



Private & Confidential

Senior Executive Officer,
Planning Department,
Kildare County Council,
Áras Chill Dara, Devoy Park,
Naas, Co. Kildare.

1st November 2019

Re: Response to Proposed Material Alteration No. 46 (a + b)

- (a) Remove the KDA designation from the Black Avenue lands on Map Ref. 4 Land Use Zoning Objectives and amend the zoning from ‘C: New Residential’ and ‘F2: Strategic Open Space’ to ‘F: Open Space and Amenity’ and delete Section 12.5 Black Avenue Key Development Area.**
- (b) Delete Section 12.5 Black Avenue Key Development Area in its entirety.**

On behalf of our clients, the Stanley Family, who own the lands which form the Black Avenue KDA, we wish to outline our response to the Material Alterations on the Kildare County Council Draft Leixlip Local Area Plan. Based on the current proposed Material Alterations to the DRAFT Local Area Plan for the subject site at Black Avenue, we do not believe that the sequential approach for planning and development has been adhered to, and as such we ask that the points outlined within this submission be considered.

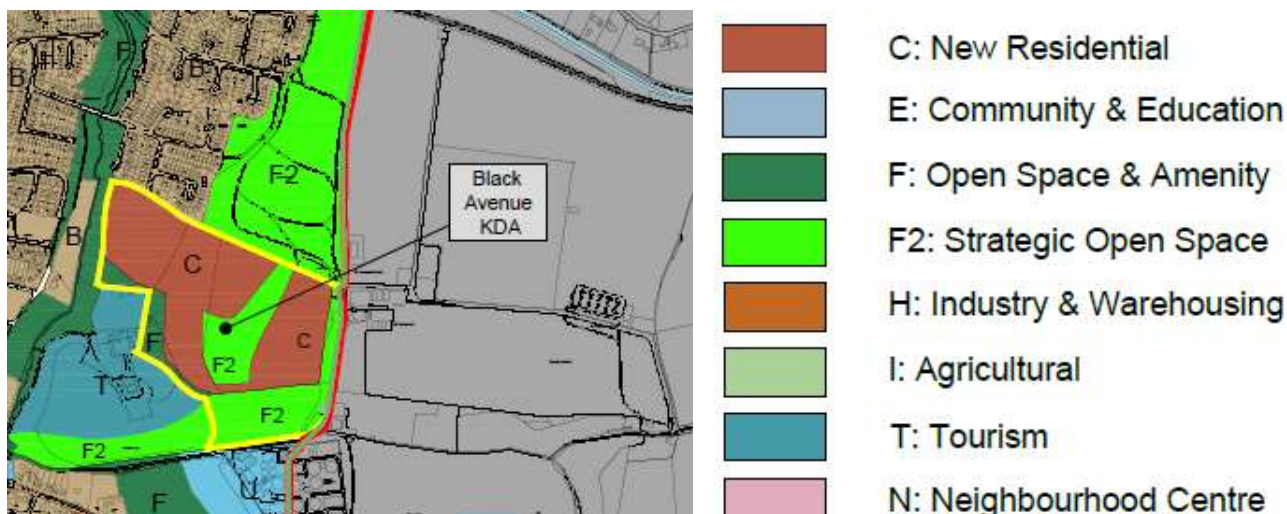
Background:

As to provide some historical background for context, the original house and land (now Leixlip Manor Hotel) were called St Catherine’s Park. The Stanley Family acquired St Catherine’s Park and resided there until the mid 90’s. The house was sold and subsequently became a small hotel, while the lands in question were retained in private ownership by the family.’ The existing public amenity named St. Catherine’s Park had no connection with the original house and lands.

The current review of the LAP is being prepared in response to a Ministerial Directive to provide for the future development and growing population in Leixlip. The KDA at Black Avenue will make a contribution to the housing provision while contributing to road improvements and the linkage of open space areas. Furthermore, the proposals for the Black Avenue KDA are deemed to be consistent with the criteria set out by Kildare County Council.

In addition, our clients have conducted detailed traffic / access and drainage investigations to show **the suitability** of these lands for development, as requested by Kildare County Council as part of early pre – rezoning submission discussions in January of this year.

Under the Draft Leixlip Local Area Plan, the subject site, outlined in yellow under Reference Image 1 below, is proposed to be designated as a Key Development Area (KDA) with a zoning as “C: New Residential” (in brown), “F2: Strategic Open Space” (in light green) and “F: Open Space & Amenity” (in dark green).



Reference Image 1: Draft Leixlip Local Area Plan (Subject Site Outlined in Yellow) – Map Annotated

Programme of Works;

With regards to the delivery of units on the lands at Black Avenue, it should be noted that the delivery of all units in full is estimated to be completed within a 5-year period, i.e. within the lifetime of a grant of planning permission for the development. It is expected that the road improvement works would be delivered within 12 months, while the housing units would be delivered in phases of approx. 80 – 100 units per year over the remaining 4 year period. The upgrading works to the road which would be carried out prior to commencement of any housing development, can be included as a condition as part of any future grant of planning on the subject lands.

Furthermore, it should be considered that the rezoning of other lands within the LAP, do not fully address the Ministers requirements in terms of the short to medium term housing provision.

St. Catherine’s Park;

It should be noted that the subject site is under **private ownership** which is currently not legally accessible to the general public. If the Draft LAP is adopted in its current form and the subject lands rezoned, a considerable quantity of lands zoned for Strategic Open Space (F2) and Open Space & Amenity (F) will be made accessible for public use. Refer to Reference Image 1 above.

The current proposal as indicated by KCC, does not indicate a road through St. Catherine’s Park, it does however indicate the provision of residential zoned land **in private ownership** which abuts St. Catherine’s Park which has been proposed with a ‘Road Objective’ and ‘Strategic Pedestrian / Cycle Route’ as indicated under Reference Image 2 below.

The rezoning submission prepared and lodged with KCC outlined a pedestrian and vehicular connection from the subject site to the existing public car parking to the north. This proposal was to allow the laneway to the East of the site to be utilised solely or predominately for pedestrian / cycle use. This was seen as a positive strategy, allowing for this section of laneway to remain as a 'linear park' while creating a safer pedestrian / cycle environment.

The setting for St. Catherine's Park is being protected through the retention of the existing hedgerow and vegetation, as indicated under Reference Image 4 below. Furthermore, the entrance to the park is being upgraded with the proposed upgrading works to Black Avenue providing both safer pedestrian and cycle paths. These contributions will provide a safer access to St. Catherine's Park.

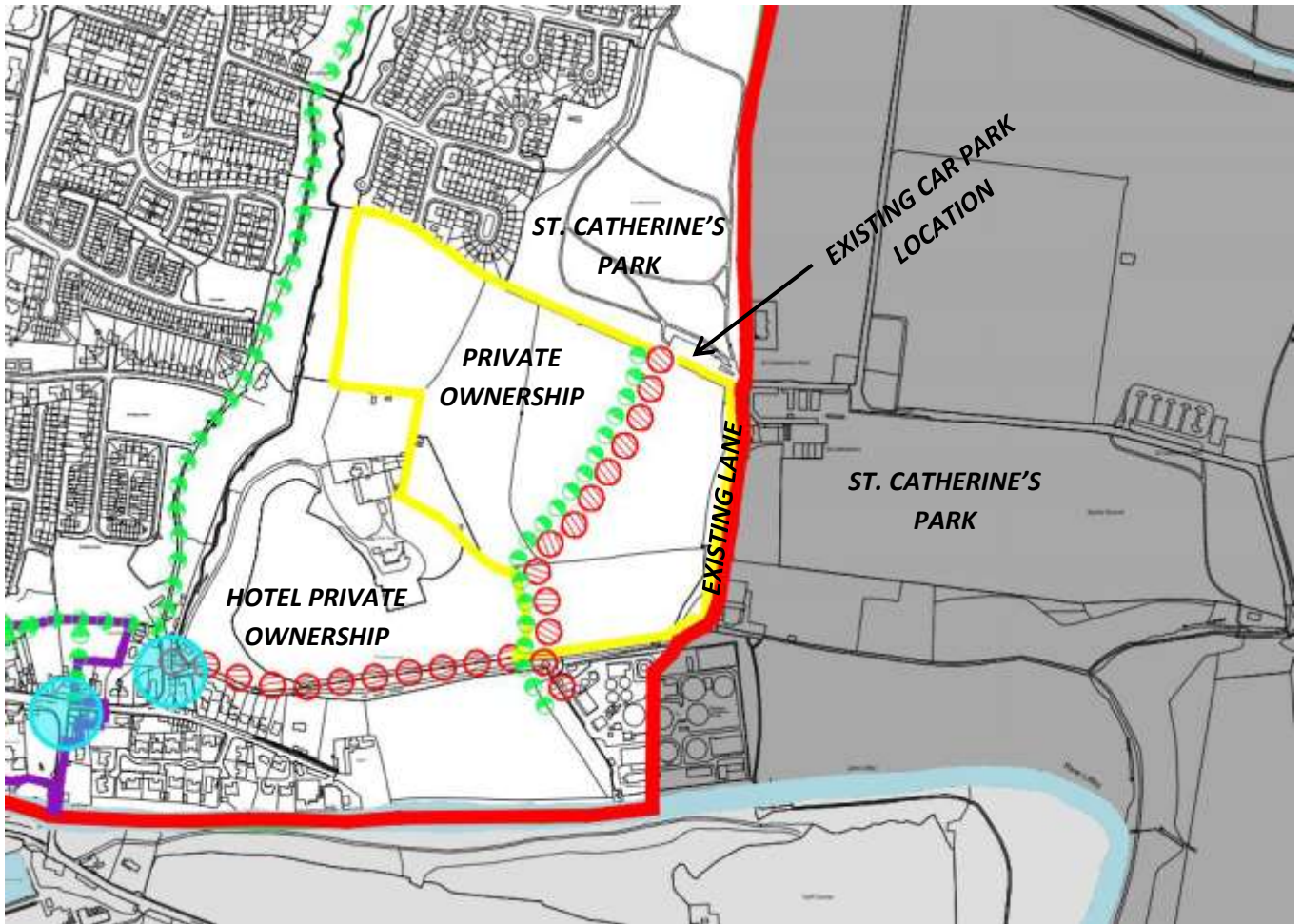
It should be noted that any further development outside of that of the subject KDA is subject to planning / rezoning. As such any concerns from third party observations regarding development encroaching into St. Catherine's Park is unfounded at this stage.

Trees, Green Space, Habitats/Wildlife;




As part of the KDA zoning map, significant portions of the subject site are allocated as "F2: Strategic Open Space" (in light green) and "F: Open Space & Amenity" (in dark green). The placement of such portions of this zoning has clearly been considered based on the current habitat locations, tree belts and hedgerows. Refer to Reference Image 4 below, as indicated by the accompanying legend the indicative layout for the site is based on the existing vegetation which is to be retained;

It should be noted that as part of the Leixlip LAP and as described within the LAP itself, screening for Appropriate Assessment **was carried out**. Furthermore, an Environmental Report accompanied the Draft LAP (prepared by ARUP Consulting Engineers). As part of any future application for housing development on the subject site, environmental reporting would be provided as required by KCC, and to the satisfaction of KCC. Furthermore, it should be noted that the site **does not contain** and is not within close proximity to any 'Proposed Natural Heritage Areas' or any 'Special Areas of Conservation';

Although there is no specific objective within the Draft Leixlip LAP regarding the protection of Bats, the Kildare County Council Development Plan 2017 – 2023 has several policies which would be utilised as an overriding factor with any application for development of the subject site, for example GI 27 states, ***'it is the policy of the council to require all new developments to identify, protect and enhance ecological features by making provision for local biodiversity (e.g. through provision of swift boxes or towers, bat roost sites, green roofs, etc.) and provide links to the wider Green Infrastructure network as an essential part of the design process'***. As part of any planning application for the subject site these and other policies within the KCC Development Plan, relating to the protection of bats would be strictly adhered to;



Reference Image 2: Leixlip Transport Map Extract (Subject Site Outlined in Yellow) – Map Annotated

- Key Development Area 
- Proposed Strategic Pedestrian / Cycle Route 
- Proposed Road Objective 

Privacy and Value of Existing Properties:

It is considered that a minimal quantity of existing homes will be affected by the proposed new residential development, the potential effect on privacy to the houses to the North of the site can be mitigated against through design strategies such as placement of housing units, separation distances (potentially greater than the 22m rule of thumb between opposing windows), and / or landscaped areas utilised to soften the boundary between existing and new development.

The site is located in an area where there is strong demand for residential accommodation. The area does not currently provide sufficient housing stock to support the growing population and as such there is a need to provide a mix of residential units. The argument for demand will only be strengthened by the current and future industrial investment in the area. e.g. the Intel expansion.

Conservation / Archaeology:

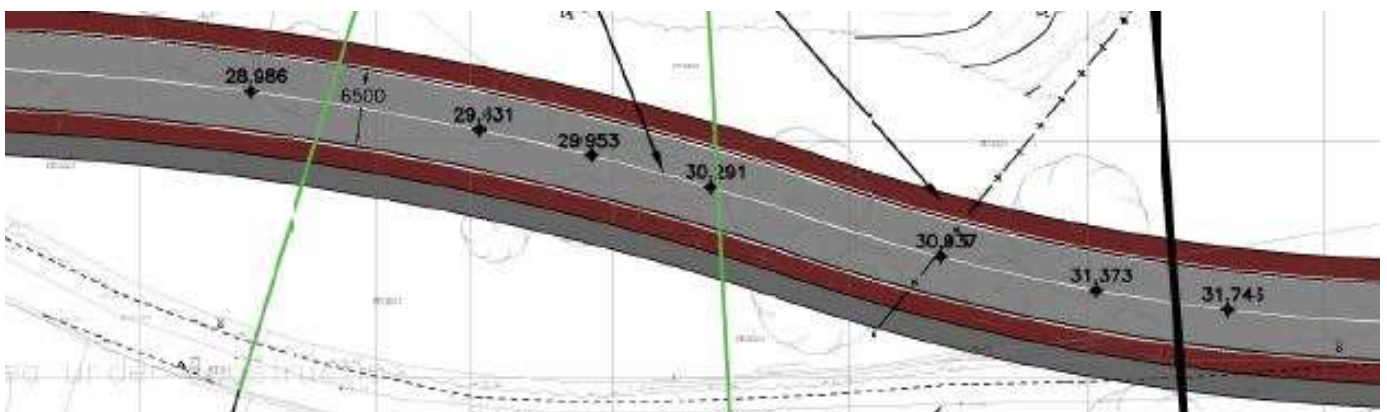
The Draft LAP has been accompanied by the 'Leixlip Built Heritage and Archaeological Map' which **does not** identify any protected structures (RPS), monuments or places, within the subject site. Furthermore, the site is not in an Architectural Conservation Area.

Anti-Social Behaviour:

There currently exists anti-social behaviour on the land in question. The Gardai have been called a number of times to stop illegal motorised and quad bike activity on said lands. In addition, illegal dumping on the lands is an ongoing problem. Furthermore, the issue surrounding anti-social behaviour has been exacerbated, with recent high-profile cases coming to light.

There are many design strategies which can be employed to help prevent anti-social problems from arising, these include but are not limited to the following;

- Public realm areas to be passively overlooked;
- Public realm areas to be lit appropriately, street / path lighting;
- Emphasis on community design, potentially around courtyards;
- Site permeability;



Reference Image 3: Extract from Molony Millar Drawing illustrating Road Widening Proposal

(6.5 meters Road, 2 meters foot path and 2 No. 2meter Cycle Paths)



Road Improvement Objective



Focal building



Internal routes



Civic Plaza



Pedestrian/cycle route



Recreation/amenity



Business and technology use



Strategic open space



Neighbourhood centre



Existing vegetation retained



Primary care centre



Landscape reinforcement



Primary building frontage



Railway Line



Reference Image 4: KCC Draft Local Area Plan - Black Avenue Key Development Area Map

Transport / Road Networks;

As part of the subject rezoning submission and as a **request of KCC**, our client commissioned a detailed and robust Transportation Assessment, prepared by NRB Consulting Engineers. This assessment detailed the existing conditions, analysis of the development proposals, included trip generation information as well as a traffic impact assessment and analysis of associated results. This assessment formed part of the rezoning submission to KCC.

Within the conclusion of the report it is outlined that the proposed development will have an acceptable and manageable impact upon the established local traffic conditions and can be accommodated on the road network without any capacity concerns arising - subject to an upgrade of the Main Street/Mill Lane Junction that will be required during the design life of the proposed development. Furthermore, the TA Report concludes the following; ***'It is considered that there are no significant Operational Traffic or Road Capacity issues which would prevent the site being zoned for the proposed uses'***. Further to this, as part of the DRAFT LAP, the reduced density provision as proposed will reduce the number of expected additional cars.

As part of the rezoning submission to KCC our client commissioned a review of the existing roadway along Black Avenue from the Mill Lane Junction. As part of the proposal, significant upgrading works are proposed with the inclusion of a pedestrian path and addition of a bicycle path (see Reference Image 3 above). These works as commissioned by our client would be a significant investment in the infrastructure and a considerable planning gain. Furthermore, it should be noted that our client has retained third party letters of consent from the landowners along Black Avenue to facilitate these road improvement and widening works, which would significantly increase the safety and access of emergency vehicles and vehicles accessing the treatment plant on a regular basis, while also mitigating against concerns raised by previous submissions. It should be noted that our client would commission in full the cost associated with the proposed works as part of any planning granted on the site and would enter into a legal agreement to hand back the road to the Local Authority once completed.

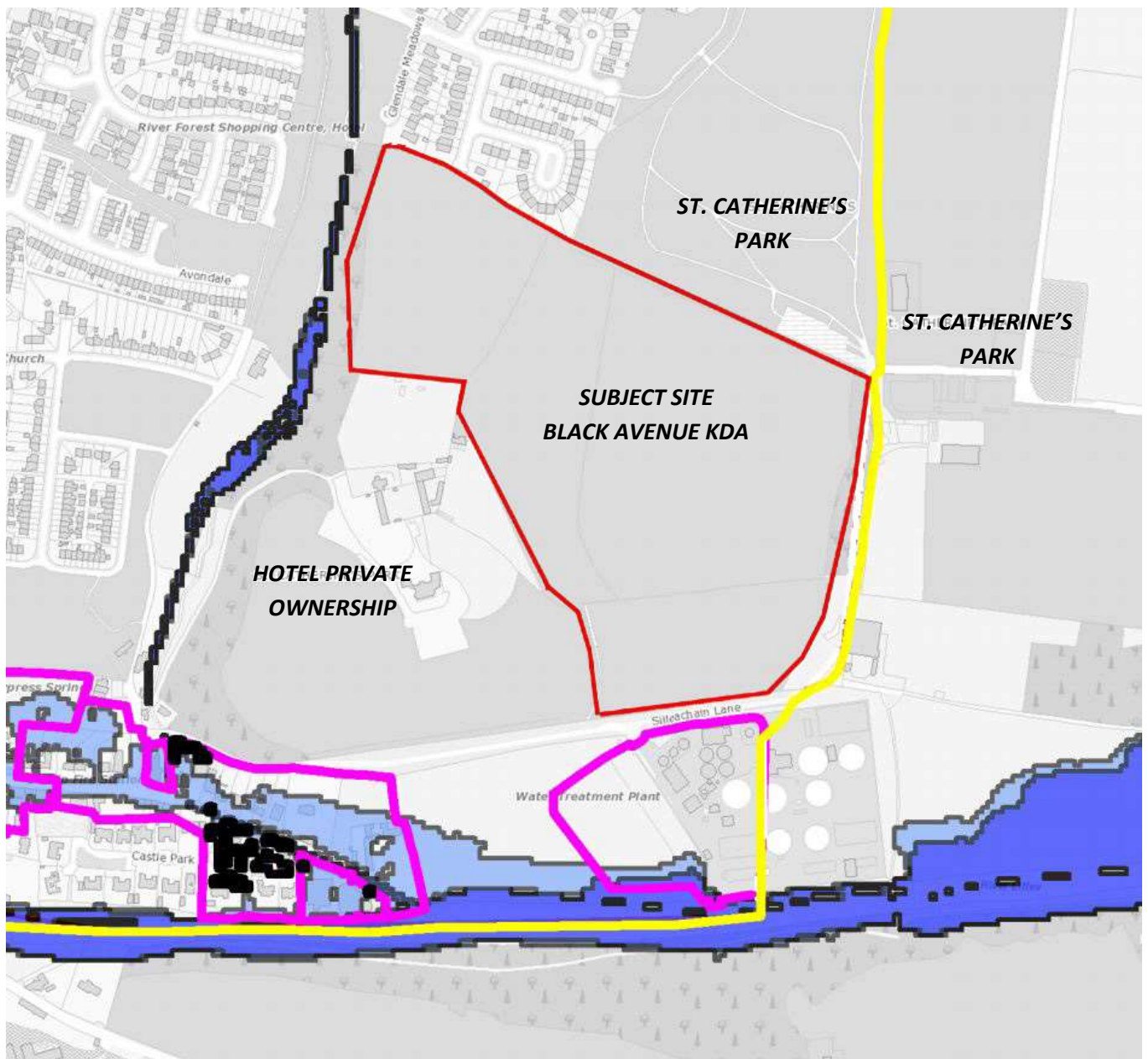
With regard to accessibility to public transport networks, as indicated under Reference Image 5 below, the subject site is within a 12min walk of Confey Train Station (circa 950m) and a 9min walk from Dublin Bus Stops No.3996, 3993 and 3997 which service Dublin City, UCD Belfield, Intel Campus and Maynooth. (Bus No.66, 66a, 66x).



Reference Image 5: Accessibility to Public Transport Networks (Note: Site Outlined in Red) – Map Annotated

Flood Risk Assessment:

As part of the LAP, KCC have included a 'Strategic Flood Risk Assessment', the subject site is **not identified** as being within a flood risk area and as such would **not warrant a Flood Risk Assessment**. (Please refer to Reference Image 6 below).



***Reference Image 6: Strategic Flood Risk Assessment Map Extract (Note: Site Outlined in Red, FRA Area in Pink)
Map Annotated***

Water Supply:

It is our understanding that there is capacity within the existing Treatment Plant and Water Supply networks to meet the demands of the subject KDA. Furthermore, as outlined within the Draft LAP Written Statement it is the policy of the Council to ***‘work in conjunction with Irish Water to protect existing water and wastewater infrastructure in Leixlip, to maximise the potential of existing capacity and to facilitate the timely delivery of new water services infrastructure to facilitate future growth’.***

Power Supply:

It is our understanding that there is capacity within the existing electricity networks to meet the demands of the subject KDA. Furthermore, the following is outlined within the Draft LAP Written Statement; ***‘the presence of the high voltage transmission lines in Kildare enables the county and Leixlip to be in a position to meet future electricity demands of customers’.***

Observations / Submissions on the DRAFT LAP

In summary, it is considered that there were a limited number of submissions in relation to the Black Avenue KDA, and in particular the concerns outlined within those submissions have been mitigated against as part of this submission to the council regarding the Material Alterations. Thus, allowing the council the opportunity to review the site and its rezoning in this context.

Summary Points to Support the Rezoning of the Black Avenue KDA:

Our clients are in agreement with and are supportive of the proposed zoning designations. There are many positives which should be noted in supporting the proposed rezoning of lands at Black Avenue as follows;

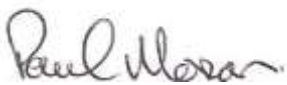
- There is significant private investment proposed as part of important road improvement works creating a safer access to both St. Catherine's Park, the Treatment Plant, the subject development and the existing residential properties;
- As illustrated through the responses to the items raised as part of the submissions, all concerns have been mitigated against;
- No objection or concerns were raised by the OPW or Irish Water, who will both benefit from the development of these lands;
- Addition of strategic pedestrian routes, strategic cycle routes and upgrading of existing routes;
- Facilitating the creation of linked open spaces which are easily accessible to the public;
- Provision of a mix of units which support both a young and aging population;
- Increase demand for school places which are currently below capacity;
- Additional support to clubs / facilities with the provision of new housing;

Conclusion:

The current review of the LAP is being prepared in response to a Ministerial Directive to provide for the future development and growing population in Leixlip. The KDA at Black Avenue will make a contribution to the housing provision while contributing to road improvements and the linkage of open space areas.

In conclusion, it is submitted that this site both addresses and can assist with resolving the deficiency in the previous Local Area Plan as identified by the Minister. The land is suitably located within the town having regard to the sequential approach to planning and development. Its close access to facilities and public transport, the fact that services are available, and access can be provided by way of our client commissioning the upgrading of Black Avenue to accommodate a safer carriageway, footpath and cycleway, make this a realistic and appropriate proposal. On this basis, we ask that the proposed Material Alterations be reconsidered and the lands be included for rezoning to residential use within the proposed Local Area Plan.

Yours sincerely,



Paul Moran

Director CDP Architecture

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