoid negative impact on private residential units, while providing passive surveillance of open spaces.

- ***The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).***

The proposed development provides a public square (Magee Square) adjacent to the main site entrance off Hospital Street (R445), providing civic amenity space and forming the setting for local retail, gallery and café uses, enhancing the urban design context for public spaces.

The proposed height and scale of the development represents good quality urban design principles and provides for quality street frontages to Hospital Street (R445) and internally.

The apartment blocks are located adjacent to the main link street and mark prime corners facing onto Parade Park and Magee Gardens. The proposed height at this prominent location enhances the urban context for the new open spaces and creates a visual ‘signpost’ to identify open space destinations.

The apartments provide for an increase in height towards the centre of the site to provide landmark buildings, a varied streetscape and good passive surveillance of the public open spaces within the scheme.

- ***The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.***

The site at present is an impermeable void in the urban structure of the town and does not contribute to legibility in the wider urban area. The proposed development strongly prioritises legibility, permeability and ease of movement as part of the overall masterplan for the Magee Barracks site. This prioritisation helps to stitch the lands back into the urban fabric of the town, ensuring that this important and prominent site will no longer hinder movement between the town centre and residential areas to the east, thereby precipitating what is considered to be a significant planning gain.

The proposal provides a roads hierarchy to support legible and distinct character areas, namely the Main Link Street (cycle lane and pavement to each side), Local Street Type A (verge to one side only) and Local Street Type B (verges removed and pavement to each side of the road). Street widths vary in accordance with each street type.

A hierarchy of open spaces is proposed from a public square (Magee Square), Neighbourhood Park (Parade Park) to a local park (Magee Gardens) and a number of smaller pocket parks (Coolmoney Square, Henry Howard Gardens) and a small Public Plaza designed to link communities and provide active and passive uses. This open space hierarchy will add to the legibility of the proposed development

The materiality strategy proposed also improves legibility within the scheme with a rich mixture of proposed building materials provided to offer a visual variety within each Character Area, as outlined in the accompanying Architectural Design Statement.

The proposed includes connections to the existing schools to the north-west, to surrounding residential areas Ruanbeg and Magee Terrace, and Phase 2 will deliver a connection to Melitta Road, improving legibility in the wider area and integrating the scheme in a cohesive manner with the existing urban area.

- ***The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.***

The vision for the Magee Barracks lands is for a new vibrant community quarter in the heart of Kildare town, which provides a range of employment, residential and community uses, high quality public realm and open spaces, and includes a broad mix of residential unit types and styles which caters for a broad population mix.

The development will introduce a range of new building forms and typologies into an unutilised brownfield site. A rich and sensitive mix of façade types, materiality and roof forms will create a visual variety within the site character areas. The revised proposals also introduce separate apartment blocks which add variety to the overall mix and increases the proposed residential density on the site.

A broad mix of unit types including houses (terraced and semi-detached), duplex units (1,2 & 3 bed) and apartments (1 and 2 bed) are offered.

The proposals positively contribute to the mix of uses with the Neighbourhood Centre incorporating a creche, local retail/café, gallery space and public plaza.

The former Magee Barracks lands in their totality include existing educational uses (2 no. schools), permitted retail use (Lidl Supermarket), proposed health use (Cancer Treatment Clinic) (subject to appeal to ABP) in addition to the variety of uses proposed in this SHD application.

At the scale of the site/building

- ***The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.***

The proposed apartment blocks are 3 storey + 1 setback and 4 storey + 1 setback in height over undercroft/basement car parking level, located centrally within the site, and integrated sensitively into the proposed development and surrounding context.

The modulating roofline of the duplex terraces enables good daylight penetration into adjoining private gardens and private terraces.

The apartment buildings are not directly adjacent to house and duplex units in order not to have an overbearing presence. The apartment blocks are separated by 22m along the north-south axis in order not to overshadow either the communal open space or Magee Gardens.

Access to views of the surrounding open spaces (including Magee Gardens and Parade Park), natural daylight and ventilation are maximised through the orientation and layout of the proposed apartment blocks, ensuring a high level of residential amenity.

- ***Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site Layout Planning for Daylight and Sunlight’ (2nd Edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’.***

The accompanying Daylight and Sunlight assessment by NRG Consulting assesses the 4 no. proposed apartment blocks within the development as these units were identified as the only areas of potential deficiency in daylight provision.

The assessment concludes that for all the habitable rooms the daylight levels are adequate and exceed the target criteria set within BS 8206-2 and BRE publication “Site Layout Planning for Daylight & Sunlight – A guide to good practice”.

- ***Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.***

The proposed 4 no. apartment blocks fully comply with all the requirements of the daylight provisions outlined in the guidance documents referred to, as demonstrated in the daylight and sunlight assessment.

Conclusion

This application clearly sets out in the preceding section of this report and within the accompanying Planning Report, Statement of Consistency and supporting documents including the Architectural Design Statement how the proposed development complies with each of the criteria as set out in the Urban Development and Building Height Guidelines 2018.

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

The proposed apartment blocks are 3 storey +1 setback and 4 storey +1 setback in height over undercroft/basement car parking level, located centrally within the site, and integrated sensitively into the proposed development and surrounding context.

Thus, it is respectfully submitted that proposed development which provides for a range of building heights of between 2 no. and 5 no. storeys over undercroft/basement is appropriate for this location / site. The provision of residential development at this location between 2 no. and 5 no. storeys is supported by the height guidelines which encourages increased density and building heights proximate to urban centres and public transport. The proposed development complies with the locational requirements and therefore is considered to be in accordance with the provisions of the Urban Development and Building Height Guidelines 2018.