



**KILDARE COUNTY COUNCIL  
PLANNING DEPARTMENT**

Report prepared in accordance with Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations 2001 as amended

Development proposed by, on behalf of, or in partnership with Local Authority

*Report for submission to the members, prepared in accordance with Part XI, Section 179, Sub-section (3)(a) and (3)(b) of the Planning and Development Act 2000 as amended.*

<b>Type of Development</b>	proposed community housing development
<b>Site Location</b>	Andrew Halting Site, Athy, Co. Kildare
<b>Development proposed by</b>	Architects Department
<b>Display period</b>	21 <sup>st</sup> November 2024 – 15 <sup>th</sup> January 2025 (inclusive) Newspaper Notice published in Leinster Leader 19/11/2024
<b>Submissions/observations</b>	3 No. submissions received.  A Report on the submissions is included in Appendix A. A list of people who made submissions/observations is provided in Appendix B
<b>Part 8 Reference Number</b>	P82024.03

## **1. SITE LOCATION & CONTEXT**

Site Area: 0.9936ha

The site is located off Fortbarrington Road, Athy, R14VY63. An existing halting site is located on the site. All existing main services such as water, sewage, gas, Eir and electricity are available along Fortbarrington Road. Proposed connections can be made and therefore service provision does not pose a constraint to the development of this site.

The site is zoned New Residential in the Athy Local Area Plan. The site includes 3 existing day houses and a caretaker building.

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will comprise:

- The demolition of the existing temporary Caretaker unit and reprovision of a purpose-built Caretaker Unit and associated landscaping,
- The refurbishment of 4no. semi-detached Day Houses into 2no. detached Day Houses, including space for associated Mobile Home parking,
- Provision of 5no. new-build detached Group Houses with space for associated Caravan Storage, including:
  - 4no. detached 5-bedroom, 2 storey Group Houses,
  - 1no. detached 3-bedroom, 2 storey Group House,
- All associated site-works including:
  - Site boundaries.
  - Landscaping.
  - Paving.
  - Access Road.
  - Ducting for utilities,
  - Nature based sustainable drainage features,
  - Formation of new connections to existing public foul and surface water drainage, and existing utilities,
  - Upgrades to existing Vigil Area
  - Public lighting,
  - Electrical pillar /structures.

## 3. SUPPORTING DOCUMENTS

The proposal is accompanied by the required plans and particulars and in addition:

- Detailed Project Description
- Screening letter by 'Enviroguide'
- Appropriate Assessment Screening Report by 'Enviroguide'
- Combined State 1-2 Road Safety Audit by Bruton Consulting Engineers, July 2024

## 4. EIA and AA

An EIA screening letter was carried out by 'Enviroguide' for the site. The letter concludes:

*"The Proposed Development is a project listed as a development type in Schedule 5, Part 2 of the Planning and Development Regulations 2001 as amended. The Proposed Development is considered a sub-threshold development. A sub-threshold development is defined as a "development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development". Sub threshold developments can be screened to determine if an EIA is required. The Proposed Development does not meet the criteria set out in Schedule 5, Part 2, specifically:*

*10. Infrastructure projects*

*10. (b)(i) Construction of more than 500 dwelling units.*

*The Proposed Development includes for the construction of 5 residential units, and the conversion of four existing semi-detached day houses and gardens into two detached day houses with gardens. This is below the threshold of 500 dwelling units. It is therefore considered **a mandatory EIAR is not required.***

10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

The site is approximately 1.043 hectares in size and is not considered to be located within an urban area or a business district. The site is less than 20 hectares in size. Therefore, **a mandatory EIAR is not required.**

14. Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7

The Proposed Development includes for the demolition of an existing single storey caretaker unit, the removal of existing boundary railings to Fortbarrington Road, removal of existing vehicular and pedestrian entrance walls to the Fortbarrington Road.

The demolition works are considered to be relatively small scale and it is therefore not expected that the works would result in significant effects on the environment.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

The Proposed Development has been considered having regard to the criteria set out in Schedule 5 Part 2, (15)

A desk-based study has been undertaken to assess any potential sensitivities on the site. There are no recorded monuments on the site (Historic Environment Viewer, 14/08/2024), the closest recorded monument (KD035 -031: Enclosure: ARDREW) is approximately 400m north east of the site. The site is surrounded by existing housing developments and is considered to be in keeping with the surrounding area.

With regard to ecological impacts, a Preliminary Ecological Assessment and Appropriate Assessment (AA) Screening Report have been prepared by Enviroguide Consulting for the Proposed Development, all dated August 2024. The AA Screening Report has assessed the relevant European Site, River Barrow and River Nore Special Area of Conservation (SAC), and concluded that:

"On the basis of the screening exercise carried out ..., it can be concluded, on the basis of the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conservation objectives. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a NIS is not required."

#### Conclusion

It is Enviroguide Consulting's view that the Proposed Development constitutes a sub-threshold development under the Planning and Development Regulations 2001 (as amended). Whilst the potential for likely significant effects cannot be ruled out at this stage, it is considered that potential likely significant effects can be reduced through good design and environment management measures."

## 5. REFERRALS AND CONSULTATIONS

The referrals and consultation Kildare County Council:

### **Internal Sections**

Area Engineer Senior Engineer  
Roads + Transportation Senior Executive Engineer  
Environmental Health Officer - Principal EHO  
Chief Fire Officer  
Water Services- Senior Engineer  
Community & Culture - Senior Parks Superintendent  
Building Control  
Public Realm Team - Senior Executive Architect  
National Roads Office - Senior Executive Engineer  
Housing Section - Senior Executive Officer  
Economic Community & Cultural Development - Senior Executive

### **Prescribed Bodies**

An Taisce  
Uisce Eireann  
Transport Infrastructure Ireland  
Department of Housing, Local Government and Heritage  
Department of the Environment, Climate and Communications  
Environmental Protection Agency

#### **4.1 Submissions**

Three (3) submissions were received during the display period. The issues raised in the submissions are outlined and a response to the issues made are contained within the report in Appendix A of this report.

#### **4.2 Prescribed Bodies**

- *Both TII and Uisce Eireann responded – no objections, subject to conditions*

#### **4.3 Internal KCC Reports Received**

The Part 8 proposal was referred to internal departments of Kildare County Council.

- *Planning Department: No objection / requirements specified*

### **6. PLANNING HISTORY**

No recent planning history on site.

### **7. POLICY CONTEXT**

*Kildare County Development Plan 2023-2029*  
*Athy Local Area Plan 2021 - 2027*

### **8. ASSESSMENT OF PROPOSED DEVELOPMENT**

#### **8.1 Principle of Development**

The principle of the development is consistent with the zoning, policies and objectives of the Kildare County Development Plan 2023 – 2029 and the Athy LAP 2021 – 2027.

#### **8.2 Environmental Impact Assessment**

An EIA screening letter was carried out by 'Enviroguide' for the site. The letter concluded:

It is Enviroguide Consulting's view that the Proposed Development constitutes a sub-threshold development under the Planning and Development Regulations 2001 (as amended). Whilst the potential for likely significant effects cannot be ruled out at this stage, it is considered that potential likely significant effects can be reduced through good design and environment management measures."

#### 8.3 Appropriate Assessment

An Appropriate Assessment Screening Report was prepared to assist the relevant authority (Kildare County Council) in forming an opinion as to whether or not the Proposed Scheme requires a Natura Impact Assessment. The AA Screening Report concluded that no impacts are likely as a result of the Proposed Scheme on the conservation objectives or overall integrity of any Natura 2000 Site and accordingly Appropriate Assessment is not required.

#### 8.4 Proposed Design and Layout

The proposed design and layout, being of a standard design layout, is considered to be generally acceptable and would not give rise to undue overshadowing or overlooking of adjacent properties. The proposed design would be in keeping with the general character of the area and is therefore acceptable.

#### 8.5 Public Realm

Three areas of open space are to be provided. These are generally acceptable and help to mitigate any environmental impact that the development may have.

#### 8.7 Access and Transportation

All parking to be contained onsite and within the internal road network. An existing entrance will be used. Acceptable.

#### 8.8 Public Submissions

Three public submissions (two of which relate to Prescribed Bodies) have been summarised in Appendix A of this report. One negative submission received relating to possible negative impact on quality of life. In response, the proposed boundary treatments are to be amended and raised to 2.4m high.

### **9. CONCLUSION**

Having regard to:

- The provisions of the Kildare County Development Plan 2023 - 2029
- Athy Local Area Plan 2021 – 2027.
- The zoning of the site
- Kildare County Council's internal departmental reports and Prescribed Bodies reports,
- The EIA Screening Letter from Enviroguide,
- The AA Screening Report,
- Appendix A Submissions Report and the responses to the items/issues raised,
- Appendix B List of people who made public submissions,
- The location of the proposed development and the existing development on the site,
- The zoning objective of the site (new residential)
- The nature and extent of the proposed development, and
- The recommendation set out below

It is considered that the proposed scheme would be in accordance with the provisions of the Kildare County Development Plan 2023 - 2029 and the Athy LAP 2021 – 2027

and would therefore be in accordance with the proper planning and sustainable development of the area.

## 9. RECOMMENDATION

It is recommended to the Mayor and Members of the Athy Municipal District, that the proposed Part 8 be proceeded with, subject to the modifications set out below.

### Conditions:

#### Standard

The proposed Part 8 shall be in accordance with the plans and particulars placed on public display on from 21<sup>st</sup> November 2024 – 15<sup>th</sup> January 2025 (inclusive), except where amended by the following:

#### Boundary Treatment

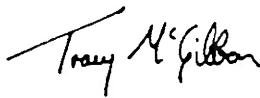
The boundaries of the site shall be of plastered block work and shall be a minimum of 2.4 metres high.

Reason: In the interests of private amenity.

#### Uisce Éireann

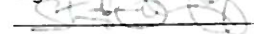
- a) The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.
- b) The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.
- c) All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.



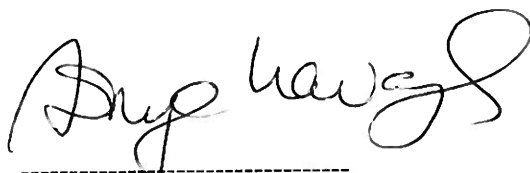
Tracy McGibbon  
Senior Executive Planner  
26/02/2025

Signed.



S. Willoughby  
Senior Planner

26/02/25



**Sonya Kavanagh**

**Chief Executive**

27/02/2025

## **APPENDIX A SUBMISSIONS REPORT**

The following is a summary of the issues identified in 3 submissions received:

- Concerned with regard to the proximity of the houses to existing residential properties
- Trespassing and litter in gardens despite the high boundary around property
- Disturbance at night / Noise of residents returning home in the early hours of the morning
- Dogs barking
- Negative impact on quality of life
- Questions the rationale behind 'group houses' rather than family unit.
- Halting site should be situated outside of town.
- Density and population.

### **Uisce Éireann**

- No Objection in Principle
- Any grant of permission be conditioned as follows:

#### **Condition 1**

The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

#### **Condition 2**

The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

#### **Condition 3**

All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

### **Transport Infrastructure Ireland**

- No observations

## **APPENDIX B LIST OF PERSONS WHO MADE SUBMISSIONS/OBSERVATIONS**

L. Byrne  
Uisce Éireann  
Transport Infrastructure Ireland





File: 19087-KCC-XX-XX-Z-RP-0001-Housing  
Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24-Jan-25

Comhairle Contae Chill Dara  
Kildare County Council



## KILDARE COUNTY COUNCIL

Architectural Services Section

Housing Department

Planning and Development Act 2000

(As amended) - Part XI

Planning and Development Regulations 2001 - Part 8

### Part 8 Housing Report

Including submissions received

Proposed Development at Andrew Halting Site, Athy, Co. Kildare

P82024.03

**Prepared by:**

Alex Dutczak, MRIAI,  
Executive Architect  
Architectural Services Section,  
Kildare County Council,  
Aras Chill Dara,  
Devoy Park, Naas

**Endorsed by:**

Annette Aspell  
Director of Services for Housing and Corporate  
Services

**Date of Issue:**

P01 – 24.01.2025

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
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## Table of Contents

1. Executive Summary .....	3
2. Scheme Description .....	4
3. Compliance with Planning .....	6
4. Statutory Procedures .....	23
5. Recommendation .....	27
APPENDIX A – Submissions .....	28
1. MD Members .....	28
2. Internal Departments .....	28
3. Prescribed Bodies .....	32
4. Public Submissions .....	33
APPENDIX B – Handwritten Submissions .....	34

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 1. Executive Summary

### 1.1 Overview

The following report relates to the Planning and Development Regulations 2001 (as amended) - Part 8 planning process for the Proposed Residential Development at Andrew Halting Site, Athy, Co. Kildare.

A Part 8 consultation process (Ref. P82024.03) was launched for the development on 21<sup>st</sup> of November 2024. Submissions received in connection with the Part 8 process have been included and considered in the Submissions Report included at Appendix A.

As per the Regulations, public consultation commenced on the 21<sup>st</sup> of November 2024 and plans and particulars of the proposed development were available for inspection from 21<sup>st</sup> of November 2024 until 19<sup>th</sup> of December 2024 (both dates inclusive). The closing date for submissions and observations was the 15<sup>th</sup> of January 2025.

### 1.2 Submissions and Reports Received

No submissions were received from the public representatives, 2 submissions were received from the prescribed bodies, 2 reports/comments were received from internal departments within KCC, and 1 submission was received from members of the public:

- Kildare County Council Internal Sections: 2
  1. Water Services
  2. Roads Section
- Prescribed Bodies: 2
  1. Irish Water
  2. Transport Infrastructure Ireland
- Public Submissions: 1
  1. Loreto Byrne

Details of those who made a submission including a response to those submissions are set out in the Submissions Report at Appendix A.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 2. Scheme Description

### 2.1 Introduction

The proposed development will comprise:

- The demolition of the existing temporary Caretaker unit and construction of a new purpose-built Caretaker Unit and associated landscaping,
- The conversion of 4 no. semi-detached Day Houses into 2 no. detached Day Houses, including provision of space for associated Mobile Home parking,
- Provision of 5 no. new-build detached Group Houses with space for associated Caravan Storage, including:
  - 4 no. detached 5-bedroom, 2 storey Group Houses,
  - 1 no. detached 3-bedroom, 2 storey Group House,
- All associated site-works including:
  - Site boundaries.
  - Landscaping, paving, access Road.
  - Ducting for utilities,
  - Nature based sustainable drainage features,
  - Formation of new connections to existing public foul and surface water drainage, and existing utilities,
  - Upgrades to existing Vigil Area
  - Public lighting, electrical pillar /structures.

The site is located off Forthbarrington Road, Athy, Eircode is R14VY63. The proposal is that an existing halting site will be redeveloped and extended. The proposed site area is 0.9936 ha. When complete, it will provide a range of accommodation and outdoor spaces for the growing community at Ardrew. Extensive workshops have been held with the existing residents and staff to ensure the proposals are fit for purpose.

The project details are contained in the following:

1. Drawings and reports prepared by Kildare County Council's Housing Capital Team
2. Engineering Report and associated engineering documents prepared by the project Engineer Donnacha O'Brien & Associates Consulting Engineers
3. Landscaping design and information prepared by Landmark Ltd

The proposed development satisfies the current Department of Housing, Local Government and Heritages specifications and Kildare County Council's Housing Standards as expressed through the Kildare Development Plan 2023-2029 and Athy Local Area Plan 2021 – 2027. It also takes into account requirements for provision of Traveller-specific accommodation as set out in the Traveller Accommodation Programme 2025-2029.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 2.2 Purpose of Scheme

The purpose of the scheme is to improve and extend the housing availability for the existing Traveller community at Andrew Halting site. The existing temporary Caretaker Unit is not fit for purpose and will be demolished and replaced. The existing 4no. semi-detached day houses are also no longer fit for purpose and will be refurbished to provide 2no. large, detached day houses in compliance with current regulations.

It is proposed that the halting site is extended to provide 5no. Group houses, to increase Traveller specific housing typologies and options within the site. Extensive consultation was held with current site occupants and KCC staff to inform the design.

A consultation event was also held with Respond, the AHB which manages the neighbouring residential estate, Andrew Meadows.



### 3. Compliance with Planning

#### 3.1 Kildare County Development Plan (2023-2029)

##### *Policy Context – HO P1*

*It is the policy of the Council:*

- Have regard to the DHLGH Guidelines on:
- Quality Housing for Sustainable Communities – Best Practice
- Guidelines for Delivering Homes and Sustaining Community (2007);
- Sustainable Urban Housing: Design Standards for Apartments (2020);
- Sustainable Residential Development in Urban Areas (2009);
- Urban Design Manual: A Best Practice Guide (2009);
- Urban Development and Building Heights – Guidelines for Planning Authorities (2018)
- Housing Options for our Aging Population (2020) and Age Friendly Principles and Guidelines for the Planning Authority (2021);
- Design Manual for Urban Roads and Streets (DMURS) (2019).

**The Housing Department has had regard to the DHLGH Guidelines set out above in preparing this Part 8 for the proposed development.**

##### *Strategic Context – HO P2*

*Accord with the provisions of the National Planning Framework 2018, the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 (including the Metropolitan Area Strategic Plan) and the Ministerial Circular relating to Structural Housing Demand in Ireland and Housing Supply Targets, and the associated Section 28 Guidelines: Housing Supply Target Methodology for Development Planning (2020) and make provision for the scale of population growth and housing supply targets outlined in these plans and guidelines.*

**The proposed development accords with the framework, strategy, Ministerial Circular, and guidelines described above.**

##### *Housing Strategy – HO P3*

Implement, in conjunction with the Housing Section, the Housing Strategy and Housing Need Demand Assessment (HNDA) to meet the projected population, changing household size and housing needs, including social and affordable housing requirements for County Kildare over the lifetime of the County Development Plan.

**The Housing Department has had regard to the Housing Strategy and the Housing Need Demand Assessment in the design of proposed development. The proposed split of unit types is suitable for community requirements at the halting site.**

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### **HO 01**

*To secure the implementation of the Kildare County Housing Strategy in accordance with the provisions of national legislation and relevant policies and standards.*

**The Housing Department has had regard to the Kildare County Housing Strategy in the design of proposed development.**

#### **Housing Supply**

##### **HO P4**

*Ensure that sufficient zoned land continues to be available at appropriate locations to fulfil the housing requirements of the county.*

**The site is zoned: "New Residential". This land will fulfil the housing requirements of the county by the building of 5no. new Group houses and 2no. refurbished day houses.**

#### **HO 02**

*Ensure that sufficient land is zoned at appropriate locations in compliance with the Core Strategy and Settlement Strategy of the Development Plan, in order to meet the likely future housing demands identified in the Housing Strategy and HNDA.*

**The site is zoned: "New Residential". This land will fulfil the housing requirements of the county by the building of 5no. new Group houses and 2no. refurbished day houses.**

#### **HO 03**

*Co-operate with the Eastern and Midland Regional Assembly in planning for new homes and meeting housing needs for the Dublin Metropolitan Area (which includes Maynooth, Leixlip, Celbridge, and Kilcock) through the implementation of the Dublin Metropolitan Area Strategic Plan.*

**N/A**

#### **Residential Densities**

##### **HO P5**

*Promote residential densities appropriate to its location and surrounding context.*

**The existing site is a halting site providing facilities for 6no. mobile home spaces served by 4no. semi-detached day houses and 1no. detached day house. It is proposed that the mobile home spaces are retained at 6no with 3 detached day houses. Additional 5no. group houses are proposed, along with a caretaker unit.**



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### **HO 04**

*Ensure appropriate densities are achieved in accordance with the Core Strategy in Chapter 2 of this Plan, and in accordance with the principles set out in Guidelines for Planning Authorities on Sustainable Urban Development (Cities, Towns and Villages), DEHLG, 2009, Urban Design Manual: A Best Practice Guide, DEHLG, 2009; Urban Development and Building Height Guidelines for Planning Authorities (2018); and with reference to Circular Letter NRUP 02/2021 (April 2021)*

**The proposed development is designed in accordance with the above guidance where appropriate, deferring to Traveller specific design guidance where appropriate.**

#### **HO 05**

*Encourage increased densities that contribute to the enhancement of a town or village by reinforcing street patterns or assisting in redevelopment of backlands and centrally located brownfield sites*

**N/A – proposal is an extension to an existing Halting site on a greenfield site on the outskirts of Athy.**

#### *Promoting Existing Residential Amenity*

#### **HO 06**

*Ensure a balance between protection of existing residential amenities, the established character of the area and the need to provide for the sustainable residential development is achieved in all new developments.*

**The scheme is adding to the existing fabric of the area. The proposed 2 storey group houses match the surrounding estates in scale, form and density.**

#### *Regeneration, Compact Growth and Densification*

#### **HO P6**

*Promote and support residential consolidation and sustainable intensification and regeneration through the consideration of applications for infill development, backland development, re use/adaptation of existing housing stock and the use of upper floors, subject to the provision of good quality accommodation.*

**The scheme consolidates and sustainably intensifies an existing halting site area. The scheme proposes refurbishment of existing facilities where possible. The development has regard to the Sustainable Residential Development in Urban Areas –Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.**

#### **HO 07**

*Promote, where appropriate and sensitive to the characteristics of the receiving environment, increased residential density as part of the Council's development management function and in accordance with the Sustainable Residential*



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



*Development in Urban Areas –Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.*

**This development increases the residential density in a manner appropriate to Traveller specific accommodation while having regard of the Sustainable Residential Development in Urban Areas –Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.**

#### **HO 08**

*Support new housing provision over the Plan period to deliver compact and sustainable growth in the towns and villages in the County, and supporting urban renewal, infill and brownfield site development and regeneration, to strengthen the roles and viability of the towns and villages, including the requirement that at least 30% of all new homes in settlements be delivered within the existing built-up footprint.*

**This development is located within an existing halting site which increases the residential density within a site already providing traveller-specific accommodation in the area, as specified by the KCC Traveller Accommodation Programme 2025-2029.**

#### **HO 09**

*Promote the transformation of key brownfield sites and identified regeneration areas into successful socially integrated neighbourhoods and promote area regeneration in parts of the urban centres which require physical improvement and enhancement in terms of quality of life, housing and employment opportunities.*

**This development is located within an existing halting site which increases the residential density within a site already providing traveller-specific accommodation in the area, as specified by the KCC Traveller Accommodation Programme 2025-2029. It proposes to provide a range of Traveller-specific accommodation to increase variety of provision within the area. Existing halting site is currently integrated into the fabric of Athy.**

#### **HO 010**

*That the future development of institutional land be cognisant of the historical and cultural importance of the land including through, inter alia, the quantitative and qualitative provision of open space required under Section 15.6.6 (Chapter 15 – Development Management Standards) and the sensitive reuse of Protected Structures within the site.*

**N/A**

#### **HO 011**

*Support the revitalisation of the social and physical fabric of town and village centres by:*

- a) Resisting, and where the opportunity arises, reversing the loss of residential use on upper floors.*
- b) Supporting the use of the upper floors of existing town and village centre buildings for appropriate uses, including residential.*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



N/A

#### **HO 012**

*Support and promote the renovation and re-use of obsolete, vacant and derelict homes, through the following measures:*

- (i) Encourage the redevelopment and reuse, including energy retrofitting, of the existing housing stock.*
- (ii) Support Government programmes and incentives to bring empty homes into use through various means, including potential expansion of the Town and Village Renewal Scheme as referred to in the Government's Rural Development Policy 2021-2025.*
- (iii) Maximise the effective use of local authority housing stock and minimise local authority housing stock vacancy, including through effective refurbishment and retrofitting of older stock where appropriate.*
- (iv) Promote the conversion of vacant properties into new social and affordable homes through schemes including the Repair and Leasing Scheme and the Buy and Renew Scheme. Kildare County Council will endeavour to promote these schemes and encourage owners of vacant properties to avail of these schemes, directly or in co-operation with Approved Housing Bodies.*

N/A

#### **HO 013**

*Promote the design and delivery of environmentally sustainable and energy efficient housing, including through the refurbishment and upgrading of existing stock.*

**The 5no group houses and Caretaker unit will be constructed to compliant Part L standard with a minimum of A2 BER rating, combining high standards of insulation with sustainable energy efficient heating and ventilation systems.**

**The refurbishment of existing dayhouses will include energy upgrades in line with Part L requirements.**

#### **HO 014**

*Continue to work with developers and residents of private residential developments, where possible, to address public safety and environmental/infrastructural issues within unfinished housing estates*

N/A

#### **Mix of Dwelling Types**

##### **HO P7**

**Encourage the establishment of sustainable residential communities by ensuring a wide variety of housing typologies and tenures is provided throughout the county**

**The housing mix provides for inclusion of group housing and day houses within the already established halting site community.**

#### **HO 015**

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



- a) Require that new residential developments provide for a wide variety of housing types, sizes and tenures.*
- b) Specify target housing mixes, as appropriate, for certain sites and settlements as part of the Local Area Plan process.*
- c) Require the submission of a 'Statement of Housing Mix' with all applications for 10 or more residential units.*
- d) Require that all new residential developments in excess of 5 residential units provide for a minimum of 20% universally designed units in accordance with the requirements of 'Building for Everyone: A Universal Design Approach' published by the National Disability Centre for Excellence in Universal Design. Further detail in respect of unit mix is set out in Chapter 15: Development Management Standards*

**A) The housing mix provides for of 3 and 5 bed group houses and 2no enlarged shared day houses to suit the needs of the Traveller community.**

**C) N/A**

**D) N/A**

#### **HO 016**

*Promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood. Apartment development must be designed in accordance with the provisions of Sections 15.2, 15.3 and 15.4 (Chapter 15), where relevant, to ensure a high standard of amenity for future residents.*

**N/A**

#### **HO 017**

*Require new apartment developments to comply with the Specific Planning Policy Requirements and standards set out in the Apartment Guidelines for Planning Authorities (Department of Housing, Environment and Local Government, 2020), where relevant particularly in relation to paragraph 3.8(a) of same which requires that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%)*

**N/A**

#### **HO 018**

*Support high-quality design in new housing and to promote housing that is attractive, safe, and adaptable to the needs of existing and future households. Kildare County Council will support innovative construction methods to deliver sustainable and adaptable housing.*

**Proposed mix of housing ensures the site delivers a range of Traveller specific accommodation to address the needs of future residents.**

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### **HO 019**

*Support housing design that contributes to climate resilience and climate mitigation, including innovative low carbon construction methods and the reduction of embodied energy in newly built homes, in line with Goal 3 of the Kildare County Council Climate Change Adaptation Strategy 2019 – 2024.*

**New dwellings will be constructed to achieve BER A2 in line with Part L requirements of the Building Regulations. The existing day houses will be refurbished to meet energy requirements as specified in Building regulations. Minimal parking is being provided.**

#### *Specialist Provision*

##### **HO P8**

Ensure that groups with specialist housing needs, such as the elderly, people with disabilities, the homeless, Travellers, those in need of emergency accommodation including those fleeing domestic violence, are accommodated in a way suitable to each of their specific needs.

**This is a traveller specific development.**

##### **Older Persons HO 020**

*Support the delivery of housing options to meet the needs of older people and support older people to live independently in active retirement, where possible.*

**The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.**

##### **HO 021**

*Meet the needs of older persons and people with a disability by requiring the provision of alternative accommodation, such as age-appropriate homes, independent and assisted living units, day care facilities, nursing homes and specialised care units (e.g. dementia specific units) to meet the needs of older people and to facilitate the provision of a range of housing options for elderly persons in central, convenient and easily accessible locations, integrating such housing with mainstream housing through the designation of specific land uses at appropriate and optimised strategic locations in mandatory Local Area Plans in County Kildare.*

**The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.**

##### **HO 022**

*Support the provision of specific purpose-built accommodation, including assisted living units and lifetime housing and adaptation of existing*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



*properties, which will include opportunities for 'downsizing' or 'right sizing' within communities.*

**N/A**

**HO 023**

*Promote co-location of facilities (including childcare facilities and facilities for the elderly) at sustainable locations where they can avail of existing and planned social and community infrastructure, in particular, and to examine a range of community facilities and to encourage meanwhile use in some cases.*

**The proposed development is located within an established Traveller accommodation area.**

**HO 024**

*Support the implementation of the Kildare Age Friendly County Strategy 2019-2021 (and any subsequent strategy), promoting the delivery of Lifetime Homes and to support the provision of housing that is adaptable for an ageing population. The Council will also support and promote, in a timely manner, the delivery of specialist accommodation appropriate to the specific needs and wishes of older people in cooperation with the voluntary sector, AHBs, the HSE, and other relevant bodies.*

**The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.**

**HO 025**

*Engage and develop strategies with the Approved Housing Bodies with responsibility for housing for older people to develop accommodation in town centres more suited to those with reduced mobility.*

**The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.**

**HO A1**

*Promote Mc Auley Place, Naas as a national exemplar model of housing for older persons and will seek to identify further opportunities in towns in each MD throughout the County for the Council and other appropriate bodies to expand this supported housing market*

**The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the**



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



community. It also includes Part M compliant Day Houses designed with accessibility in mind.

#### **HO A2**

*Undertake and evidence based qualitative assessment to establish the demand for age specific housing options, including right sizing in County Kildare.*

N/A

#### **People with Disabilities**

##### **HO 026**

*Support access for people with disabilities, to the appropriate range of housing and related support services, delivered in an integrated, timely and sustainable manner, which promotes equality of opportunity, individual choice and independent living*

The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.

##### **HO 027**

*Support and direct funding into the provision of specific purpose-built accommodation, including assisted/ supported living units, lifetime housing, and adaptation of existing properties in a manner that would not cause any undue delay to the delivery of same.*

The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.

##### **HO 028**

*Support and provide housing that meets the diverse needs of disabled people and to implement the County Kildare Access Strategy - A Universal Access Approach 2020-2022 (and any subsequent reviews and plans). The Council will support and promote the principles of Universal Design in new and refurbished housing and in community buildings in the County.*

The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.

#### **HO A3**

*Ensure that all Kildare County Council new build housing stock is in compliance with Part M of the Building Regulations.*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



**New group houses with comply with Part M regulations for Dwellings. Refurbished Day houses and new Caretaker unit with comply with Part M regulations for Buildings other than dwellings.**

**HO A4**

*In line with the Objectives and Actions in respect of Accessible Housing contained in the 'County Kildare Access Strategy – A Universal Access Approach 2020-2022', to ensure, measure and monitor that 10% of acquired housing stock meets the needs of those with a disability and 12% of Kildare County Council new builds are universally designed and have regard to any revised actions in updated versions of the Access Strategy.*

The proposed development is designed to address the needs of the Traveller community and includes group houses, including 1no. group house with Universal design adaptable ground floor bedroom and shower room to suit the needs of the community. It also includes Part M compliant Day Houses designed with accessibility in mind.

**HO A5**

*Monitor the number of housing acquisitions and new builds and new builds and ensure that they meet the needs of those with a disability.*

N/A

**HO A6**

*Promote Ballymore Eustace as a national exemplar model of an age friendly, climate-friendly village and seek to facilitate and support this model for other settlements within County Kildare.*

N/A

**Homeless**

**HO O29**

*Support means of preventing homelessness and provide tangible and timely pathways out of homelessness for households, working in co-operation with public and voluntary bodies and actively seeking solutions for same.*

N/A

**Travellers**

**HO O30**

*Support the delivery of the Kildare County Council Traveller Accommodation Programme 2019 - 2024 (and any superseding programmes agreed by the Council) in accordance with the principles of proper planning and sustainable development.*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

**HO O31**

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



*Implement the delivery targets, of the Kildare County Council Traveller Accommodation Programme 2019-2024 (and any superseding programmes agreed by the Council) and to meet the delivery targets as a minimum, including to identify and develop sites for Traveller specific housing and to provide accommodation appropriate to the identified needs of members of the Traveller community.*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

#### **HO 032**

*Ensure that Traveller accommodation is located in proximity to key services including education, community, health, recreation and public transport facilities, and to support those communities in accessing Council services in their widest provision (including arts and culture).*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

**The site was identified as part of TAP and the proposal is a refurbishment and extension of an established Halting Site.**

#### **HO 033**

*Support the implementation of the recommendations of the Irish Human Rights & equality Commission Review on the provision of Traveller accommodation in Co Kildare.*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme and other relevant guidance, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

#### **HO 034**

*Recognise the separate identity, culture, tradition and history of the Travelling people in order to reduce the levels of disadvantage that Travellers experience, consistent with UN Sustainable Development Goal No. 10 - 'Reduced Inequalities'*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme and other relevant guidance, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

#### **International Protection Applicants**

##### **HO 035**

*Continue to work with Central Government and relevant State Agencies to support the provision of housing for International Protection Applicants (asylum seekers/ refugees) in County Kildare, and to support those communities in accessing Council services in their widest provision (including arts and culture.).*

**N/A**



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



### ***Third Level Students***

#### ***HO 036***

*Support the provision of purpose-built student accommodation in appropriate locations and of appropriate design (including adequate communal facilities and external communal space), to meet demand for student housing in accordance with the National Student Accommodation Strategy.*

N/A.

#### ***HO 037***

*Support increased supply of student accommodation in Maynooth, Kilcock, Leixlip and Celbridge to meet the anticipated student accommodation demand generated by Maynooth University. Applications for change of use from student housing to any other form of housing will be resisted without adequate demonstration that an over-provision of student housing exists.*

N/A.

### ***Domestic Violence Refuge***

#### ***HO 038***

*To proactively facilitate and support Túsla, the Child and Family Agency, service providers and other relevant agencies in the provision of domestic violence refuges within each Municipal District in the county.*

N/A

### ***Social, Affordable and Cost Rental Housing***

#### ***HO P9***

Promote the provision of social and affordable housing in accordance with the Council's Housing Strategy, Housing Need Demand Assessment and Government policy as outlined in the DHPLG Social Housing Strategy 2020 and to ensure, where applicable:

(a) That 20% of

(i) lands zoned for residential use, or for a mixture of residential and other uses, in respect of which permission for the development of 5 or more houses is granted, and

(ii) any land which is not zoned for residential use, or for a mixture of residential and other uses, but in respect of which permission for the development of 5 or more houses is granted, shall be reserved for the provision of social housing, affordable housing and cost rental housing; with at least half the 20% to be used for social housing support, and the remainder to be used for affordable housing, which can be affordable purchase, cost rental or both, social housing, or a combination of affordable and social housing, in accordance with the Affordable Housing Act 2021 and Part V of the Planning and Development Act 2000 (as amended)

Or

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



b) Where permission was granted between 3 September 2021 and 31 July 2026, Kildare County Council will require that 10% of lands zoned for residential use, or for a mixture of residential and other uses, in respect of which permission for the development of 5 or more

Or

(houses is granted, shall be reserved for the provision of social housing, in accordance with the Urban Regeneration and Housing Act 2015 and Part V of the Planning and Development Act 2000 (as amended)

(c) Where Part V provision on planning applications is being accepted off site, that the units offered be located within a 5km catchment of the area. planning permission was granted before 1 August 2021,

or

(ii) where land was purchased between 1 September 2015 and 31 July 2021 in respect of which new planning

**The proposed development is for 100% Traveller-specific social housing units.**

#### **HO P10**

*Support the provision of new student accommodation at suitable locations. Where sites are developed for student accommodation, the portion of the site relating to this will be exempt from the social and affordable housing requirements of Section 96(1) of the Planning and Development Act 2000 (as amended)*

**The proposed development does not provide for purpose-built student housing.**

#### **HO O39**

*Meet the county's housing need for social housing provisions that a range of mechanisms, including Part V of the Planning Development Act 2000 (as amended), a social housing building programme, acquisition, Repair and Lease Scheme, the Housing Assistance Payment (HAP) scheme, the Rental Accommodation Scheme (RAS) and the utilisation of existing housing stock*

**The proposed development is for 100% Traveller-specific social housing units.**

#### **HO O40**

*Support the Government's affordable housing initiatives, including the Affordable Purchase Scheme and First Home / Share Equity Scheme, introduced by the Affordable Housing Act 2021*

**The proposed development is for 100% Traveller-specific social housing units.**

#### **HO O41**

*Support local authorities, approved housing bodies and other sectoral agencies in the provision of a greater diversity of housing type and tenure, including social and affordable housing, new models of cost rental and affordable homeownership and co-operative housing*

**The proposed development is for 100% Traveller-specific social housing units.**

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### **HO 042**

*Support and, where feasible, work in partnership with the Land Development Agency (LDA) in the provision of social and affordable housing in County Kildare.*

**The proposed development is for 100% Traveller-specific social housing units.**

#### *Sustainable Rural Housing*

**HO 043-059**

**HP P11-P27**

**HO A7-A9**

**N/A this is an urban project.**

#### *Access and Entrances*

**HP P28-P32**

**N/A**

#### *Flood Risk Management*

**HO P33**

*Require that site specific flood risk assessments are carried out where required, in accordance with the requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities.*

**N/A**

### **3.2 Athy Local Area Plan (2021-2027)**

#### *Residential Development – Capacity and Delivery*

##### **HC1**

*It is the policy of the Council to ensure that sufficient zoned land continues to be available at appropriate locations to satisfy the Core Strategy growth allocation for Athy and that each household has access to good quality housing that is appropriate to its circumstances.*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme and other relevant guidance, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

##### **HCO1.1**

*Support new residential development and infill development that occurs in tandem with the delivery of supporting physical and social infrastructure.*

*This is a Traveller-specific proposal to extend and upgrade existing facilities, including supporting on-site infrastructure.*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### *HCO1.2*

*Encourage the appropriate redevelopment of brownfield and infill sites for residential uses within the footprint of the existing built-up area.*

*This is a Traveller-specific proposal to extend and upgrade existing facilities, including supporting on-site infrastructure.*

#### *HCO1.3*

*Utilise the provisions of the Urban Regeneration and Housing Act 2015 (as amended) with regards to the Vacant Site Levy to facilitate the appropriate development of vacant sites on Residential land and Regeneration (Town Centre) land.*

**N/A**

#### *HCO1.4*

*Manage the provision of one-off housing on lands zoned as 'I: Agricultural'. Limited one-off housing will be permitted in this zone subject to compliance with the rural housing policy of the Kildare County Development Plan and all other normal siting and design considerations.*

**N/A**

#### *Residential Density, Mix and Design*

##### *HC2*

*It is the policy of the Council to ensure that all new residential development provides for a sustainable mix of housing types, sizes and tenures and that new development complements the existing residential mix.*

*This Traveller-specific proposal provides a range of accommodation, including 3 and 5-bed group houses, 1no. of which provides a Ground floor bedroom with shower room for future proofing, and refurbished day houses to suit the needs of the growing community at Ardrew Halting Site.*

#### *HCO2.1*

*Ensure that a good mix of housing types and sizes is provided in all new residential areas including the Ardrew Key Development Area (KDA) and appropriate infill/brownfield locations to meet the needs of the population of Athy, including housing designed for older people and people with disabilities.*

*This Traveller-specific proposal provides a range of accommodation, including 3 and 5-bed group houses, 1no. of which provides a Ground floor bedroom with shower room for future proofing, and refurbished day houses to suit the needs of the growing community at Ardrew Halting Site.*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### **HCO2.2**

*Support the actions set out in Kildare Age Friendly County Strategy 2019 – 2021 and any subsequent strategy, regarding the implementation of age friendly principles in the planning, design and delivery of physical infrastructure, public realm works, business and commercial premises.*

*This Traveller-specific proposal provides a range of accommodation, including 3 and 5-bed group houses, 1no. of which provides a Ground floor bedroom with shower room for future proofing, and refurbished day houses to suit the needs of the growing community at Andrew Halting Site.*

#### **HCO2.3**

*Require that residential schemes in close proximity to heavily trafficked roads within the Plan area are designed and constructed to minimise noise disturbance, follow a good acoustic design process and clearly demonstrate that significant adverse noise impacts will be avoided.*

*N/A*

#### **HCO2.4**

*Seek to provide Traveller Specific Accommodation at appropriate locations close to key services and public transport facilities in accordance with Kildare County Council's Traveller Accommodation Programme 2019-2024 and any subsequent traveller accommodation programme.*

**This is a traveller-specific proposal developed in line with the KCC Traveller Accommodation Programme and other relevant guidance, in conjunction with KCC Traveller Liaison Officers and through in-depth consultation with existing residents.**

#### **HCO2.5**

*Comply with the Specific Planning Policy Requirements (SPPRs) for apartment standards and building heights issued under Section 28(1) of the Planning and Development Act 2000 (as amended).*

*N/A*

#### **HCO2.6**

*Apply a 10% social housing requirement, pursuant to Part V of the Planning and Development Act 2000 (as amended) to all sites that are zoned solely for residential use or for a mixture of residential and other uses (save where the development is exempt from the provisions of Part V).*

*N/A this is a 100% traveller-specific social housing proposal.*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



*Social Infrastructure*

*HC3*

*HCO3.1-4*

*N/A*

*Community Facilities*

*HC4*

*HCO4.1-6*

*N/A*

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 4. Statutory Procedures

### 4.1 Statutory Procedures – Notices

The proposed scheme was advertised and displayed in accordance with Part 8 requirements. An advertisement for the scheme was placed in the Leinster Leader, which was published on the 19<sup>th</sup> of November 2024, the display period was 21st of November until the 19<sup>th</sup> of December 2024 (both dates inclusive). A Site notice was placed at the entrance to the site and was maintained on site for 4 weeks.

Details of the advertisement and notices contained the following:

#### SITE NOTICE

##### PART 8 DEVELOPMENT

Planning and Development Act 2000 (as amended) – Part XI  
Planning and Development Regulations 2001 (as amended) - Part 8  
**Site Location: Ardrew Halting Site, Athy, Co. Kildare**

Proposed Development In accordance with provisions of Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations 2001, as amended, notice is hereby given by Kildare County Council of a proposed community housing development at Ardrew Halting Site, Athy, Co. Kildare. The proposed development will comprise:

- The demolition of the existing temporary Caretaker unit and construction of a new purpose-built Caretaker Unit and associated landscaping,
- The conversion of 4 no. semi-detached Day Houses into 2 no. detached Day Houses, including provision of space for associated Mobile Home parking,
- Provision of 5 no. new-build detached Group Houses with space for associated Caravan Storage, including:
  - o 4 no. detached 5-bedroom, 2 storey Group Houses,
  - o 1 no. detached 3-bedroom, 2 storey Group House,
- All associated site-works including:
  - o Site boundaries.
  - o Landscaping, paving, access Road.
  - o Ducting for utilities,
  - o Nature based sustainable drainage features,
  - o Formation of new connections to existing public foul and surface water drainage, and existing utilities,
  - o Upgrades to existing Vigil Area
  - o Public lighting, electrical pillar /structures.

This application also includes an Appropriate Assessment Screening report and an Environmental Impact Assessment Screening report.

The proposal has undergone Appropriate Assessment Screening under the Habitats Directive (92/43/EEC), the Planning and Development Act 2000, as amended, and the European Communities (Bird and Natural Habitats) Regulations 2011 – 2015. Kildare

Ardrew Group Housing – P2024.03



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



County Council has determined that an Appropriate Assessment is not required. The proposed development will not have a significant effect on a European Site.

In addition, the proposal has also undergone screening for Environmental Impact Assessment under the EIA Directive 2011/92/EU as amended by Directive 2014/52/EU, (and the relevant provisions of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended) and Kildare County Council has determined that there is no real likelihood of significant effects on the environment arising from the proposed development and that an Environmental Impact Assessment is not required.

In accordance with Article 120 of the planning and development Regulations 2001 (as amended), any person may, at any time before the expiration of 4 weeks beginning on **21.11.2024**, apply to An Bord Pleanála for a screening determination as to whether the proposed development would be likely to have significant effects on the environment.

Plans and particulars of the proposed development (Part 8 Ref No. P82024.03) will be available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy, at the offices of Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co. Kildare. W91 X77F (public display area, Level 1) during its public opening hours by appointment during the period from **21.11.2024 until 19.12.2024** (both dates inclusive). Please note that an appointment may be necessary to access the building.

Plans and particulars of the proposed development will also be available to view on Kildare County Council's website at

<https://consult.kildarecoco.ie/browse> and

<https://kildarecoco.ie/AllServices/Planning/Part8Schemes/Housing/P8202403-ProposedcommunityhousingdevelopmentatArdrewHaltingsiteAthyCoKildare/>

Submissions and observations with respect to the proposed development and dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing before 4.00pm on 15.01.2025 to:

**Siobhan Barry, Housing Department, Level 5, Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co. Kildare. W91 X77F**

or online at:

<https://consult.kildarecoco.ie/en/consultation/p8202403-proposed-community-housing-development-ardrew-halting-site-athy-co-kildare>

**All submissions and observations should be headed "Part 8: Proposed Development at Ardrew Halting Site, Athy, Planning Ref No. P82024.03"**

All comments, including names of those making comments, submitted to the Council regarding this scheme will form part of the statutorily required report to be presented at a meeting of the elected members. Accordingly, they will also be included in the minutes of that meeting and may appear in the public domain. Please note that the data collected from this consultation will be shared by Kildare County Council with their consultants.

Any information which you submit via Kildare County Council's websites will be treated with the highest standards of security and confidentiality, strictly in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Please refer to the Privacy Statement included with the plans and particulars of the proposed development and to the Kildare County Council Public Consultation Portal Privacy Policy



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 4.2 Circulation List

### *Members: Athy Municipal District*

- Councillor Veralouise Behan [vbehan@kildarecoco.ie](mailto:vbehan@kildarecoco.ie)
- Councillor Aoife Breslin [abreslin@kildarecoco.ie](mailto:abreslin@kildarecoco.ie)
- Councillor Brian Dooley [bdooley@kildarecoco.ie](mailto:bdooley@kildarecoco.ie)
- Councillor Ivan Keatley [ikeatley@kildarecoco.ie](mailto:ikeatley@kildarecoco.ie)
- Councillor Mark Leigh [mleigh@kildarecoco.ie](mailto:mleigh@kildarecoco.ie)

### *Kildare County Council – Internal Sections*

- Planning: Gabriel Conlon, Senior Planner
- Elaine Donohoe, Exec. Planner
- Heritage Meabh Boylan, Biodiversity Officer.
- Area Engineer Newbridge/Kildare: Kevin Dunne
- Environment: Chris Galvin, Senior Engineer
- Roads + Transportation: George Willoughby, Sen. Exec. Engineer
- Environmental Health Officer: Principal EHO. (Margaret Byrne)
- Chief Fire Officer: Niall O Riordan, Chief Fire Officer
- Chanel Ryan, Senior Assistant Chief Fire Officer, Fire Services.
- Water Services: Ibrahim Fathalla, Senior Engineer
- Community & Culture Simon Wallace, Snr. Parks Superintendent
- Carmel O'Grady, Exec. Parks Superintendent
- Building Control Liam McNeela
- Public Realm Team: Pamela Pender, A/Senior Executive Architect.
- National Roads Office: Marie Whelan, Senior Executive Engineer
- Circulation List Part 8 – Andrew Halting Site, Athy, Co. Kildare
- Housing Section: Siobhan Scully, Senior Executive Officer
- Economic Community & Cultural Development:
- Paula O'Brien, Senior Executive Officer

### *Prescribed Bodies:*

- An Taisce, Tailors Hall, Back Lane, Dublin 8 D08XZA3  
[planningreferrals@antaisce.org](mailto:planningreferrals@antaisce.org)
- Uisce Eireann, Colville House, 24-26 Talbot Street, Dublin 1  
[planning@water.ie](mailto:planning@water.ie)
- Transport Infrastructure Ireland, Parkgate Business Centre, Parkgate St, Dublin 8 [landuseplanning@tii.ie](mailto:landuseplanning@tii.ie)
- Department of Housing, Local Government and Heritage - Department of Housing, Local Government and Heritage. [referrals@npws.gov.ie](mailto:referrals@npws.gov.ie)
- Department of the Environment, Climate and Communications - 29-31 Adelaide Rd, Saint Kevin's, Dublin, D02 X285  
[planningnotifications@decc.gov.ie](mailto:planningnotifications@decc.gov.ie)
- Environmental Protection Agency, Richview, Clonskeagh Road, Dublin 14. D14 YR62. [Info@epa.ie](mailto:Info@epa.ie)

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



#### 4.3 Submissions Received

Refer to the Submissions Report at Appendix A (attached) setting out the submissions received and the Housing Department's comments on those submissions.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## 5. Recommendation

Kildare County Council is of the view that the proposed Traveller specific development at **Ardrew Halting Site, Co. Kildare** is acceptable, appropriate and in keeping with the proper planning and sustainable development for the area and complies with the policies and objectives set out in the Kildare County Development Plan (2023- 2029).

It is recommended that the proposed Traveller-specific development proceeds to detailed design and construction.

Prepared by:

Alex Dutczak, MRIA

Executive Architect

Date: 21<sup>st</sup> January 2025

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## APPENDIX A – Submissions

### 1. MD Members

No submissions from members were received.

### 2. Internal Departments

2no. submissions from Internal Departments were received.

- 2.1 **Environment (Water Services) – Aidan Martin**  
**Submitted:** 22<sup>nd</sup> November 2024  
**Acknowledged:** 22<sup>nd</sup> November 2024

**Comment:**

Only clean uncontaminated surface water from the development shall be discharged to the surface water system. Only foul sewage and soiled water from the development shall be discharged to the foul system.

The proposed surface water drainage system shall be designed and constructed in compliance with the requirements of the Greater Dublin Strategic Drainage Study in terms of incorporating appropriate Sustainable Drainage Systems (SuDS) to restrict-attenuate surface water discharge flows from the proposed development to prevent pollution and maintain the quality of adjacent ground waters and watercourses. The system shall cater for the 1 in 100 year storm event (or as otherwise agreed in writing) and with an allowance of +30% in order to cater for “climate change”.

**Housing Department Response:**

Submission noted. Proposal will meet the above requirements. We note no Nature-based SuDS solutions will be implemented due to the nature of the development.

- 2.2 **Roads Department – George Willoughby**  
**Submitted:** 15<sup>th</sup> January 2025  
**Acknowledged:** 15<sup>th</sup> January 2025

**Comment:**

The Kildare County Council Transport, Mobility & Open Spaces Department has examined the Part 8 documentation and drawings for the proposed development at Andrew Halting Site, Athy, Co. Kildare by Kildare County Council.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



The Kildare County Council Transport, Mobility & Open Spaces Department wish to confirm that we have **no objection** to the proposed development as outlined in the Part 8 subject to the following conditions:

1. A Consulting Engineer shall be employed by KCC to carry out the final detailed design of the works, to prepare tender documents and drawings, to assist in the procurement of a Contractor and to assist in the supervision of the works on site.
2. A detailed design for the proposed works shall be submitted to the Planning Authority for approval. Details of the design and traffic management of the works shall be agreed in writing with the Planning Authority, KCC Housing Dept, KCC Roads and MD Sections prior to the commencement of the development.
3. The detailed design with dimensions shall include pavement materials which shall be robust and durable under trafficking and suitable for all road users and vulnerable road users, parking facilities, access arrangements where lines of sight at the entrance to the site shall be provided strictly in accordance with DMURS, facilities for vulnerable road users (pedestrians and cyclists) accessing the site, traffic impact assessment, drainage and outfall arrangements, public lighting, signage and road markings.
4. A 2m wide footpath shall be constructed at the site frontage with Fortbarrington Road and details of a crossing facility on the Fortbarrington Road shall be agreed with the Kildare County Council Transport, Mobility & Open Spaces Department prior to commencement of construction works.
5. Paving materials shall have slip resistance in both wet and dry conditions, slip resistance testing using a Pendulum Tester shall be carried out.
6. Access and facilities for disabled persons shall be provided.
7. Roads, footpaths, turning areas and corner radii at junctions shall be designed and constructed in accordance with the DMURS standards within the development, new footpaths shall tie into existing footpaths
8. Public lighting shall be in accordance with the KCC Public Lighting Policy document. Public lighting columns shall be positioned at the back of footpaths and not be impeded by landscaping. Public lighting shall be provided within the development and at the entrance to the proposed development.
9. A root management plan shall be submitted to ensure that roots do not interfere and damage shared surfaces, paths, cycle tracks and roads.
10. The proposed landscaping shall not interfere with public lighting, sight visibility and should not damage infrastructure where a Root Management Plan should be submitted.
11. Footpaths shall be dished at junctions to facilitate wheelchairs and buggies.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



12. Existing land and roadside drainage shall not be impaired; changes at the entrance shall be designed and shaped to ensure the uninterrupted flow of existing roadside drainage. Additional gullies shall be provided as necessary

13. No surface water runoff from the site shall be discharged onto the public road.

14. The manner in which surface water runoff is collected and disposed of for the application site shall comply with SUDS. Storm water runoff attenuation to be located under public open space and not under trafficked areas.... A KCC SUDS Guidance Document has now been published.

15. A Stage 2 Road Safety Audit shall be carried out by an independent approved and certified Auditor for the proposed development and the infrastructure works. The RSA recommendations shall be incorporated into the detailed design.

16. A Stage 3 Road Safety Audit shall be carried out by an independent approved and certified Auditor on the completed works including the public lighting being fully operational for the proposed development and the infrastructure works. The implementation of the RSA recommendations shall be incorporated into the detailed design.

17. Vehicular access to the site will be off the Fortbarrington Road where the sight visibility at this access shall be in compliance with the DMURS standards and priority shall be given to vulnerable road users at the access point with a raised ramp.

18. New footpaths shall be a minimum of 2m in width and tie into existing footpaths and the internal roads access shall be a minimum of 5.5m in width.

19. Prior to the commencement of development, a licence from the Planning Authority is required for the erection of fencing / hoarding on the public footpath network pursuant to Section 254 of the Planning and Development Act 2000, as amended.

20. All works involving the opening of public roads or footpaths shall be carried out under a Road Opening Licence submitted to the Municipal District Area Office through the MRL system to ensure the following items are assessed:

- a) Contractors' experience and competency to carry out such works.
- b) Compliance with the Guidelines for Managing Openings in Public Roads (The Purple book, 2017 edition).
- c) Compliance with Chapter 8 of Traffic Management Guidelines including a general assessment of traffic impacts within the local area.
- d) Relevant Insurance's to carry out such works

21. It is noted that turning movements have been checked for HGVs (including refuse trucks and emergency vehicles) at the new access point (entry and exit) and within the development using the software AUTOTRACK.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



22.A Construction Traffic Management Plan shall be submitted before the works commence to be agreed with the Planning Authority, KCC Housing Dept, KCC Roads and Athy MD Sections which shall include the following:

- All haul routes to and from the site.
- Delivery times for plant and materials and waste collection shall have consideration to morning and evening peak school times in the area and peak traffic periods.
- The plan shall contain mitigation measures to minimize the effects the proposed development would have on the immediate public road network and existing traffic movements.
- Wheel wash arrangements or similar type facility to keep the existing road and footpath free of dirt and debris shall be provided.
- Location of the construction compound, use of cranes, parking and storage areas during the construction phase. (This is in the interest of the residential amenity of properties in the area).
- Relevant construction site warning signs shall be in accordance with the Department of Transport, Tourism and Sport (DTTAS) Traffic Signs Manual for the overall development.
- Hours of operation during the construction phase shall be 08.00 hours to 18.00 hours Monday to Friday and 08.00 hours to 14.00 hours Saturday with no work permitted on the Sundays and public holidays. (This is in the interest of the existing residential amenity of properties in the area).
- Parking facilities for construction staff which should be within the site and not on the public road and footpath.

23. A Lighting Report and a Site Lighting Layout drawing at a scale of 1:500 demonstrating the development shall not be a source of light pollution to adjacent lands, property and the public road network. Calculations are required to be submitted demonstrating that they have satisfied the requirements of ILP Guidance Notes for the Reduction of Obtrusive Light (GN01:2011) in relation to the impact of lighting design on the adjoining public roads, lands and properties. The Applicant shall be required to review the existing outdoor lighting arrangements on the adjacent public road network and submit proposals for the upgrade of outdoor lighting (as deemed required). The lighting scheme is to be in accordance with the Kildare County Council Lighting Policy Street Lighting Technical Specification June 2019.

**Housing Department Response:**

Submission noted. Proposal will meet the above requirements. We note no existing tree roots will be impacted by the development.



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



### 3. Prescribed Bodies

2no. submissions from Prescribed Bodies were received.

#### 3.1 Uisce Éireann– Dermot Phelan

**Submitted:** 8<sup>th</sup> January 2025

**Acknowledged:** 8<sup>th</sup> January 2025

**Comment:**

Uisce Éireann's Recommendation:

No Objection in Principle

Uisce Éireann's Assessment/Observation(s):

The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility has been issued to the applicant advising that (water/ wastewater) connection(s) are feasible. Uisce Éireann respectfully requests any grant of permission be conditioned as follows; The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

Uisce Éireann is a statutory consultee under the Planning and Development Act 2000 (as amended). Uisce Éireann's job is to deliver the highest quality drinking water to taps every day and ensure that wastewater is properly treated and safely returned to the environment. To ensure the satisfactory completion of a development, any permission, approval, or consent granted pursuant to the Planning and Development Act 2000 (as amended) that requires a new connection(s) to water services should include a condition that requires the applicant or developer to enter into a connection agreement(s) with Uisce Éireann prior to the commencement of development. Any person discharging trade effluent to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). Trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended).

Uisce Éireann's Standard Condition(s):

The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.

Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

**Housing Department Response:**

Submission noted. Proposal will meet the above requirements.



File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



### 3.2 Transport Infrastructure Ireland

**Submitted:** 26<sup>th</sup> November 2024

**Acknowledged:** 26<sup>th</sup> November 2024

**Comment:**

In the case of this planning application, Transport Infrastructure Ireland has no observations to make.

Please acknowledge receipt of this submission.

**Housing Department Response:**

Submission noted.

## 4. Public Submissions

1no. submissions from Prescribed Bodies were received.

### 4.1 Loreto Byrne – 53 Ardrew Meadows, Athy

**Submitted:** 15<sup>th</sup> January 2025

**Acknowledged:** 15<sup>th</sup> January 2025

**Comment:**

Refer to Appendix B

**Housing Department Response:**

A 2.4m boundary wall with fencing to top is proposed along the boundary with the existing residential area. The new proposed Group houses will be further separated from Ardrew Meadows with a road and green buffer area. The scale and density of proposed new houses is in keeping with the immediate context.

File: 19087-KCC-XX-XX-Z-RP-0001-Housing Report  
Author: AD  
Status: S4  
Revision: P01  
Date: 24 January 2025



## APPENDIX B – Handwritten Submissions

Loreto Byrne

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Ms Siobhan Barry,

Re: Part 8: Proposed Development at Andrew Halting Site, Athy  
Planning Ref. No. P82024.03.

I am writing to express my concerns with regard to the above development. I am concerned about the proximity of the Group Houses to the block I am living in.

Up until 16th December 2024 I had lived [REDACTED] with 3 neighbours in the apartment block. I shared a hallway & stairs with one other tenant. When I moved there in 2015 my garden had been taken over by a girl from the halting site with chickens living there. I had asked her to move them several times but in the end I had to chase them out on the road for her to get the message that it was my garden. There was also lots of litter strewn in my garden with lots of babies soiled nappies. That was an on-going problem, although my garden had a high wall around it & no access other than through the apartment block.

My previous neighbours in the apartment block were respectful of each others right to enjoy their homes peacefully.

However the halting site was directly behind our block, especially my bedroom. Some of the people on the halting site don't keep regular hours, when others sleep they don't. And for some time I was regularly disturbed by a few men who lived behind me returning home after cousing hares at 2 - 3am in the morning. They returned to their house, shouting & banging the "gate".

1

At other times their dogs are left out barking & howling for extended periods of time, during the night. At one stage a neighbour called KSPCA as a dog was howling in pain & chained up. There is a lack of respect for other peoples right to enjoy their homes peacefully. I don't impose my way of life on other people and I expect that to be reciprocated.

Then in mid-February 2024 a new tenant from the halting site moved into the flat that I share a hallway and stairs with. Right from the start there was a constant stream of people coming & going at all hours. My doorbell was being rung so much, both day & night, that I had to have it disconnected. The hallway & stairs were constantly littered, children were allowed to drop litter & drinks on the stairs & in the hall, it became so bad I had to complain to Respond, as politely asking them to respect that common areas be kept clean wasn't working. Things left on the stairs like duvets & clothes, and being harassed by people who weren't even tenants there. The door to my flat was being kicked in & the outside door to the block was being kicked in, & left wide open all night. You can imagine the impact this has on your feeling of being safe in your own home. Generally my quality of life was impacted so much that I had to move out of my home, with all the upheaval that entails, [REDACTED]

Imagine my dismay when I received the pamphlet showing a new development at the Halting Site of group houses coming up behind the home I had moved to. I thought I had left the disturbance & litter behind me, the shouting & breaking glass in the middle of the night. At one stage I had remarked to a friend that I had one night of undisturbed sleep in the week [REDACTED]. This had become my new normal, disturbed sleep night

after night.

With regard to this new development I would question the rationale for group houses, surely the family unit is a more stable basis for living. I would also question the extension of the Halting Site. In Carlow the Halting Site is situated out of town so there are no neighbours to disturb. In this way the travellers can enjoy their way of life without disturbing other people.

There is also a large development of 3 and 4 bedroom houses on Fetharrington Road that was started after Christmas. So there is also the question of density of population at one part of the road.

Thank you for considering my concerns.

Yours sincerely

Loreto Byrne

(LORETO BYRNE)