



# **Planning Statement and Statement of Consistency**

**LRD Development at Cloon More, Tralee**

**TULFARRIS CG LTD**

**August 2023**

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## **1. Introduction**

Malachy Walsh and Partners (MWP) on behalf of Tulfarris CG Ltd, have prepared this Planning Report and Statement of Consistency to accompany a planning application to Kerry County Council for a Large-Scale Residential Development (LRD) at Cloon More, Tralee Co. Kerry. The proposal constitutes an LRD as it contains more than 100 dwelling units.

This Planning Report and Statement of Consistency sets out how the proposed scheme complies with the proper planning and sustainable development of the area in the context of the relevant national, regional, and local planning policy. The statement addresses the relevant policy documents individually, assessing consistency with principles and relevant objectives in a matrix form.

The subject site is zoned R2 'existing residential', approximately 1.5ha in size and centrally located within the 'Mitchel's and Boherbee Regeneration Area'. The proposal provides for a mixture of dwelling types and sizes. This project has been development through three previous pre-application meetings with the Local Authority

This report is set out as follows:

- **Section 2** sets out the details of the site location, planning history and relevant designations.
- **Section 3** outlines the Section 247 Pre-Planning Application Meetings
- **Section 4** describes the proposed development.
- **Section 5, 6, & 7** outlines how the proposal is consistent with policy and guidance at national, regional and local levels respectively.
- **Section 8** provides an assessment of the key issues relevant to the consideration of the proposal.
- **Section 9** sets out the conclusions.

The report should be read in conjunction with the supporting application documents.

## 2. Subject Site

### 2.1 Site Location

The subject site has a stated area of 1.5 hectares and is located within the townland of Boherbee to the east of Tralee Town Centre. The site comprises a four plots running along a north-west to south-east axis. The frontage on Boherbee excludes the Tralee Christian Fellowship Church, Rose House, Clonmore Cottages and a detached boarded-up single-storey cottage.

The site is occupied to the north by a pair of semi-detached single-storey dwellings fronting onto Boherbee Road and also includes Cluain Mór House. The site is relatively flat along its length. Site boundaries are defined by a mix of hedging towards the northern part with walling, fencing to the eastern boundary and palisade fencing along the southern boundary.

The site is bounded to the north by Boherbee road, to the east by O'Connor Kerry Haulage Ltd., 5 Clonmore Cottages, to the south by the new Gaelcholáiste Chiarraí building and access road, to the west by a Community Centre, KVH Sheltered Apartments, school sports fields, and O'Connor Terrace which fronts onto Boherbee.

The site is within a mixed urban area with Austin Stack Park GAA stadium located to the north west and Tralee Casement Railway Station and Tralee Bus Station a short distance to the northwest. There is a petrol station opposite with the Horan Shopping Centre located to the north east. University Hospital Kerry is located to the south.

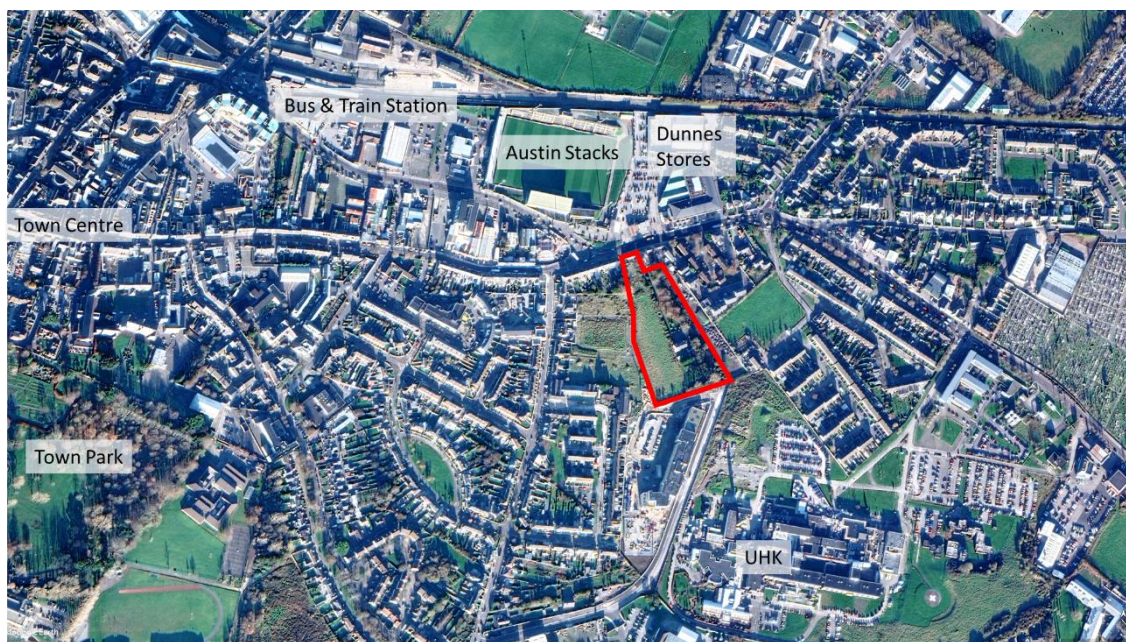


Figure 1: Site Location





Figure 2: Site Area

## 2.2 Planning History

Application I Ref	20335
Applicant	TULFARRIS LTD
Description of Development	(A) demolish 2 no. dwelling houses and associated outhouses and sheds (B) form new vehicular and pedestrian access (C) construct 6 no. One and a half storey 3 bedroom semi-detached dwellings, 6 no. 2 storey 3 bedroom and 6 no. 2 storey 2 bedroom dwellings, 7 no. 1 bedroom ground floor apartments and 7 no. 3 bedroom maisonettes in duplex format. (D) estate road, footpaths, boundary walls, services and all associated site works
Decision	Refused 17/07/2020
Reason for refusal	<ol style="list-style-type: none"> <li>Having regard to: <ol style="list-style-type: none"> <li>The geometry of the R875 public road in the vicinity of the site entrance,</li> <li>The proximity of the site entrance to the existing pedestrian crossing and roundabout to the west and</li> <li>The impact of the traffic generated by the proposed development on the capacity of the R875 public road, particularly at peak times,</li> </ol> <p>It is considered that the traffic movements that would be generated by the proposed development would endanger public safety by reason of traffic hazard and would contribute to traffic congestion. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.</p> </li> <li>Having regard to the location and configuration of the application site and to the adjoining undeveloped lands to the east, it is considered that the proposed</li> </ol>

	development would constitute disorderly, haphazard and piecemeal development which would set an undesirable precedent for similar such developments in the vicinity. The proposal would be seriously injurious to the amenities of the area and would be contrary to the proper planning and sustainable development of the area.
<b>ABP Ref:</b>	307942-20
<b>ABP Decision</b>	<p>Refuse Permission</p> <p>1. Having regard to the overall conditions of the proposed site access including, substandard visibility at the junction with R875, to the proximity to Boherbee (Austin Stacks) Roundabout and to existing pedestrian crossing facilities, it is considered that the proposed development would give rise to traffic conflict and congestion and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.</p> <p>2. The Board considered that the proposed development, by reason of its design and layout, and the nature of provision of private amenity space, would be contrary to the urban design policy objectives of the Tralee Town Plan 2009-2015 (as extended and varied) and the "Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities" issued by the Department of Environment, Heritage and Local Government and the companion Urban Design Manual: A best practice guide, published in May, 2009. It is considered that the proposed development would result in a substandard form of development for future residents by reason of the poor quality public realm, and substandard quality of open space, and in the context of overall development of the wider undeveloped lands, of which the site forms part, would not achieve an appropriate standard in terms of the creation of place and a long term sustainable neighbourhood. The proposed development would set an undesirable precedent for similar such development and would, therefore, be contrary to the proper planning and sustainable development of the area.</p> <p>3. Having regard to the location and configuration of the appeal site in the context of the adjoining undeveloped lands to the east, and within the Mitchells Boherbee Regeneration Area and to the layout and design of the proposed development, the Board is not satisfied that the proposed development responds appropriately to the unique characteristics of the site context, and considered that the proposal would lead to a disjointed and piecemeal form of development. The proposed development would, therefore, seriously injure the amenities of the area and would not be in accordance with the proper planning and sustainable development of the area.</p> <p>16/12/2020</p>

<b>Application I Ref</b>	<b>21513</b>
<b>Applicant</b>	TULFARRIS CG LTD
<b>Description of Development</b>	<p>(A) demolish two dwelling houses and ancillary works</p> <p>(B) construct new vehicular access to the site via 2 new road connections to the new school shared public access road accessed off the new Ballymullen- Marion Park relief road.</p> <p>(C) construct 85 residential units, comprising 2 apartment buildings (containing 47 no. One or two bedroom apartments) 4 triplex buildings (each containing 6 one bedroom apartments, 12 two bedroom townhouses and 2 three bedroom townhouses. Including all associated works, roads, pavements and services</p>
<b>Decision</b>	Refused 07/07/2021
<b>Reason for refusal</b>	
<b>ABP Ref:</b>	311007-21
<b>ABP Decision</b>	<p>Refuse Permission</p> <ul style="list-style-type: none"> <li>On the basis of the submissions made in connection with the application and the appeal, the board is not satisfied that the applicant has sufficient legal estate or</li> </ul>



interest in the land on which the proposed access road is to be constructed to serve the proposed development or has the consent of the person/body who has such sufficient legal estate or interest. In these circumstances, it is considered that the Board is precluded from giving further consideration to the granting of permission for the proposed development.

- Having regard to the location and configuration of the appeal site in the context of the adjoining undeveloped lands to the east and to the layout and design of the proposed development, including the disposition of buildings abutting the separate adjoining lands, and the layout of open space, the Board is not satisfied that the proposed development responds appropriately to the unique characteristics and context of the site and considers that the proposed development would lead to a disjointed and piecemeal form of development. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

03/12/2021

## 2.3 Relevant Designations

The following planning designations are of relevance to the assessment of the proposal:

- The site is within the Mitchel's and Boherbee Regeneration Area.
- Site is zoned as R2- Existing Residential,
- The site is in Flood Zone C,
- There are no European Sites near the site, and
- The site is within Tralee Town Boundary.
- An indicative road passes through the southern section of the site
- The site adjoins an area zoned for education to the south which has recently been developed.

An extract from the Zoning Map associated with the Tralee Town Development Plan included as Volume Two of the County Development Plan is included below (Figure 3) for reference:

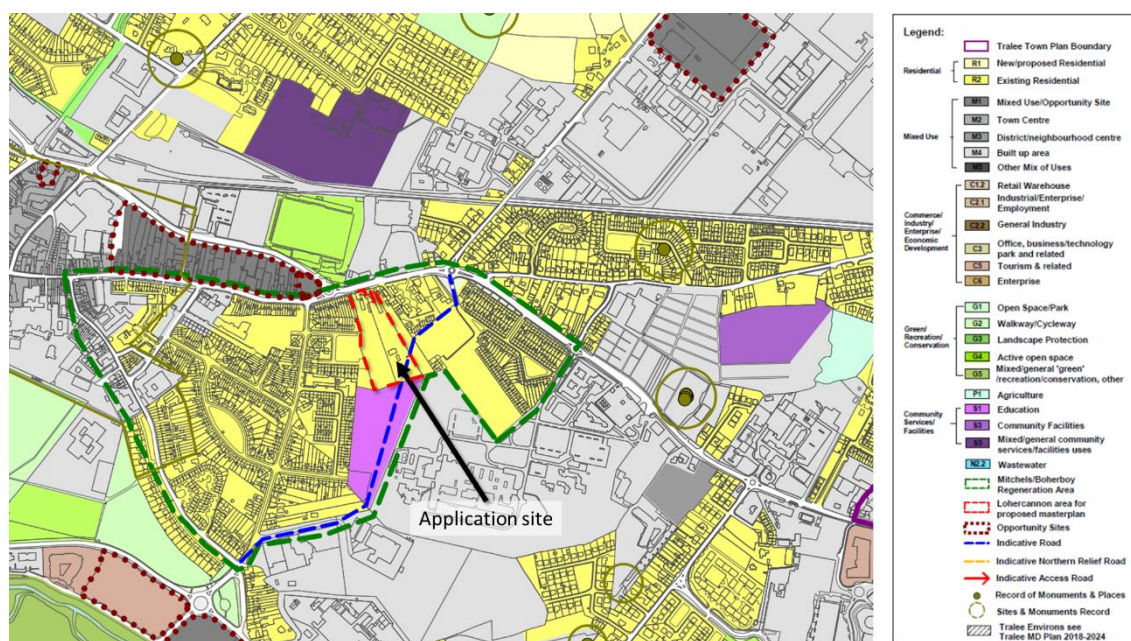


Figure 3: Zoning Map - Tralee Town Plan within Vol.2 of County Development Plan

### 3. Section 247 Pre-Application Consultation

In accordance with Section 247 of the Planning and Development Act, 2000 (as amended), a statutory pre-application consultation was submitted to Kerry County Council on the 5<sup>th</sup> May 2023.

Following on from this consultation an LRD meeting was held in the Kerry Council Chambers on the 25<sup>th</sup> May 2023. Agents on behalf of the client gave a presentation outlining the proposed scheme. A member of each department voiced their initial queries. Kerry County Council responded with their minutes of this meeting on the 15 June 2023, which is included in Appendix 1 of this report. Kerry County Council recommended that the draft proposed development constitutes a reasonable basis for which an application for planning permission could be made, having regard to:

- The 'Existing Residential' Zoning of the land,
- The planning history on site,
- The proposed vehicular access to the site from the newly constructed Phase 1 of Ballymullen to Clash Link Road,
- The feasibility of connection of the development to public water supply and public foul sewerage networks,
- The draft layout of the proposed development,
- The density and housing mix proposed,
- The distance of the site from the nearest Natura 2000 Site,
- The location in Flood Zone C,

In Attendance	
Kerry County Council	
Micheal Lynch (Senior Executive Engineer, Planning)	John Phealan (Architect)
Anita Murphy (Tralee Area, Planner)	Tim Cowhig (Tulfarris CG- Applicant)
Greg O' Connor (Area Engineer, Water Services)	James O'Dowd (Tulfarris CG- Applicant)
Micheal Lyons (Senior Engineer, Special Projects)	Paul McPolin (MPA Associates)
Gerry Riordan (Senior Engineer, Climate Action)	Ian Brosnan (MWP)
Noel Kissane (Tralee Area Roads Engineer)	Eoin O' Connor (MWP)
Micheal O' Donoghue (Housing Capital)	Caoimhe O'Connor (MWP)
Eoin Kelleher (Executive Planner and Ecologist)	
Micheal Connelly (County Archaeologist)	
Paul Byrne (Environment Dept)	

## 4. Proposed Development

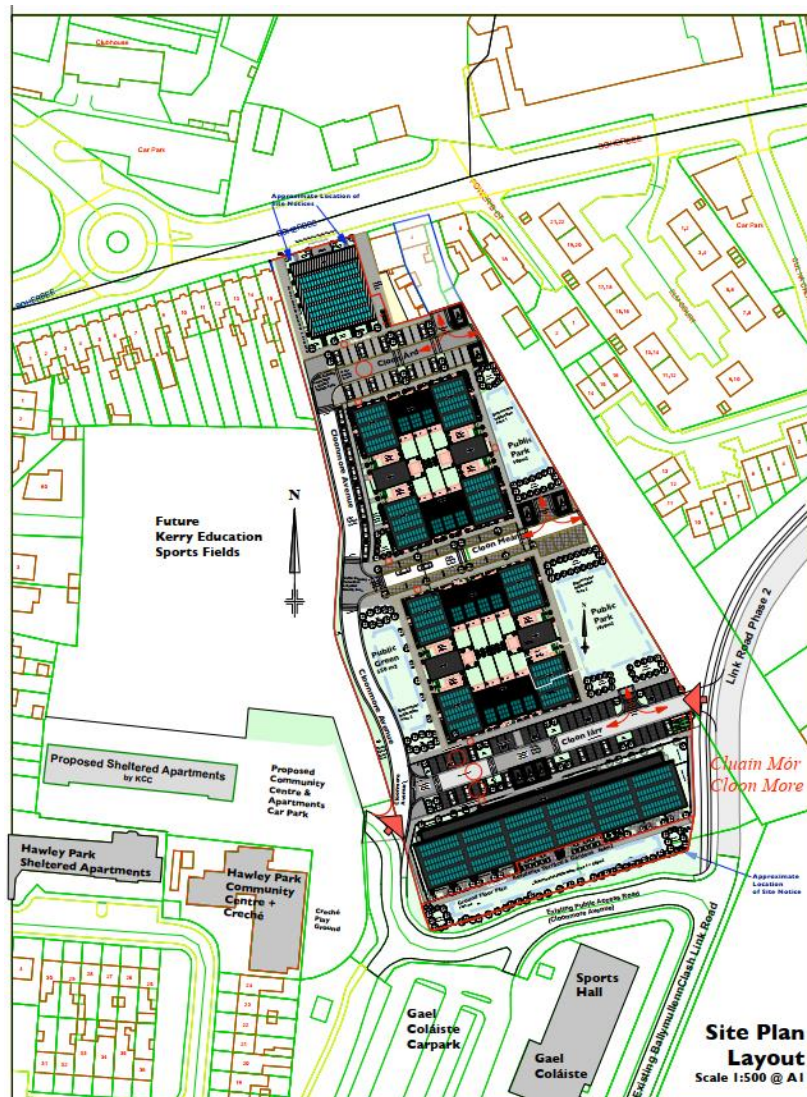
The proposed development is on land zoned existing residential in the Tralee Town Plan within the County Development Plan. The proposed development is an infill development within the Mitchel's and Boherbee Regeneration Area. The scheme design integrates with the new Clash-Ballymullen Relief Road.

The proposed development is for a residential scheme comprising a total of 147 dwelling units at a density of 97.7 dwellings per hectare. A schedule of accommodation for the proposal is included below under table 1:

Unit type	1 – bed	2 – bed	3 – bed	Total
Apartment	51	78	-	129
Townhouse	-	14	4	18
<b>Total</b>	<b>51 (34%)</b>	<b>92 (63%)</b>	<b>4 (3%)</b>	<b>147</b>

**Table 1: Schedule of Accommodation**

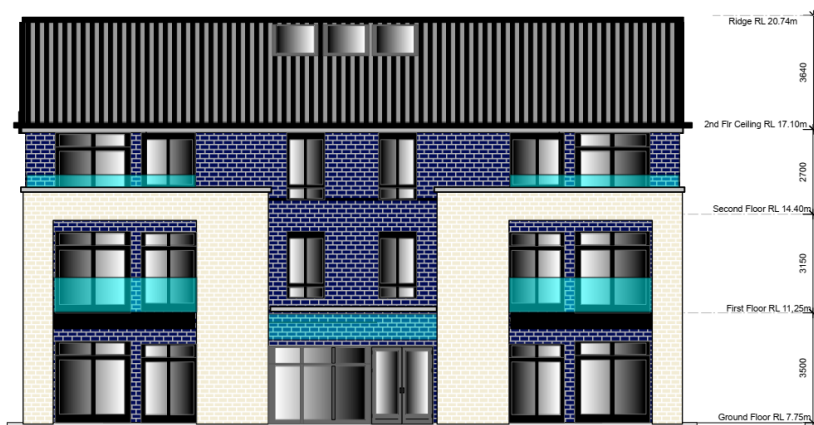
The design of the proposed scheme has been progressed and developed in response to previous pre-planning discussions with Kerry County Council. The Site Layout Plan is included below for east of reference:



**Figure 4: Proposed Site Layout**



The scheme includes 5 building types. 'Apartment Block A' is a three storey building that fronts onto Boherbee Road. It comprises 15 no. apartments in total including 8 No. 2 Bedroom Apartments and 7 No. 1 Bedroom Apartments.



**Figure 5: Apartment Block A Front Elevation**

'Apartment Block B' is a five storey building to the south of the site. This sheltered apartment building will provide 66 no. units comprising 44 No. 2 Bedroom Apartments and 22 No. 1 Bedroom Apartments.



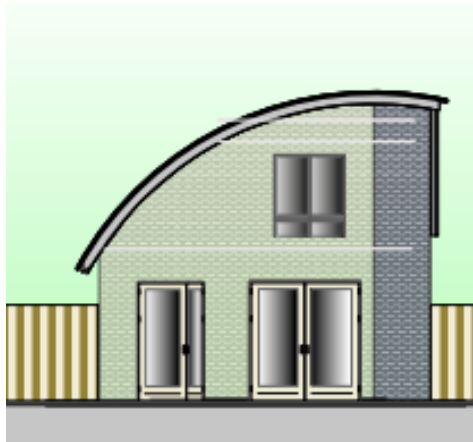
**Figure 6: Apartment Block B Front Elevation**

There are two perimeter blocks proposed between Apartment Block A and Apartment Block B. Each corner of the perimeter block includes a Triplex Apartment Block. The 8 no. Triplex blocks within the scheme provide 48 no. apartments comprising 24 No. 2 Bedroom Apartments and 24 No. 1 Bedroom Apartments.



**Figure 7: Triplex Apartments**

The perimeter blocks include 4 no. 3 bedroom townhouses. Each two-storey townhouse unit is bookended by a triplex unit. All but one of these units fronts onto an area of public open space.



**Figure 8: 3 bedroom Townhouse**

The perimeter blocks include 14 no. 2 bedroom townhouses. Each two-storey townhouse unit is bookended by a triplex unit.



**Figure 9: 2 bedroom Townhouse Terrace**

One vehicular access points are proposed to the new Ballymullen/ Clash Link Road. A footpaths/ cycle link is also proposed to Boherbee and the site will also connect to Mitchel's Road via an existing pedestrian route. Pedestrian connections to Bullock Hill Road are included to create a permeable development. The internal road network has been designed in accordance with DMURS and incorporates traffic calming and pedestrian priority zones.

The proposal includes 102 car parking spaces;

- 18 Townhouses @ 1 car space per unit (18 spaces),
- 63 Apartments @ 0.66 spaces (42 Car Spaces),
- 66 Sheltered Apartment @ 0.33 = 22 Car Spaces
- balance of 20 spaces for visitors or shared use.



All parking spaces are provided at surface level. The parking bays include 21 no. EV charge points and 7 no. accessible car parking spaces.

The proposal includes 330 cycle parking spaces across the project. This includes a mix of visitor spaces and secure resident spaces.

A variety of public open spaces will be provided throughout the scheme. A significant proportion of the units within the scheme overlook public open space. Public open space and communal open space comprises 21.4% of the application site area and private amenity spaces comprises 18% of the site area.

The accompanying Civil Utilities Planning Report sets out details of the infrastructure associated with the site, it includes details of water connections, storm water, wastewater, and electricity infrastructure. The design approach for the disposal of stormwater from the developed site will ensure it equates to greenfield run off rates.

A 10 year planning permission is sought and the Development Description is as follows:

- a) *Demolish two dwelling houses, a guesthouse & ancillary structures on site,*
- b) *Construct new vehicular access to the site from Access Road (Cloonmore Avenue) off new Ballymullen-Clash Relief Road.*
- c) *Construct 147 Residential Units, comprising Apartment Building 'A' (containing 15 No. one or two bedroom apartments), Apartment Building 'B' (containing 66 No. one or two bedroom apartments), 8 Triplex Apartment Buildings (each containing 6No. one or two bedroom apartments), 14 two bedroom Townhouses and 4 three bedroom townhouses at Cloon More, Boherbee, Tralee, Co. Kerry including all associated works, roads, pavements and services all as outlined in the documents submitted to Kerry County Council.*

## 5. National Planning Policy

This section looks at consistency with the following National and Regional Policy Documents:

- Project Ireland 2040: National Planning Framework (2018),
- Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (May 2009),
- Urban Design Manual – A Best Practice Guide (UDM) 2009,
- Childcare Facilities Guidelines, June 2001,
- Urban Development and Building Heights, 2018,
- Housing for All, A new Housing Plan for Ireland, 2021,
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2022, and
- Design Manual for Urban Roads and Streets (DMURS) 2013.

### 5.1 Project Ireland 2040 – National Planning Framework

The Project Ireland 2040 - National Planning Framework (NPF) sets the vision and strategy for the development of the country to 2040. Each of the three regions will prepare their own strategy in accordance with the Framework set by the NPF, known as Regional Spatial and Economic Strategies. County and City Development Plan review cycles will then fall in to line with their respective regional strategies, ensuring alignment between the hierarchy of plans. The various policies in this Framework are structured under National Policy Objectives (NPOs).

An assessment of the key NPOs of relevance to this proposal is set out in the table below:

Policy	Consistency of Scheme
<b>NPO 3a</b> - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.	✓ The proposal involves delivery of new homes within the built-up footprint of the Key town of Tralee.
<b>NPO 3c</b> - Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.	✓ The proposal involves delivery of new homes within the built-up footprint of the Key town of Tralee.
<b>NPO 4</b> - ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of live and wellbeing.	✓ The proposal 147 residential units is a well-designed, high-quality scheme which will create homes for a diverse and integrated community.
<b>NPO 6</b> - Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.	✓ The proposal is a residential development within the Mitchel's / Boherbee Regeneration Area. It will increase the residential population and public open space. It will generate employment opportunities through construction. It supports the rejuvenation of the area.
<b>NPO 7</b> - Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus on inter alia: <ul style="list-style-type: none"> <li>• Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth;</li> <li>• Addressing the legacy of rapid unplanned growth, by facilitating amenities and services catch-up, jobs and/or improved sustainable transport links to the cities, together with a slower rate of population growth in recently expanded commuter settlements of all sizes;</li> </ul> In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.	✓ The proposal is consistent with this policy objective.
<b>NPO 11</b> - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.	✓ The development will encourage more people to live in the town of Tralee, generate jobs and increase activity in the town. It will contribute to growth targets for the Key town and meets the relevant planning

	standards as set out in this application package.
<b>NPO 13</b> - In urban areas, planning and related standards, including building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.	✓ The proposed development is located within the Tralee Town Built-Up Area. It is considered that the project achieves a well-designed high quality outcome for the regeneration area. The proposal is consistent with this policy objective.
<b>NPO 27</b> - Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.	✓ The site is within Tralee Town Centre and therefore encourages sustainable modes of transport being within walking distance of most facilities. It will create permeable links that connect the new Neighbourhood to existing Neighbourhoods, in Boherbee, Hawley Park and Marion Park within the "Mitchel's Urban Regeneration Area".
<b>NPO 28-</b> Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.	✓ The project will deliver a mix of house types and sizes. It will deliver 66 no. units (45%) of sheltered housing. The proposed development can facilitate an improved quality of life and foster more sustainable communities.
<b>NPO 32</b> - Target the delivery of 550,000 additional households up to 2040.	✓ The proposal is consistent with this policy objective.
<b>NPO 33</b> - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.	✓ The proposal is for new homes within walking distance of the town centre and a joint bus and railway station. The consistent with this policy objective.
<b>NPO 34</b> - Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.	✓ The apartments are all designed for lifetime adaptability. Level ground floor or Lift access is provided to 95 Apartments (75%). Provision is made for the remaining 25% in the Triplex Units to include a "Part 'M' compliant lift" in lieu of the platform lift for future accessibility. Likewise for the housing units, specifically those with an adaptable ground floor bedroom, that can also be used as a home office or downstairs bedroom with adjoining bathroom are ideally suited to family and retirement use.

<b>NPO 35</b> - Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.	✓ The development is an infill development scheme within the Mitchel's Area Regeneration Masterplan with a proposed density of 97.7 units per hectare.
<b>NPO 52</b> – The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.	✓ The proposal is consistent with this policy objective.
<b>NPO 54</b> - Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.	✓ The proposal is consistent with this policy objective. It will provide increased housing within a sustainable location and encourage travel by sustainable means.
<b>NPO 56</b> - Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.	✓ The proposal is consistent with this policy objective. The project is accompanied by a Construction and Environmental Waste Management Plan.
<b>NPO 63</b> - Ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.	✓ Sustainable urban drainage system (SuDS) measures are incorporated as appropriate into the proposed design. Irish Water have confirmed that there is adequate capacity on the water network for the proposed development.
<b>NPO 64</b> - Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green infrastructure planning and innovative design solutions.	✓ The proposal is consistent with this policy objective. The proposed development is within easy walking distance of the town centre and a joint bus and railway station. Energy efficient homes are proposed. Green infrastructure is integrated into the scheme.
<b>NPO 75</b> - Ensure that all plans, projects and activities requiring consent arising from the National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate.	✓ The proposal is consistent with this policy objective. An EIA and AA screening have included in support of the planning application.

The NPF focused on policies, actions and investments to deliver the 10 National Strategic Outcomes. Of particular relevance to the current proposal is, 'National Strategic Outcome 1: Compact Growth'. This identifies that it is a priority to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and make better use of under-utilised land and buildings, including 'infill' and 'brownfield' sites by providing higher housing and job densities in locations better serviced by existing facilities and public transport. The proposed development is consistent with the objectives of the NPF.

## 5.2 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

The Guidelines set out the key planning principles which should guide the assessment of planning applications for residential development in urban areas. The Guidelines were published with an accompanying best practice Urban Design Manual. The scheme design has given regard to the Guidelines and sought to incorporate the advice into the approach.

The guidelines set out principles to ensure that developments are sustainable in terms of their density; capacity of available services; proximity to a range of community; support facilities and public transport; accessibility; use of energy and that they provide a safe and attractive environment. In terms of individual housing units, the guidelines provide principles to ensure a quality living environment, including consideration of levels of daylight and sunlight, privacy, and storage space.

Compliance with the best practice criteria are set out in the Architectural & Urban Design Statement which accompanies this LRD application.

Policy	Consistency of scheme
<b>Chapter 3</b> <ul style="list-style-type: none"> <li>Application of 12 best practice criteria</li> <li>Have designers carried out a site appraisal prior to preparing a layout?</li> <li>Is the standard of design to a sufficiently high standard?</li> <li>Does the design of residential streets strike the right balance between the different function of the street, including a "sense of place"?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline as set out in the architectural design statement.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline and the design has been developed in consultation with the Local Planning Authority.</li> <li>✓ The proposal is consistent with this guideline as set out in the architectural design statement.</li> </ul>
<b>Chapter 4</b> <ul style="list-style-type: none"> <li>Are lands in accordance with sequencing priorities of the development plan or Local Area Plan?</li> <li>Assessment of the capacity of existing schools</li> <li>Input of other necessary agencies</li> <li>Is there an appropriate range of community &amp; supporting facilities, when and where they are needed?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline and the regeneration of the site an existing priority for the Area as noted in the County Development Plan.</li> <li>✓ The proposal is consistent with this guideline. Considered through pre-planning discussions.</li> <li>✓ The proposal is consistent with this guideline. Input received through pre-planning discussions.</li> <li>✓ The proposal is consistent with this guideline. The site is located within walking distance of the</li> </ul>



<ul style="list-style-type: none"> <li>• For higher density schemes, is there adequate existing public transport, or will it be provided in tandem with development.</li> <li>• Will the development: <ul style="list-style-type: none"> <li>○ Prioritise public transport, cycling and walking and dissuade the use of cars?</li> <li>○ Ensure the accessibility for everyone, including people with disabilities</li> <li>○ Encourage more efficient use of energy and a reduction in greenhouse gas emissions?</li> <li>○ Include the right quality and quantity of public open space?</li> <li>○ Include measures to ensure satisfactory standards of public safety within the neighbourhood.</li> <li>○ Present an attractive and well maintained appearance?</li> <li>○ Promote social integration and provide for a mix of household types, age groups and mix of tenures?</li> <li>○ Protect and where possible enhance, the built and natural heritage?</li> <li>○ Provide Sustainable Drainage Systems?</li> </ul> </li> </ul>	<p>town centre and adjoins the hospital and a new post primary school.</p> <ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline. The site is within walking distance of the bus and train station.</li> <li>✓ The proposal is consistent with this guideline. The proposal is close to public transport. It creates new walking connections and includes bicycle parking.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline and the quantity of open space exceeds requirements.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> </ul>
<p><b>Chapter 5</b></p> <ul style="list-style-type: none"> <li>• Are residential densities sufficiently high in locations which are served by public transport?</li> <li>• Have proposals for higher densities been accompanied in all cases by high qualitative standards of design and layout?</li> <li>• Does the design and location of new apartments blocks respect the amenities of existing adjacent housing in terms of sunlight and overlooking.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline. Residential amenity is protected through the design approach.</li> </ul>
<p><b>Chapter 7</b></p> <ul style="list-style-type: none"> <li>• In higher density developments, does quality of design and finish extend to individual dwellings and its immediate surroundings.</li> <li>• Decent levels of amenity, privacy, security and energy efficiency.</li> <li>• Will orientation of dwelling and internal layout maximise levels of daylight and sunlight?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> </ul>

<ul style="list-style-type: none"> <li>• Has privacy been considered in design of the home?</li> <li>• Has the design sought, where possible, to create child- and pedestrian-friendly car-free areas, especially in higher density schemes, through the careful location of access streets and parking areas?</li> <li>• Do all houses (terraced, semi-detached and detached) have an area of private open space behind the building line?</li> <li>• Has the design been influenced by the principles of universal design?</li> <li>• Has adequate provision been made for the storage and collection of waste materials?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline. Low traffic speed cul-de-sac areas are included which are pedestrian friendly.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> <li>✓ The proposal is consistent with this guideline.</li> </ul>
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### 5.3 Urban Design Manual – A Best Practice Guide (2009)

This 'Urban Design Manual' is designed to act as a practical guide that prompts design responses through a series of 12 questions or criteria, rather than provide instruction. These criteria are 'a distillation of current policy and guidance and tried and tested principles of good urban design.' The 12 no. criteria are as follows:

- Context
- Connections
- Inclusivity
- Variety
- Parking
- Efficiency
- Distinctiveness
- Layout
- Public Realm
- Adaptability
- Privacy and Amenities
- Detailed Design

The proposed development has been designed with consideration for this criteria and good urban design practice has been incorporated throughout the proposal. The consistency of the proposed development with the Urban Design Manual is provided within *Architectural & Urban Design Statement* prepared by John Phelan Architects.

### 5.4 Guidelines for Planning Authorities on Childcare Facilities (2001)

Policy	Consistency with scheme
The Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans	✓ The proposal is consistent with this guideline.

<p>should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed.</p>	<p>Within the ‘Sustainable Urban Housing Design Standards for New Apartments (2020)’, Section 4.7 states that:</p> <p><i>‘One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms’</i></p> <p>The proposal is for 147 units, including 66 sheltered units. The units comprise:</p> <ul style="list-style-type: none"> <li>• 51 no. 1 bed apartments</li> <li>• 78 no. 2 bed apartments</li> <li>• 14 no. 2 bed townhouses</li> <li>• 4 no. 3 bed townhouses</li> </ul> <p>Accordingly, removing the 1 bed apartments reduces the number of childcare qualifying units to <math>(147 - 51 =)</math> <u>96 dwellings</u>. Discounting 30% of the 2 bed apartments reduces the total number childcare qualifying units to <math>(96 - 23 =)</math> <u>73 dwellings</u>.</p> <p>It is considered that the provision of a childcare facility is not required because the total number of qualifying dwellings is less than 75 dwellings.</p> <p>This is also considered that the project will not yield a sufficient numbers of children to justify a childcare facility because the scheme contains 44% sheltered housing and is 86% apartments. Contextually, apartments comprise less than 5% of the housing market in the County and traditionally apartment forms have not been the preferred housing type for families with children. Across Ireland only 7% of children between 0-12 years of age live in apartments (census 2016). The remaining 93% live in a house form.</p>
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## 5.5 Urban Development and Building Height Guidelines (2018)

The Urban Development and Building Heights Guidelines 2018 (Building Height Guidelines) outlines that generic maximum height limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to

provide more compact forms of urban development as outlined in the National Planning Framework and instead continue an unsustainable pattern of development whereby cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area.

Policy	Consistency with scheme
<p>SPPR 1- <i>In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.</i></p> <p>SPPR 4 - <i>It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:</i></p> <ol style="list-style-type: none"> <li><i>1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;</i></li> <li><i>2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and</i></li> <li><i>3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.</i></li> </ol>	<p>✓ The site is located within the centre of Tralee Town and has good public transport accessibility. The site is in a regeneration area. The proposal provides a density of 97.7 units per hectare is consistent with the guidelines. The development provides building heights of up to 5-storey. The mix of heights proposed is consistent with the guidelines.</p> <p>✓ The development provides building heights of up to 5-storey which is considered to be acceptable given the sites surrounding context.</p> <p>✓ The proposal includes a mix of building heights and typologies and the project consists of:</p> <ul style="list-style-type: none"> <li>• 5-storey Sheltered Apartment Block "B"</li> <li>• 3-Storey Apartments Block "A"</li> <li>• 8 No. 3 Storey Triplex Apartment Blocks</li> <li>• 14 No. 2-Storey Mid-Terrace 2 Bedroom Townhouse</li> <li>• 4 No. 2 Storey Courtyard 3 Bedroom Townhouses</li> </ul>

## 5.6 Housing for All, A new Housing Plan for Ireland

This is the Government's new plan (superseding 'Rebuilding Ireland') to boost the supply of housing to 2030; to increase availability and affordability of housing; and to create a sustainable housing system into the future.

The aim of the plan is that everyone should have access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. The plan contains a range of actions and measures to ensure over 300,000 new social, affordable, cost rental and private homes are built by 2030. The actions outlined in the Plan are backed by over €4 billion in annual guaranteed State investment in housing over the coming years, including through Exchequer funding, the Land Development Agency and Housing Finance Agency investment. The plan commits to over €20 billion in State investment in housing over the next five years.

The plan is set out across four pathways to address the pressing housing challenges facing the State:

- Pathway to supporting homeownership and increasing affordability
- Pathway to eradicating homelessness, increasing social housing delivery and supporting social inclusion
- Pathway to increasing new housing supply
- Pathway to addressing vacancy and efficient use of existing stock"

Policy	Consistency of scheme
The plan aims for an increased supply of new housing, up to an average of at least 33,000 per year to 2030.	✓ The proposed development comprises of 147 residential units.
<b>Housing Policy Objective 1.8-</b> Expand Part V requirements to increase the percentage contribution from 10% to 20% and apply to affordable housing as well as social housing	✓ As part of a Part V proposal it is proposed to provide a sheltered apartment block (Block B on the submitted architectural drawings) with 66 no. units or 45% of units.
<b>Housing Policy Objective 4.1-</b> Deliver over 10,000 social housing homes each year to 2030 and increase the stock of available social housing	✓ The proposed development is consistent with the targets set out in this document. The proposed development will improve the quantity and mix of residential stock at this location.

## 5.7 Sustainable Urban Housing: Design Standards For New Apartments (2022)

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines (Apartment Guidelines) 2022 are intended to promote sustainable housing, by ensuring that the design and layout of new apartments provide satisfactory accommodation for a variety of household types and sizes, including families with children over the medium to long term.

The Apartment Guidelines include a range of specific planning policy requirements (SPPR's) to which the planning authorities are now required to have regard. SPPR's relevant to the proposed development, and compliance with same, are as follows:

Policy	Consistency of scheme
<p><b>Specific Planning Policy Requirement 1 (SPPR1)</b></p> <p>Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county and city or metropolitan area basis and incorporated into the relevant development plan(s)</p>	<p>✓ The proposed development is in accordance with this policy requirement. In total 147 no. units are proposed as part of this housing development. The proposed mix is as follows:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <ul style="list-style-type: none"> <li>▪ 1-Bedroom apartment- 51 no. units = 34%</li> <li>▪ 2-Bedroom apartment- 78 no. units = 53%</li> <li>▪ 2-bed townhouses - 14 no. units = 10%</li> <li>▪ 3-bed townhouses - 4 no. units = 3%</li> </ul> </div>
<p><b>SPPR 3 Minimum Apartment Floor Areas:</b></p> <ul style="list-style-type: none"> <li>▪ Studio apartment (1 person) 37 sq.m</li> <li>▪ 1-bedroom apartment (2 persons) 45 sq.m</li> <li>▪ 2-bedroom apartment (4 persons) 73 sq.m</li> <li>▪ 3-bedroom apartment (5 persons) 90 sq m</li> </ul>	<p>✓ All apartments within the proposed scheme are consistent with the minimum floor areas as set out in SPPR3.</p> <p>✓ 66% of two Bedroom Apartments are over 10% bigger than the minimum and have level access.</p> <p>✓ 100% of one Bedroom Apartments are 25% bigger than the minimum and have level access.</p>
<p><b>SPPR 4- Dual Aspect:</b></p> <p>In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:</p> <p>(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate in.</p> <p>(ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.</p>	<p>✓ All apartments within the proposed scheme are consistent with the dual aspect thresholds set out in SPPR4. 77.5% of apartments are dual aspect 22.5% are sun facing single aspect.</p> <p>✓ All 2 Bedroom Apartments throughout are dual aspect with light from multiple sides.</p> <p>✓ All 1 Bedroom Apartments in Triplex Blocks are dual aspect with light from multiple sides.</p> <p>✓ All 1 Bedroom Apartments in Apartment Blocks "A" &amp; "B" are single aspect Sun facing with full height windows to allow sunlight deep into the interior for maximum amenity.</p>



<p><b>SPPR 5- Floor to Ceiling Height:</b></p> <p>Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.</p>	<p>✓ The ground level apartment floor to ceiling heights are a minimum of 3.0m.</p>
<p><b>Specific Planning Policy Requirement 6</b></p> <p>A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , subject to overall design quality and compliance with building regulations.</p>	<p>✓ All apartment buildings within the proposed scheme are consistent with SPPR6.</p> <p>✓ 'Apartment Block B' is the largest building. In this building there are a maximum of 7 apartments per floor per core.</p>
<p>Planning applications for apartment developments shall include a building lifecycle report which in turn includes an assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.</p>	<p>✓ The proposal is consistent with this requirement. A Building lifecycle report has been prepared by John Phelan Architects and is submitted with this planning application.</p>

## 5.8 Design Manual for Quality Housing (2022)

This Design Manual provides guidance on the design of Social Housing developments in respect of site layouts and the internal layouts of individual dwellings and set out the urban design and placemaking priorities, consistent with compact growth. This guidance informed the design of the Sheltered Housing proposed within the scheme. The proposal is consistent with this Design Manual as set out in the Architectural Design Statement.

## 5.9 Design Manual for Urban Roads and Streets (2013)

The Design Manual for Urban Roads and Streets (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The proposal is consistent with this Design Manual as set out in the Design Manual for Urban Roads and Streets Statement.

## 6. Regional Policy

### 6.1 Southern Regional Spatial & Economic Strategy (RSES)

The RSES sets out the strategic regional development framework for the Region. The primary aim of the RSES is to implement Project Ireland 2040 - the National Planning Framework, at the regional tier of Government and to support NPF policy for achieving balanced regional development. The policies in the RSES are structured under Regional Policy Objectives (RPOs) and Metropolitan Area Strategic Plan (MASP) Policy Objectives’.

Policy	Consistency of scheme
<b>RPO 5 Population Growth and Environmental Criteria</b> Increased population growth should be planned having regard to environmental criteria including: <ul style="list-style-type: none"> <li>• The assimilative capacity of the receiving environment.</li> <li>• The proximity of European Sites and the potential for impact on the conservation objectives and qualifying interests.</li> <li>• Areas that have potential to flood.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The receiving environment has the capacity to assimilate the proposed development.</li> <li>✓ The proximity of and potential for impacts on European sites has been considered in the AA screening report is submitted with the application.</li> <li>✓ The application is accompanied by a flood risk assessment and sustainable drainage proposals. It is outside an area with potential to flood.</li> </ul>
<b>RPO 11 Key Towns</b> a) Local Authorities are supported in targeting growth of more than 30% for each Key Town subject to capacity analysis and sustainable criteria under Section 3.3 A Tailored Approach, RPO 3 Local Authority Core Strategies and the sustainable requirements under the following sub sections of RPO 11 Key Towns. The appropriate level of growth is to be determined by the Core Strategy of Development Plans	<ul style="list-style-type: none"> <li>✓ The proposed development is for 147 residential units located within the Key Town of Tralee. The development will contribute to the strengthening of Tralee town as the regional economic driver by providing a high-quality housing mix attracting more people to the town.</li> </ul>
<b>RPO 15 (Tralee Key Town)</b> f. To support the regeneration of opportunity sites, such as the Island of Geese, Fels Point, and underused, vacant or derelict town centre lands for residential and enterprise development to facilitate population and employment growth	<ul style="list-style-type: none"> <li>✓ The proposal development is residential development on underused land within a regeneration area.</li> </ul>

<p><b>RPO 91 Decarbonisation of the Transport Sector</b></p> <p>It is an objective to:</p> <p>a. Seek initiatives that will achieve the decarbonisation of the transport sector, moving to the use of clean generated electricity bio-gas, hydrogen and other non-fossil fuels for private and public transportation and provision of clean energy and lower carbon fuelling stations by 2030;</p> <p>b. Pursue policies to reduce reliance on private cars and achieve modal shift to sustainable transportation in conjunction with policies to achieve compact growth and reduce congestion;</p> <p>c. Seek the development of clean energy and lower carbon fuelling and electric vehicle charging stations and infrastructure at the appropriate locations including consideration of electric, hydrogen, Compressed Natural Gas (CNG)/biogas.</p>	<ul style="list-style-type: none"> <li>✓ The proposed development promotes sustainable transport modes given the sites town centre location and proximity to public transport connections which reduce reliance on private cars.</li> <li>✓ The proposed development aims to promote sustainable modes of transport creating pedestrian and cycle links to ensure good permeability throughout the site. The proposal includes resident and guest cycle parking bays.</li> <li>✓ The proposal includes electric vehicle charging points within the scheme.</li> </ul>
<p><b>RPO 122 Sustainable Drainage Systems (SuDS)</b></p> <p>It is an objective to:</p> <p>a. Promote the integration of sustainable water management solutions such as the use of SuDS. Future development and Local Area Plans in the Region should include objectives and actions to encourage the integration of sustainable water management solutions such as the use of SuDS;</p> <p>b. Promote the diversion of surface water from combined sewers where possible.</p>	<ul style="list-style-type: none"> <li>✓ The scheme incorporates SuDS measures as set out in the Civil Utilities Planning Report.</li> <li>✓ All surface water will be attenuated to greenfield run off rates.</li> </ul>
<p><b>RPO 151 Integration of Land Use and Transport</b></p> <p>The following principles of land use and transport integration will guide development:</p> <p>a. For urban-generated development, the development of lands, within or contiguous with the existing urban areas will be prioritised over development in less accessible locations;</p> <p>b. Residential development will be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport– including infill and brownfield sites – are prioritised;</p> <p>...</p> <p>d. New employment and residential development will be consolidated and intensified in a manner which renders it serviceable by public transport and ensures</p>	<ul style="list-style-type: none"> <li>✓ The proposal is located within the built up area of Tralee and within a designated regeneration area.</li> <li>✓ The proposal is a residential project which should be prioritised according to the policy. It is accessible by walking, cycling and public transport. It is within a designated regeneration area.</li> <li>✓ The proposal is a residential project which intensifies development within an existing residential area. It is accessible by walking,</li> </ul>

<p>that it is highly accessible, by walking, cycling and public transport. Within the Metropolitan Areas of Cork, Limerick-Shannon and Waterford, except in limited planned circumstances, trip intensive developments or significant levels of development will not occur in locations which are not well served by existing or proposed high capacity public transport;</p> <p>...</p> <p>h. Infrastructure for Electric Vehicles will be integrated into developments;</p> <p>i. The design of all roads and streets within the urban areas, including suburbs, towns and villages within the 60 kph zone shall be as per the Design Manual for Urban Roads and Streets, being the designated appropriate road design standards for such locations.</p> <p>j. The protection of the Natura 2000 networks and the ecological linkages connected to the Natura 2000 network</p>	<p>cycling and public transport. It is within a designated regeneration area.</p> <p>✓ Electric Vehicle charging bays are provided within the development.</p> <p>✓ The proposal is consistent with this policy and a DMURS Statement is provided to describe how the scheme has been designed in accordance with this Design Manual.</p> <p>✓ Natura 2000 sites are not impacted by the development.</p>
<p><b>RPO 176 “10 Minute” city and town concepts</b></p> <p>It is an objective to attain sustainable compact settlements with the “10-minute” city and town concepts, whereby, a range of community facilities and services are accessible in short walking and cycle timeframes from homes or are accessible by high quality public transport services by connecting people to larger scaled settlements delivering these services. Local authorities should ensure that decision making in relation to new infrastructure for improved connectivity is informed by an appropriate level of environmental assessment</p>	<p>✓ The proposal is consistent with this policy objective.</p>
<p><b>RPO 207 Archaeological Investigation</b></p> <p>Where proposed development may have implications for recorded archaeological monuments /sites, zones of archaeological potential, or undiscovered archaeology, local authorities should ensure that decisions relating to development (including infrastructure associated with broadband, telecommunications and renewable energy installation of services installation and major road/rail infrastructure) are informed by an appropriate level of archaeological investigation undertaken by qualified persons.</p>	<p>✓ The proposal is consistent with this policy objective. The LRD application is accompanied by a ‘Final Archaeological Testing Report’ prepared by Laur Dunne.</p>

## 7. Local Policy

### 7.1 Kerry County Development Plan 2022-2018

The core strategy for Kerry is set out within the County Development Plan (CDP). A key element of the strategy is to 'Prioritise sustainable development at appropriate locations within the Key Towns of Tralee and Killarney as an economic driver for the County.'

The population growth allocation for Tralee and Killarney is 4,293. This growth allocation will ensure that these Key Towns will grow by over 30% by 2040 (in accordance with the RSES) positioning these settlements as sufficiently sized urban zones to attract additional employment and population, which will increase their competitiveness and attractiveness as national and regional investment locations.

#### 7.1.1 Volume 1

Volume 1 of County Development Plan sets out the 'Written Statement'. Relevant policies from this Volume are assessed under associated headings below.

Policy	Consistency with scheme
<p style="text-align: center;"><b><u>DENSITY</u></b></p> <p><b>KDCP 4-40-</b> Ensure that developments have regard to the Ministerial Guidelines, Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities the DHPLG (2020), Urban Development and Building Heights – Guidelines for Planning Authorities DHPLG (2018) and Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns &amp; Villages) DEHLG (2009).</p> <p><b>KDCP 6-16-</b> Have regard to and promote increased residential densities in the towns and other appropriate locations in accordance with the 'Sustainable Residential Development in Urban Areas'</p> <p><b>KCDP 7-8-</b> Have regard to and promote increased residential densities in the towns and other appropriate locations in accordance with the policies of the NPF, RSES, Housing for All and the 'Sustainable Residential Development in Urban Areas' Guidelines 2009 (DoEHLG).</p>	<p>✓ The proposed development is consistent with this policy and the development has had regard to the relevant policies as noted above. The site is located within the centre of Tralee Town.</p> <p>✓ The proposal is consistent with this policy and seeks to increase density in the town. The proposal has a density of 97.7 units per hectare.</p> <p>✓ The proposed development is consistent with this policy.</p>
<p style="text-align: center;"><b><u>REGENERATION</u></b></p> <p><b>KCDP 4-1</b> - Support and facilitate the objectives and actions in Housing for All (HfA) to regenerate towns and villages, to tackle dereliction, vacancy, to deliver site assembly opportunities and to promote the sustainable development of land to achieve compact</p>	<p>✓ The proposal is consistent with this policy. It seeks planning permission for a sustainable residential development on an infill greenfield site within the "Mitchel's Area Regeneration</p>

<p>growth and increased population in these centres and to engage with the Land Development Agency (LDA), where appropriate, in the identification, planning and co-ordination of strategic, publicly owned land banks to achieve compact growth, sustainable development, and urban regeneration.</p> <p><b>KCDP 4-2</b> Facilitate and support the sustainable development of towns and villages of sufficient scale and quality to be drivers of growth, investment, and prosperity.</p> <p><b>KDCP- 4-27-</b> Prioritise the regeneration of underused town centre and brownfield / infill lands in order to achieve the sustainable delivery of new housing within the existing urban footprint of settlements in the County.</p> <p><b>KDCP- 4-31-</b> Promote the development of vacant residential and regeneration sites in all development centres in the County, as appropriate, in accordance with the provisions of Housing for All – A New Housing Plan for Ireland.</p> <p><b>KCDP 4-33</b> Encourage the development and renewal of areas, identified in the Town and Local Area Plans, having regard to the Core Strategy, that are in need of regeneration, in order to prevent:</p> <ul style="list-style-type: none"> <li>• Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,</li> <li>• Urban blight and decay,</li> <li>• Anti-social behaviour, and</li> <li>• A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.</li> </ul>	<p>Masterplan” in the existing urban footprint of Tralee Town.</p> <p>✓ The proposal is consistent with this policy. It is a large scale and high quality development of a site within a the Key Town of Tralee.</p> <p>✓ The proposal is consistent with this policy. It is a residential development of an underused infill site in a regeneration area and within the existing urban footprint of Tralee.</p> <p>✓ The proposal is consistent with this policy. It is a regeneration site and within the existing urban footprint of Tralee.</p> <p>✓ The proposal is consistent with this policy. It is a regeneration site and within the existing urban footprint of Tralee.</p>
<p style="text-align: center;"><b><u>HOUSING MIX</u></b></p> <p><b>KDCP 6-17-</b> Promote integration of social housing and ensure a housing mix within developments in order to promote a socially balanced and inclusive society.</p> <p><b>KCDP 7-2-</b> Implement the policies contained in Housing for All to increase Social Housing delivery in the County</p> <p><b>KCDP 7-7-</b> Ensure that arrangements for the provision of Social Housing are made having regard to the current Housing Strategy in accordance with Part V of the Planning &amp; Development Act 2000 as amended.</p>	<p>✓ The proposed housing development is consistent with this policy. The social housing has been integrated within the scheme and a mix of housing types and sizes is provided.</p> <p>✓ The proposed housing development is consistent with this policy. The social housing has been integrated within the scheme.</p> <p>✓ The proposed housing development is consistent with this policy. The social housing has been integrated within the scheme and Part V details provided with the application.</p>



<p><b>KDCP 7-9-</b> Promote integration of social housing and ensure a housing mix within developments in order to promote a socially balanced and inclusive society.</p>	<p>✓ The proposed housing development is consistent with this policy. The social housing has been integrated within the scheme. A mix of housing unit types and sizes will be provided as part of the project as set out in the schedule of accommodation which accompanies the scheme.</p>
<p style="text-align: center;"><b><u>SUSTAINABLE TRANSPORT AND MOBILITY</u></b></p> <p><b>KDCP 4-15</b> - Promote the sustainable development of the public footpath network, the walking and cycling routes and associated infrastructure in the County, including where possible the retrofitting of cycle and pedestrian routes into the existing urban road network and in the design of new roads.</p> <p><b>KDCP 6-20</b> - Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.</p> <p><b>KDCP 11-33-</b> Promote a modal change from private car use to other types of travel and to promote the use of public transport as a means of reducing greenhouse gas emissions and improving air quality.</p> <p><b>KDCP 11-34-</b> Carry out traffic management measures such as reduction of speed limits, traffic flow control, mitigation of environmental noise hotspots, traffic congestion management, road surface improvements and road maintenance and the promotion of the use of electric vehicles.</p> <p><b>KDCP 14-4-</b> Promote and support an increase in the number and usage of electric vehicles, the expansion of the Electric Vehicle charging network (through direct provision by state agencies and in partnership with energy suppliers e.g., in the hospitality sector).</p> <p><b>KDCP 14-10</b> - Promote a shift away from the private car to greater use of active travel (walking and cycling) and public transport.</p> <p><b>KDCP 14-18</b> - Facilitate and support the provision of bicycle parking facilities in new developments, as set out in the development plan's cycle parking standards and in the public realm throughout the county's settlements.</p>	<p>✓ The proposed housing development is consistent with this policy. The development will enhance walking and cycling connectivity in the area and create a more direct pedestrian and cycle connection between the Gaelcholáiste Chiarraí and the bus and train station.</p> <p>✓ The proposed housing development is consistent with this policy. Walking and cycling infrastructure and connections are included within the scheme.</p> <p>✓ The proposed housing development is consistent with this policy. The project is within walking distance of public transport and the town centre. Walking and cycling infrastructure and connections are provided within the project.</p> <p>✓ The proposed development is consistent with this policy. Traffic Management measures have been integrated into this project in accordance with the Road Safety Audit.</p> <p>✓ The proposed development is consistent with this policy. Electric Vehicle charging parking is included within the project.</p> <p>✓ The proposed housing development is consistent with this policy. Walking and cycling infrastructure and connections are provided within the project.</p> <p>✓ The proposed housing development is consistent with this policy. Walking and cycling infrastructure and connections are provided within the project.</p>
<p style="text-align: center;"><b><u>URBAN DESIGN</u></b></p>	

<p><b>KCDP 4-10-</b> Ensure the creation of attractive, liveable, well designed, high-quality urban places that are home to diverse and integrated communities that enjoy an enhanced quality of life and wellbeing.</p> <p><b>KCDP 4-11</b> - Facilitate and support initiatives to strengthen and improve the physical environment of the towns and villages with enhanced streetscapes, appropriate shopfront design and provision of improved street lighting, public footpaths, and street furniture.</p> <p><b>KCDP 4-15</b> Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2019) and promote a more pedestrian friendly environment through the provision of traffic calming measures and improved pedestrian infrastructure.</p>	<p>✓ The proposed housing development is consistent with this policy. Please refer to the Design Statement prepared by John Phelan Architects.</p> <p>✓ The proposed housing development is consistent with this policy. The proposal will enhance the streetscape and provide improved street lighting and public footpaths.</p> <p>✓ The proposed housing development is consistent with this policy. The consistency of the proposed development with the Urban Design Manual is provided within Architectural &amp; Urban Design Statement prepared by John Phelan Architects. The application is also supported by a DMURS Design statement which sets out how the scheme</p>
<p style="text-align: center;"><b><u>BUILDING FOR EVERYONE</u></b></p> <p><b>KCDP 6-23</b> Ensure that all buildings, public and open spaces, recreational and amenity areas are accessible for people with disabilities, having regard to the Building Regulations, the objectives of 'Building for Everyone' (National Disability Authority) and 'Access for the Disabled' (No. 1 to 3) (National Rehabilitation Board).</p> <p><b>KCDP 7-18-</b> Facilitate the development of housing for older people in accordance with Housing for All across Kerry's towns and villages as well as rural areas which is appropriate in order to improve the quality of living for our ageing population. Any new residential development should be fully aligned to the targets of national policy as enumerated under Housing Options for Our Ageing Population: Policy Statement or any subsequent guidance or national policy issued by the Department for Housing, Local Government and Heritage.</p> <p><b>KCDP 7-19-</b> Facilitate and support the provision of semi supported/assisted living development at appropriate locations in settlements close to facilities and services.</p>	<p>✓ The proposed development is consistent with this policy. The estate is readily accessible and inclusive. Pedestrian &amp; level access is prioritized throughout.</p> <p>✓ The proposed development is consistent with this policy. The estate is readily accessible and inclusive. Pedestrian &amp; level access is prioritized throughout. The majority of units will include "Lifetime Design" features. As set out in the Housing Quality Assessment 78.2%, or 115 out of 147 Units have Own Door ground level or level lift access. The remaining 21.8%, or 22 out of 147 Units have provision for a future Part M compliant lift for level access, which means 100% of unit can be made accessible. The Architectural &amp; Urban Design Statement provides further detail on inclusive design features under Criteria 3.</p> <p>✓ The proposed development is consistent with this policy. Sheltered accommodation is an option for the apartment block within the scheme.</p>
<p style="text-align: center;"><b><u>COMPACT DEVELOPMENT</u></b></p> <p><b>KCDP 4-17-</b> Facilitate the development of sustainable compact settlements with the "10-minute" town concepts, whereby, a range of community facilities</p>	<p>✓ The proposed development is consistent with this policy. A range of facilities and services are</p>

<p>and services are accessible in short walking and cycle timeframes from homes, with walkways and link routes to Greenways or are accessible by high quality public transport services connecting people to larger scaled settlements delivering these services.</p> <p><b>KCDP 4-18-</b> To prioritise walking routes and to deliver a high level of priority and permeability for walking, cycling and public transport modes, in accordance with the principles of movement, place and permeability as laid out in the Design Manual for Urban Roads and Streets 2019, to ensure the creation of accessible, permeable links to places of work, retail, services, educational and community facilities.</p> <p><b>KCDP 6-3</b> - Continue to support the creation of sustainable communities throughout the County by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling, and public transport is prioritised and which supports the retention of existing ecological features and supports the planting of native species in green and public areas.</p>	<p>available within a short walking distance of the site.</p> <p>✓ The proposed development is consistent with this policy. New pedestrian and cycle connections are created through the scheme. The project improves permeability in the area.</p> <p>✓ The proposed development is consistent with this policy.</p>
<p style="text-align: center;"><b><u>PUBLIC REALM</u></b></p> <p><b>KCDP 6-18-</b> Ensure that housing developments are completed to a standard that is in accordance with Kerry County Council's Taking in Charge Policy for Private Housing Developments.</p> <p><b>KCDP 7-10-</b> Ensure that housing developments are completed to a standard that is in accordance with Kerry County Council's Taking in Charge Policy for Private Housing Developments.</p>	<p>✓ The proposed development is consistent with this policy. The proposal has been developed in consultation with Kerry County Council and a Taking in Charge Plan is provided.</p> <p>✓ The proposed development is consistent with this policy.</p>
<p style="text-align: center;"><b><u>PUBLIC LIGHTING</u></b></p> <p><b>KCDP 11-42-</b> It is an objective of the Council to require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes and also to ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected.</p> <p><b>KCDP 11-44-</b> It is an objective of the Council to take into consideration the Bat Conservation Trust 2018 Note 08/18 Bats and Artificial Lighting in the UK Guidelines when choosing lighting specifications for developments and/or Bat specialist advice, so as to</p>	<p>✓ The proposed development is consistent with this policy. A lighting design statement and plan are provided in support of the planning application.</p> <p>✓ The proposed development is consistent with this policy. The relevant guidance has been taken into consideration in the development of the lighting design.</p>

<p>ensure the requirements of the Habitats Directive are adhered to, including Article 10.</p>	
<p><b><u>PROTECTION OF ARCHAEOLOGICAL SITES</u></b></p> <p><b>KDCP 8-24-</b> (i) Secure the preservation in situ of all sites, features, protected wrecks and objects of archaeological interest within the county. In securing such preservation the Council will have regard to the advice and recommendations of the National Monuments Service, Department of Housing, Local Government and Heritage, the National Museum of Ireland, and the County Archaeologist.</p> <p>(ii) Ensure that proposed development (due to location, size, or nature) which may have implications for the archaeological heritage of the county will be subject to an Archaeological Assessment (including Underwater Archaeological Impact Assessment) which may lead to further subsequent archaeological mitigation – buffer zones/exclusion zones, monitoring, pre-development archaeological testing, archaeological excavation and/or refusal of planning permission. This includes areas close to archaeological monuments, development sites which are extensive in area (half hectare or more) or length (1km or more) or include potential impacts on underwater cultural heritage and development that requires an Environmental Impact Assessment.</p> <p><b>KDCP 8-25-</b> Ensure the protection and preservation of archaeological monuments, wrecks and features, not yet listed in the Record of Monuments &amp; Places (RMP), Sites &amp; Monuments Record (SMR) or Wreck Inventory of Ireland Database and such unrecorded, through on-going review of the archaeological potential of the plan area. In securing such protection the council will have regard to the advice and recommendations of The National Monuments Service, Department of Housing, Local Government and Heritage, and the County Archaeologist</p>	<p>✓ The proposed development is consistent with this policy. The LRD application is accompanied by a 'Final Archaeological Testing Report' prepared by Laur Dunne.</p> <p>✓ The proposed development is consistent with this policy. The LRD application is accompanied by a 'Final Archaeological Testing Report' prepared by Laur Dunne.</p>
<p><b><u>ENVIRONEMENT</u></b></p> <p><b>KCDP 11-1-</b> Ensure that the requirements of relevant EU and national legislation, are complied with by the Council in undertaking its functions, including the requirements of the EU Birds and Habitats Directives.</p> <p><b>KCDP 11-4-</b> Promote nature-based solutions to meet national objectives towards achieving a carbon neutral economy by 2050.</p>	<p>✓ The proposed development is consistent with this policy. The application is supported by an AA Screening, EIA screening and Ecological Site Walkover which confirm compliance.</p> <p>✓ The proposed development is consistent with this policy as set out in the climate action chapter of the Architectural &amp; Urban Design Statement.</p>

<p><b>KCDP 11-5-</b> Support and facilitate the actions in the National Biodiversity Action Plan and Kerry County Councils Biodiversity Action Plan 2022 – 2028.</p> <p><b>KCDP 11-19-</b> Support actions from the All-Ireland Pollinator Plan including the plan’s recommendations for grassland management and pollinator friendly species.</p> <p><b>KCDP 11-20-</b> Support the management of appropriate green areas to become natural biodiversity areas to encourage natural wildflowers to recolonise and support enhanced bee and insect populations.</p> <p><b>KCDP 11-25-</b> Support projects such as the swift nesting project (that are compatible with protection of our architectural heritage); pollinator friendly initiatives, tree planting, nature based sustainable urban drainage systems and other actions that seek to enhance urban wildlife.</p>	<p>✓ The proposed development is consistent with this policy. The proposed scheme will enhance biodiversity as identified on the landscaping proposal.</p> <p>✓ The proposed development is consistent with this policy. The proposed scheme will enhance biodiversity as identified on the landscaping proposal.</p> <p>✓ The proposed development is consistent with this policy.</p> <p>✓ The proposed development is consistent with this policy. Sustainable Urban Drainage solutions are incorporated into the scheme. The proposal will yield a net increase in trees with 150 mixed trees and 200 shrubs and a wide range of Rain Garden Planting to be provided and 38 trees to be removed through the project.</p>
<p style="text-align: center;"><b><u>WOODLANDS AND TREES</u></b></p> <p><b>KDCP 11-27-</b> Support the preservation and enhancement of the general level of broadleaf tree cover throughout the County in both urban and rural areas and ensure that development proposals satisfactorily retain existing trees and/or provide additional native planting. A Tree Survey Report shall inform applications where appropriate.</p> <p><b>KDCP 11-28-</b> Encourage the provision of locally provenanced native tree species including those recommended by the All-Ireland Pollinator Plan as part of development landscaping schemes.</p>	<p>✓ The proposed development is consistent with this policy. A Tree Survey and Arboricultural Impact Assessment was undertaken by Arborcare and is submitted with this planning application. The proposal will yield a net increase in trees with 150 mixed trees and 200 shrubs and a wide range of Rain Garden Planting to be provided and 38 trees to be removed through the project.</p> <p>✓ The proposed development is consistent with this policy.</p>
<p style="text-align: center;"><b><u>FLOOD RISK</u></b></p> <p><b>KCDP 11-65-</b> Take into consideration areas identified at risk of flooding under the CFRAM and ICPSS studies and any other studies/analysis commissioned by the Council/allied state agencies to inform planning policy, development management decisions and capital projects.</p> <p><b>KCDP 11-66-</b> Have regard to and implement the recommendations and provisions of the Planning System and Flood Risk Management guidelines (DoEHLG 2009).</p>	<p>✓ The proposed development is consistent with this policy. The planning application is supported by a Flood Risk Assessment which confirms that the site is not at risk from flooding.</p> <p>✓ The proposed development is consistent with this policy.</p>
<p style="text-align: center;"><b><u>WATER SUPPLY</u></b></p>	

<b>KCDP 13-1-</b> Ensure compliance with the Water Framework Directive.	✓ The proposed development is consistent with this policy.
<b><u>STORM WATER MANAGEMENT</u></b>	
<b>KCDP 13-21-</b> Improve sustainable drainage and reduce the risk of flooding in the urban environment in accordance with the CIRIA SuDS Manual 2015.	✓ The proposed development is consistent with this policy. Sustainable urban drainage systems are incorporated into the design.
<b>KCDP 13-24-</b> Support the incorporation of Sustainable Urban Drainage Systems (SUDs) in all public and private development in urban areas.	✓ The proposed development is consistent with this policy. Sustainable urban drainage systems are incorporated into the design.

### 7.1.2 Volume 2

Volume 2, Section 1 of the Kerry County Development Plan sets out the Tralee Town Development Plan. The Key policies from this plan are considered below:

Policy	Consistency of scheme
<b>TR 5 -</b> Position Tralee as an “investor ready” nationally and internationally major competitive centre. Ensure it remains a driver of county and regional prosperity by harnessing its strategic location and its proximity to the Atlantic Economic Corridor; its strong urban structure, expanding tourism retail, service and accommodation base; and other competitive advantages.	✓ The proposed development is consistent with this policy.
<b>TR 8-</b> Strengthen Tralee’s sense of place and identity as a highly attractive place to live, work, study and visit with the continuation of transformative urban regeneration and public realm spaces.	✓ The proposed development is consistent with this policy. It will transform a site within a regeneration area and provide attractive public open spaces.
<b>TR 10-</b> Improve inclusivity, accessibility, permeability, and connectivity throughout the town and where appropriate with the town to adjoining amenities for alternative more sustainable modes of transport, including cycling and walking.	✓ The proposed development is consistent with this policy. The scheme will enhance permeability within the town and promotes sustainable modes of transport.
<b>TR 11-</b> Plan for the future growth of Tralee and facilitate the sustainable regeneration and renewal of vacant / derelict sites within the town.	✓ The proposed development is consistent with this policy. The proposal seeks to sustainably develop a site within a regeneration area.
<b>TR 12-</b> Facilitate the development of 2,087 residential units within the town boundary.	✓ The proposed development is consistent with this policy. 147 residential units will be created by the proposal within the town boundary.
<b>TR 13-</b> Facilitate the provision of a range of housing solutions, to cater for the diverse housing demand	✓ The proposed development is consistent with this policy. A mix of residential units sizes and



within the town, catering for individuals and families at appropriate scales and attractive alternatives to urban generated housing in rural areas.	types will be created by the proposal within the town boundary.
<b>TR 16-</b> Encourage and facilitate adequate levels of Social Housing and Assisted Living Schemes at appropriate locations.	✓ The proposed development is consistent with this policy. A Part V Statement is provided.
<b>TR 24-</b> Protect the town's existing floodplains and wetlands from inappropriate development in recognition of their function as attenuators and conveyors of flood water.	✓ The proposed development is consistent with this policy. The proposal is outside a flood risk area.
<b>TR 39-</b> Progress Mitchel's Regeneration Project and develop and apply the approaches used in this process to other areas in need of regeneration.	✓ The proposed development is consistent with this policy.
<b>TR- 109</b> Facilitate the enhancement of Tralee as a 10-minute town.	✓ The proposed development is consistent with this policy.

### 7.1.3 Volume 6

Volume 6 Section 1 of the Kerry County Development plan sets out the development management standards and guidelines for development in the County. The key development management standards of relevant to the proposal are assessed below:

Policy	Consistency of scheme
<p><b>1.3.6 Fine Sediment Control</b></p> <p>Many development projects have the potential to generate soiled water run-off containing sediment and silt, particularly during the construction phase. Such run-off can be harmful to the ecological functioning of watercourses downstream. Freshwaters are generally more vulnerable to sedimentation than coastal and estuarine waters, which can have greater dilution capacities and can be more naturally turbid. It is accepted that in certain instances soil and or vegetation characteristics may facilitate natural interception of sediments from overland surface water run-off. In other cases, there may be sufficient capacity in naturally occurring landscape features or in the urban drainage infrastructure to cater for the sediment and run-off likely to arise.</p> <p>Sediment control measures and or a Construction Erosion and Sediment Control Plan CЕСP will be required by the Planning Authority, where deemed necessary or may be submitted as part of a planning</p>	<p>✓ The proposed development is consistent with this policy. The submitted Construction and Environmental Management Plan identifies how run-off will be managed during the construction process.</p>

<p>application as a best practice measure - regardless of ecological risk. Where required the purpose of a Construction Erosion and Sediment Control Plan (CESCP) is to:</p> <ul style="list-style-type: none"> <li>• Minimise erosion potential by effective planning, procedures and water management;</li> <li>• Apply erosion control measures to prevent the movement of sediment; and</li> <li>• Apply sediment control measures to prevent off-site sediment release in the event of sediment movement.</li> </ul> <p>Where applicable, regard should be had to NRA (2005) Guidelines for the Crossing of Watercourses during Construction of National Road Schemes and CIRIA 648 (2006) Control of Water Pollution from Linear Construction Sites, which provide advice on potential impacts arising during the construction phase of developments and the assessment and mitigation of these risks.</p>	
<p><b>1.3.7 Construction Environmental Management Plan</b> Where applicable, a CEMP will be required to be prepared by the Contractors, to ensure commitments included in the statutory approvals are adhered to.</p>	<p>✓ The proposed development is consistent with this policy. A CEMP is submitted in support of the planning application.</p>
<p><b>1.4 Design General</b></p>	
<p><b>1.4.1 Performance-based criteria</b> The council may consider applying flexibility in the application of development standards where performance based criteria appropriate to the location result in high-quality design outcomes. For example, exceptions to prescribed standards set out in various guidelines may be considered in relation to the redevelopment of brownfield/regeneration sites. <u>Flexibility will only be permissible in response to well-designed development proposals.</u></p>	<p>✓ The Council can apply flexibility in the assessment of development standards associated with this application because it the redevelopment of a regeneration site and it is a well-designed development proposals.</p>
<p><b>1.5 RESIDENTIAL DEVELOPMENT</b></p>	

### 1.5.1 Urban Design

Good design and placemaking can change lives, communities, and neighbourhoods for the better. It can create more successful places to live, bring communities together, and attract business investment. It can further sustainable development and encourage healthier living; promote accessibility and inclusivity; and contribute to how safe places are and feel. Design involves shaping how all elements of the built and natural environment integrate and relate to each other through the construction of new buildings, restoration and redevelopment of historic buildings, creation of public spaces, streets, and environmental improvements, and the permeability of proposed development integrating and linking it within its surrounding context.

*Design of development must demonstrate compliance with relevant National, Regional and Local planning policy while promoting best practice in architectural design incorporating the principles of sustainability, energy efficiency and accessibility*

Applications will be required to adhere to the guidance contained in the 'Urban Design Manual - A Best Practice Guide' (Department of the Environment, Community and Local Government, 2009). The design of schemes should promote best practice in architectural design, consistent with the aims of the 'Government Policy on Architecture 2009-2015' (Department of Environment, Community and Local Government, 2009) to support good architectural quality.

The key principles of good urban design are set out in the Urban Design Manual are set out below. Development proposals shall demonstrate compliance with the below principles.

- Context • Connections • Inclusivity • Variety
- Efficiency • Distinctiveness • Layout • Public Realm
- Adaptability • Privacy and Amenity • Parking
- Detailed Design

Design is not limited to the appearance of a building or place but should also encompass how buildings and places function in use and over the lifetime of a development. This includes considering and addressing for example how the design of a development can minimise energy, water usage and CO2 emissions. Future proofing developments for modern technology such as telecommunications can also help minimise the need for expensive retrofitting. Landscape design and planting considerations are also an integral part of design and can contribute to biodiversity.

- ✓ The proposed development has been developed to take account of the to the 12 urban design principles set out in the Urban Design Manual as outlined in the Architectural and Urban Design Statement accompanying the planning application. This Statement also incorporates a chapter on 'Climate Change and Achieving a Sustainable Future'. The planning application is also supported by a Landscaping Plan, Ecological Site Walkover report and Housing Quality Assessment.

<p><b>1.5.1.1 Design Statements</b></p> <p>A design statement will be required to accompany all planning applications for residential development in excess of four dwellings (less than four if deemed necessary). The Design statement shall take guidance from the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DoEHLG 2009)'. ...</p>	<p>✓ An Architectural &amp; Urban Design Statement has been prepared and included with this LRD planning application. The statement takes account of the relevant guidance and matters outlined in the policy.</p>
<p><b>1.5.2 Density</b></p> <p>The Council recognises the benefits of increasing the density of residential development at appropriate locations in accordance with various strategies and reports such as the 'National Planning Framework' (NPF), the 'Sustainable Residential Development in Urban Areas Planning Guidelines (2009)' and the 'Southern Region Spatial and Economic Strategy' (SRSES).</p> <p>The National Planning Framework (NPF) lists 'Compact Growth' as a National Strategic Outcome aiming to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl.</p> <p>National Policy Objective 3c of the NPF states in this regard that at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, should be within their existing built-up footprints.</p> <p>In general, the number of units to be provided on a site should be determined with reference to the Guidelines for Planning Authorities on 'Sustainable Residential Development in Urban Areas' (2009) or any update thereof. This Plan seeks to promote the development of 'live work' communities by promoting sustainable development by creating compact, high-quality developments. Higher residential densities will be encouraged within walking distance of town and village centres and public transport infrastructure. It is acknowledged that there may be instances where specified densities cannot be achieved due to specific circumstances such as site constraints; however, all developments should strive to achieve the prescribed density to support the delivery of more compact development and to ensure a maximum return on investment in social and physical infrastructure.</p> <p>In assessing the density proposed for a residential development, the Planning Authority will consider the following:</p> <ul style="list-style-type: none"> <li>• Proximity to neighbouring and district centres.</li> <li>• Proximity to public transport bus stops.</li> </ul>	<p>✓ The proposed development is consistent with this objective and will deliver an increased level of density on the residential development.</p> <p>✓ The site is located within the built up area of Tralee on existing residential land. It is within walking distance of the town centre and public transport. It will deliver towards the compact growth of Tralee.</p> <p>✓ The proposed development is consistent with this objective and will deliver a level of density deemed appropriate by An Bord Pleanála through a previous appeal and Kerry County Council through pre-planning discussions.</p>

<ul style="list-style-type: none"> <li>• The extent to which the design and layout follows a coherent design brief resulting in a high-quality residential environment.</li> <li>• Compliance with qualitative and quantitative criteria.</li> <li>• The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas.</li> <li>• Existing topographical, landscape or other features on the site.</li> <li>• The capacity of the infrastructure, including social and community facilities, to absorb the demands created by the development. The same criteria will be applied to development proposals involving an increase in density on existing housing sites.</li> </ul>	
<p><b><u>1.5.3 Dwelling Design, Size &amp; Mix</u></b> <b><u>1.5.3.1 Mix of Dwelling Types</u></b></p> <p>The findings of the Housing Strategy and Housing Needs Demand Assessment (HNDA) have informed housing mix policy. Planning applications for 15+ residential units will be required to incorporate a variety and choice of housing units by type and size to meet differing household needs and requirements, as informed by the HNDA to address:</p> <ul style="list-style-type: none"> <li>• Existing and emerging household formation sizes.</li> <li>• Housing demand patterns.</li> <li>• Identified County housing trends</li> </ul> <p>The Design Statement associated with development proposals for both new residential communities, and for developments within existing built-up footprints of an urban area, shall include:</p> <ul style="list-style-type: none"> <li>• Details of existing and permitted unit types within a 10-minute walk of the proposed development.</li> <li>• A breakdown of the proposed unit type and size, including the percentage split between 1/2/3+ bed units which, in the case of apartments (and duplexes), shall be in accordance with the 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009), 'Sustainable Urban Housing Design Standards for New Apartments (2020)', and 'Urban Development and Building Heights, Guidelines for Planning Authorities (2018)', or any subsequent amendment/ revision of these.</li> <li>• Site and/ or floor plans that clearly identify proposed units that: - Are designed and located having regard to the needs of older people and/or persons with a disability. - Are designed having regard to the concept of lifetime adaptable</li> </ul>	<ul style="list-style-type: none"> <li>✓ The HNDA Results concluded that an additional 4,098 additional housing units are required in the next 6 years, with 707 units required in 2023. The average household size in Kerry decreased from 2.65 in 2011 to 2.6 in 2016, which continues a decreasing trend. The average household size in Tralee Urban is 2.1 people per dwelling. The pattern of family formation in Kerry is mostly characterised by two person households (29.2%) followed by single-persons households (27.5%). The share that most types of household have of the total has remained static between 2011 and 2016, with the number of 1 person households exhibiting the only increase.</li> <li>✓ The proposed housing mix provides a variety of house types and sizes which respond to the pattern of family formation in Kerry as set out in the HNDA.</li> <li>✓ The application includes a schedule of accommodation which sets out the mix of unit types and sizes will be provided as part of the project which includes detached, semi-detached, terraced and apartments. The proposed mix is considered to be appropriate to the site's location. Refer to the Architectural &amp; Urban Design Statement which been prepared by John Phelan Architects for greater details of dwelling types.</li> <li>✓ As set out in the Housing Quality Assessment 78.2%, or 115 out of 147 Units have Own Door</li> </ul>

<p>and/or multigenerational homes. - A statement outlining how the scheme has been designed for the needs of older people/ or persons with a disability and or lifetime homes.</p>	<p>ground level or level lift access. The remaining 21.8%, or 22 out of 147 Units have provision for a future Part M compliant lift for level access, which means 100% of unit can be made accessible. The Architectural &amp; Urban Design Statement provides further detail on inclusive design features under Criteria 3.</p>
<p><b>1.5.4 General Residential Development Design Standards</b></p> <p>The design and layout of individual dwellings should provide a high-quality living environment for residents. Variety in design, within a unified concept, will generally be required. This may be achieved through scale and massing, roof profiles, materials and decorative details. In smaller scheme, i.e. less than 15 units, uniformity in design and finishes may be acceptable, depending on the site context. Dwellings should also be designed to provide adequate room sizes that create good quality and adaptable living spaces. Open space should be located behind the front building line of the house and be designed to provide for adequate private amenity. Designers should also have regard to the targets and standards set out in the “Quality Housing for Sustainable Communities Guidelines”, DCHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation.</p> <p>All applications for residential development shall include a phasing plan. Phasing proposals shall ensure that open space and infrastructure to serve dwellings in a given phase for example public lighting, footpaths, and community facilities such as crèches and playgrounds are completed to the satisfaction of the Planning Authority prior to the initiation of the succeeding phase.</p>	<p>✓ The Housing Quality Assessment sets out how a high quality living environment is created.</p> <p>✓ A phasing plan has been provided with the planning application.</p>
<p><b>1.5.4.1 Pedestrian &amp; Vehicular Movement</b></p> <ul style="list-style-type: none"> <li>• All new development will be required to maximise permeability and connectivity for pedestrian and cyclists and to create direct links to adjacent roads and public transport networks in accordance with the provisions of the ‘Urban Design Manual – A Best Practice Guide’ (2009), ‘Sustainable Urban Housing: Design Standards for Apartments’ (2018) the ‘Design Manual for Urban Roads and Streets’ (DMURS, 2019) and the Permeability Best Practice Guide (2015).</li> <li>• Where new developments are proposed adjacent to existing and established neighbourhoods, the design, layout and housing mix should be</li> </ul>	<p>✓ The proposed development maximise permeability for pedestrians and cyclists. It improves linkages between the new school and public transport connections.</p> <p>✓ The proposed development will successfully integrate physically and socially with the surrounding neighbourhood. New open spaces</p>



<p>designed in a such a way to enable positive integration, both physically and socially towards building strong integrated communities and social cohesion.</p> <ul style="list-style-type: none"> <li>• Movement should be convenient, safe and pleasant. Within larger housing areas, a clear hierarchy of spaces and roads should be apparent. Movement through estates should be guided by the principles of security, with opportunities for crime and anti-social behaviour minimised.</li> <li>• Every effort should be made to eliminate through traffic (rat-runs); however, provision should be made for public transport, pedestrian, and cycle network through routes.</li> <li>• Provision should be made for traffic management proposals in all developments. Where shared surfaces are proposed, vehicle design speeds should be at or near walking pace. This shall be achieved by design features such as curves, ramps, pinch points and other features where appropriate.</li> <li>• Ensure there is adequate infrastructure provided in new development to support people in making the choice to adopt active travel is important to achieve the aspirations of the policy objectives set out in Chapter 14, Connectivity.</li> </ul>	<p>and connections will be provided by the development.</p> <ul style="list-style-type: none"> <li>✓ Perimeter block design is utilised to ensure all public spaces are overlooked. The design of the streets and footpaths has been informed by a Road Safety Audit and DMURS.</li> <li>✓ The proposed development is does not provide for through traffic but does include pedestrian and cycle network through routes.</li> <li>✓ Traffic Management Proposals have been included and informed by a Road Safety Audit.</li> <li>✓ The proposal is consistent with this policy objective.</li> </ul>
<p><b>1.5.4.2 Estate Design</b></p> <p>Planning proposals for housing schemes are required to present a considered design approach to tailor the scale, design, layout and density of housing in responding to the individual character of the respective town or village. In particular the design should:</p> <ul style="list-style-type: none"> <li>• Incorporate corner sites, dual aspect designs and avoid blank facades into residential schemes, where possible, to ensure provision of active and passive surveillance over street frontages, creation of attractive thoroughfares by avoiding spanning rear garden walls, the creation of more recognisable routes and junctions that aid navigation and contributing energy efficiency advantages, whilst providing for more attractive, usable and adaptable living spaces, and better sunlight/daylight provision to its occupants.</li> <li>• Support the play and recreational needs of children and young people and ensure the central integration of play provision and child-friendly neighbourhoods and the needs of older people and of persons with a disability.</li> </ul>	<ul style="list-style-type: none"> <li>✓ A distinct and recognisable scheme is proposed as set out in the architectural and design treatment of the form, fenestration and material colours and finishes.</li> <li>✓ There are a number of communal amenity spaces provided throughout the scheme which allow for a sense of place and allow for activities. These areas are overlooked by the residential units.</li> </ul>

<ul style="list-style-type: none"> <li>• Reflect and contribute to the local character, materials and identity of place into the design of new developments.</li> </ul>	
<p><b>1.5.4.3 Climate Resilience</b></p> <p>Innovative energy efficient housing is required to accommodate new typologies and provide adaptable and/ or whole life-cycle homes to create inclusive and socially balanced residential communities. Applicants will be required to demonstrate how climate resilient features have been incorporated into the design of new residential developments and outline how:</p> <ul style="list-style-type: none"> <li>• High quality landscaping (including tree planting), that make use of a diverse range of species of plants – consistent with the National Pollinator Plan, site appropriate and irrigated by rainwater.</li> <li>• Incorporating a green infrastructure network and Nature-Based Solutions (NBS) into the design of buildings and layout – living/green walls, rain gardens, bio-retention measures/swales living/green and or blue roofs, other soft Sustainable urban Drainage Systems (SUDS) measures such as swales, rain gardens, using trees for urban cooling and the reduction of wind tunnel effect.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The Architectural &amp; Urban Design Statement includes a chapter on climate resilience which outlines how this project complies with this policy objective. The proposal will yield a net increase in trees with 150 mixed trees and 200 shrubs and a wide range of Rain Garden Planting to be provided and 38 trees to be removed through the project.</li> </ul>
<p><b>1.5.4.4 Public Open Space</b></p> <ul style="list-style-type: none"> <li>• Public open space should be provided at a minimum rate of 15% of total site area. The open space should be designed to complement the residential layout and be informally supervised by residents. The spaces should generally be centrally located within groupings, and be visually and functionally accessible, of a suitable gradient, useable and overlooked by a maximum number of dwellings. Incidental pieces of unusable land shall not be considered to fulfil or partially fulfil the 15% requirement; for example, narrow tracts of open space, which are difficult to manage, will not be acceptable.</li> <li>• In brownfield sites or infill sites, a minimum of 10% may be provided as public open space. Residential developments of 5 units or less may be exempt from the 15% open space provision on greenfield sites. The Council will determine on a case-by-case basis where it is demonstrated that the function of the space is not viable.</li> <li>• In addition to private open space, provided by the Developer, communal open space must also be provided for apartments, in accordance with the minimum standards set out in 'Sustainable Urban Housing, Design Standards for New Apartments' Section 28 Guidelines, (2020). Communal open</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development is an infill site and provides 21.4% open space. The application is accompanied by a landscaping proposal and landscape plans. The landscaping is designed to be easily managed.</li> <li>✓ The proposed development is an infill site and provides 21.4% open space.</li> <li>✓ Communal open space is provided for Cloonmore Avenue Apartments "B" in accordance with the guidelines as set out in the Housing Quality Assessment. <ul style="list-style-type: none"> <li>○ Other apartment types within the project do not benefit from dedicated communal open space</li> </ul> </li> </ul>

<p>space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons.</p> <ul style="list-style-type: none"> <li>The Council shall require that areas dedicated for public open space in a planning application are transferred to the ownership of the Council where the development is taken in charge by the Council.</li> </ul>	<p>but can avail of the public open space within the scheme. This will create a more inclusive and convivial development.</p> <ul style="list-style-type: none"> <li>✓ A taking in charge map is provided with the planning application.</li> </ul>
<p><b>1.5.4.5 Landscape Plans</b></p> <ul style="list-style-type: none"> <li>A detailed Landscaping Plan, prepared by a suitably qualified professional, is required to accompany any new housing scheme proposal of 10+ residential units or as required by the Planning Authority.</li> <li>The landscape plan will set out and specifically indicate how the overall approach is infrastructurally and ecologically resilient and provides varied landscapes that reflect the character of the area; it should also address the following: <ul style="list-style-type: none"> <li>○ Ecosystems services and carbon capture approach</li> <li>○ Green and blue infrastructure integration and linkages</li> <li>○ Urban Greening</li> <li>○ Biodiversity including pollinator friendly approach</li> <li>○ Nature based solution to hard infrastructure, including the provision of SUDs</li> <li>○ Maintenance without the use of chemicals</li> <li>○ Nature Based Play</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ A landscaping plan accompanies the planning application.</li> <li>✓ The landscaping plan and report are consistent with this policy objective.</li> </ul>
<p><b>1.5.4.6 Private Open Space</b></p> <ul style="list-style-type: none"> <li>All houses should have an area of private open space of a suitable gradient, exclusive of car parking, to the rear of the building line. The minimum area of private open space to be provided shall be in accordance with Table 1 for all new residential units.</li> <li>The prescribed private amenity space will allow for a private amenity area, which can accommodate the storage of bins/garden shed etc, and the provision of an area for vegetable growing, etc. Reduced quantum may be considered in respect of well-designed high-quality development where it can be demonstrated by the applicant the space is</li> </ul>	<ul style="list-style-type: none"> <li>✓ All house within the scheme include private open space.</li> <li>✓ The proposed private open space is consistent with this policy objective and is considered appropriately located, shaped and of a high quality.</li> </ul>

<p>usable, appropriately located &amp; shaped and of high quality</p> <ul style="list-style-type: none"> <li>It should be noted that housing developments which provide private open space at the minimum standard throughout the scheme will be discouraged.</li> </ul> <table border="1" data-bbox="209 456 783 689"> <thead> <tr> <th>No. of bedrooms</th><th>Minimum Private Open Space</th></tr> </thead> <tbody> <tr> <td>1-2 bedroom</td><td>50sqm</td></tr> <tr> <td>3 bedroom</td><td>60sqm</td></tr> <tr> <td>4 bedroom or more</td><td>75sqm</td></tr> <tr> <td colspan="2">*Reduced quantum may be considered in respect of housing for older people/ sheltered housing etc.</td></tr> </tbody> </table> <p><i>Table 1: Minimum Private Open Space Requirements for Dwelling Units</i></p>	No. of bedrooms	Minimum Private Open Space	1-2 bedroom	50sqm	3 bedroom	60sqm	4 bedroom or more	75sqm	*Reduced quantum may be considered in respect of housing for older people/ sheltered housing etc.		<ul style="list-style-type: none"> <li>✓ The terrace townhouse type is consistent with the minimum standards set out in table 1. <ul style="list-style-type: none"> <li>○ The Courtyard townhouse private amenity space does not meet this minimum standard. It is smaller to accommodate internal block layout and public opens space provision. This is considered acceptable considering it is a infill site in a regeneration area.</li> </ul> </li> </ul>
No. of bedrooms	Minimum Private Open Space										
1-2 bedroom	50sqm										
3 bedroom	60sqm										
4 bedroom or more	75sqm										
*Reduced quantum may be considered in respect of housing for older people/ sheltered housing etc.											
<p><b>1.5.4.7 Privacy</b></p> <p>Privacy is an essential factor in residential layout. Privacy can be ensured by attention to the alignment of new residential buildings and their relationship to each other. Good design in housing layouts, the configuration of houses and their relationship to each other, to open spaces and roads, should aim to provide layouts with adequate private open space and screening so as to achieve freedom from observation.</p>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this development standard. Due regard has been given to the protection of the privacy of adjoining dwellings.</li> </ul>										
<p><b>1.5.4.8 Maximum Site Coverage</b></p> <p>Site Coverage is determined by dividing the total area of ground covered by buildings, by the total ground area within the site (i.e. footprint of development/Area of site). A maximum of 85%, or up to the existing site coverage (brownfield sites) will be allowed for urban areas, and 65% site coverage other areas in rural areas ('one-off' housing).</p>	<ul style="list-style-type: none"> <li>✓ A site coverage of 28% is provided.</li> </ul>										
<p><b>1.5.4.9 Building Height</b></p> <p>Development proposals for higher buildings in proposed residential development, need to take account of the Development Management principles and satisfy Development management criteria as contained in the Ministerial Guidance document Urban Development and Building Heights (2018).</p>	<ul style="list-style-type: none"> <li>✓ The development is consistent with this development management standard.</li> </ul>										
<p><b>1.5.4.10 Minimum Separation Distance</b></p> <p>Between directly opposing above ground floor windows (first floor), a separation distance of 22 metres should generally be observed for new, reciprocal overlooking housing, although this will also</p>	<ul style="list-style-type: none"> <li>✓ The development is consistent with this development management standard.</li> </ul>										

<p>be informed by considerations such as typography, design, and housing type and mix.</p> <p>Innovative dwelling types, such as houses which have their main sleeping and living areas on one side, and circulation and bathrooms on the other, may allow for a reduction in this standard. Any window proposed at ground floor level should not be less than 1m from the boundary it faces.</p> <p>Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity.</p> <p>For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.</p> <p>A minimum of 2.2 meters shall be provided between the side walls of detached, semi-detached and end of terrace dwellings to ensure privacy and ease of access.</p>	<p>✓ The development is consistent with this development management standard. The Cloonmore Courtyard Townhouse Type 2 is separated from the Triplex Apartments by 4.8m.</p>
<p><b>1.5.4.11 Screen Walls in Urban Areas</b></p> <ul style="list-style-type: none"> <li>• Screen walls constructed of brick/ stone/ rendered blockwork, 1.8 metres in height, and constructed in accordance with current standards and regulations, shall be provided to enclose private open space and where the boundaries of the house sites abut roads, pedestrian ways or open spaces. The walls shall be capped and plastered on the public side, and the design and finish should be consistent with the design/finish of the house design.</li> <li>• Concrete post and timber/ concrete panel fencing may also be permitted for inter-site, side boundaries boundary treatment.</li> <li>• A uniform treatment for the boundaries of individual sites, which is capable of providing adequate privacy between properties, shall be implemented throughout a residential development.</li> <li>• Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments. Open plan gardens will not be allowed on main access roads.</li> <li>• Rear boundary walls or fences must generally be provided to a height of not more than 2 metres.</li> <li>• 1.8m side Garden walls should generally be presented behind the front building line of the dwelling only, to allow for the openness of residential development and to protect visual</li> </ul>	<ul style="list-style-type: none"> <li>○ The proposal is to use railings as the boundary treatment which will be softened with landscaping.</li> </ul> <p>✓ The development is consistent with this development management standard. The proposed boundary treatment type will provide privacy.</p> <p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p>

<p>amenities; lower-level walls may extend forward of this line.</p> <ul style="list-style-type: none"> <li>Boundary walls/enclosures should not present blank spanning facades onto thoroughfares. Design solutions may include the use of alternative site orientation and/ or dual aspect dwellings, including provision of side access/ egress arrangements.</li> </ul>	<p>✓ The development is consistent with this development management standard. Thoroughfares will be overlooked by dwellings.</p>
<p><b>1.5.4.12 WASTE MANAGEMENT</b></p> <ul style="list-style-type: none"> <li>An appropriately designated and screened refuse storage and collection points, including provision for recycling and composting storage, should be provided.</li> <li>Access to these areas and roads within the estate should be suitable for waste collection vehicles.</li> <li>In the case of communal refuse, recycling and composting storage, the collection point should be accessible both to the waste collection vehicles and to the resident and be secured against illegal dumping by non-residents.</li> <li>Refuse storage areas should not be located immediately adjacent to the front door or ground floor window(s) unless adequate screened alcoves or other such mitigation measures are provided.</li> <li>For individual houses, the applicant/ developer must identify the proposed location and design of bin storage to serve each dwelling.</li> </ul>	<p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p> <p>✓ The development is consistent with this development management standard.</p>
<p><b>1.5.4.13 PHASING</b></p> <p>The Council will require a detailed phasing plan to be submitted with any planning application for residential or mixed-use development. The Phasing Plan shall indicate how each phase shall be completed satisfactorily, in terms of roads/lighting/landscaping, etc. prior to an additional phase commencing.</p>	<p>✓ The development is consistent with this development management standard. A phasing plan has been provided.</p>
<p><b>1.5.4.14 SERVICES</b></p> <p>Provision shall be made for the location of all services underground. Water mains, foul and storm sewers shall be laid, where possible, under the estate roadways. 10m wayleaves shall be provided for underground public services in private areas.</p>	<p>✓ The development is consistent with this development management standard.</p>
<p><b>1.5.4.16 CONSTRUCTION WASTE MANAGEMENT PLAN</b></p> <p>A management plan for the reuse, recycling or disposal of Construction &amp; Demolition waste will be required to be submitted as part of an application.</p>	<p>✓ The development is consistent with this development management standard. A management plan has been provided.</p>



<p><b>1.5.5 APARTMENT STANDARDS</b></p> <p>Apartments will play an increasing role in the provision of units to provide for a variety of households and tenures and can make a positive contribution towards housing particularly in urban/village settings on infill and brownfield sites. The design and layout of new apartments should provide comfortable accommodation for a variety of household types and sizes – including families with children - over the medium to long term. All planning applications for apartments are required to demonstrate compliance with <i>Sustainable Urban Housing: Design Standards for New Apartments, Guidelines 2020</i> and any updates thereof. While these guidelines set out minimum design standards, the Council strongly encourage the provision of apartments above these standards, in the interest of creating attractive living environments and sustainable communities.</p> <p>All apartment schemes should provide for a mix of units; comprising of one bedroom, two-bedroom and family units.</p> <p>Private open space for apartments should be provided in the form of patios, balconies or roof gardens, with patios and balconies forming an integral part of the scheme design. Communal open spaces should form an integral part of scheme design, be screened from full public view and public access, and should be restricted through design and/or formal barriers.</p> <p>Apartment development proposals will be assessed having regard to the following requirements:</p> <ul style="list-style-type: none"> <li>• Mix of units to cater for different size households</li> <li>• Aspect- dual aspect units are encouraged</li> <li>• Floor areas and room widths</li> <li>• Private and communal amenity space</li> <li>• Floor to ceiling height</li> <li>• Storage &amp; bin provision</li> <li>• Car and bicycle parking</li> <li>• EV Charging points</li> <li>• Lift/ stair core access</li> <li>• Adaptability</li> </ul>	<ul style="list-style-type: none"> <li>○ The development is consistent with this development management standard.</li> </ul> <ul style="list-style-type: none"> <li>✓ The development is consistent with this development management standard.</li> <li>✓ The development is consistent with this development management standard.</li> <li>✓ Communal open space is provided for Cloonmore Avenue Apartments “B” in accordance with the guidelines as set out in the Housing Quality Assessment.</li> <li>○ Other apartment types within the project do not benefit from dedicated communal open space but can avail of the public open space within the scheme. This will create a more inclusive and convivial development.</li> </ul>
<p><b>1.5.5.1 MINIMUM SPACE REQUIREMENTS FOR APARTMENTS</b></p> <p>The size of a dwelling is a key determinant of its liveability and its adaptability to new household requirements and needs and therefore fulfilling ‘lifecycle’ needs. Minimum Requirements for Apartment Floor Areas are set out per the Design Standards for New Apartments, Guidelines for Planning Authorities (2020). In this regard, the areas listed (Specific Planning Policy Requirement 3) are minimum standards and should not be taken as the norm for all developments, higher floor areas will be encouraged in the County.</p>	<ul style="list-style-type: none"> <li>✓ The development is consistent with this development management standard. The overall average size of Apartments is 111% with an average 11% over minimum sizes.</li> </ul>

Apartment type	Minimum Floor Area	
Studio (1 person)	37 sqm	
1- bedroom apartment (2 persons)	45 sqm	
2-bedroom apartment (3 persons)	63 sqm	
2-bedroom apartment (4 persons)	73 sqm	
3-bedroom apartment (5 persons)	90 sqm	

**Table 2: Specific Planning Policy Requirement 3 (Minimum Apartment Floor Areas)**

In the interests of sustainable and good quality urban development the Guidelines state that the above standards should be applied in a way that ensures delivery of apartments not built down to a minimum standard, but that reflect a good mix of apartment sizes. Accordingly, it is a requirement 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%). Provision should also be made for general storage particularly for bulky items not in daily use for example suitcases/vacuum cleaners etc. and these storage areas should be additional to kitchen presses and bedroom furniture.*

The Guidelines set out a Specific Planning Policy Requirement (no. 1 and no. 2) in relation to acceptable apartment mix parameters, which must be adhered to.

**1.5.5.2 DUAL ASPECT REQUIREMENTS**

In duplex type or smaller apartment blocks that form part of mixed housing schemes in suburban areas, dual aspect provision is generally achievable. In more urban schemes, where there may be a terraced or perimeter block pattern wholly or partly fronting a street, this may not be the case. Ultimately, the daylighting and orientation of living spaces is the most important objective. The Design Standards for New Apartments Guidelines 2020, provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes:

**Specific Planning Policy Requirement 4:**

- A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a

✓ The development is consistent with this development management standard. Overall for all types(including houses) 80% are dual aspect 20% are sun facing single aspect.

<p><i>quality design in response to the subject site characteristics and ensure good street frontage where appropriate.</i></p> <ul style="list-style-type: none"> <li><i>In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. Ideally, any 3-bedroom apartments should be dual aspect.</i></li> <li><i>For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha,</i></li> <li><i>planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.</i></li> </ul>	
<p><b>1.5.5.3 COMMUNAL OPEN SPACE</b></p> <p>In addition to private open space, provided by the Developer, communal open space must also be provided for apartments, in accordance with the minimum standards set out in ‘Sustainable Urban Housing, Design Standards for New Apartments’ Section 28 Guidelines, (2020). The minimum required areas for public communal amenity space are set out in Appendix 1 of the Guidelines. While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a ‘privacy strip’ between the two. Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons.</p>	<ul style="list-style-type: none"> <li>✓ Communal open space is provided for Cloonmore Avenue Apartments “B” in accordance with the guidelines as set out in the Housing Quality Assessment.</li> <li>○ Other apartment types within the project do not benefit from dedicated communal open space but can avail of the public open space within the scheme. This will create a more inclusive and convivial development.</li> </ul>
<p><b>1.5.5.4 APARTMENT FLOOR TO CEILING HEIGHT</b></p> <p>Floor-to-ceiling height affects the internal amenities of apartments, in terms of sunlight/ daylight, storage space, and ventilation. This is most significant at ground level, where the potential for overshadowing is greatest. Ground level floor to ceiling height will also influence the future adaptability of individual apartments for potential alternative uses, which will vary depending on location:</p> <p><b>Specific Planning Policy Requirement 5</b></p> <ul style="list-style-type: none"> <li><i>Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ The development is consistent with this development management standard. Ground level apartments within the development are a minimum of 3.0m. The apartments do not front onto or adjoin busy commercial streets.</li> </ul>

<p><i>urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.</i></p> <p>In certain main urban centre locations, where apartments front onto or adjoin busy commercial streets with significant pedestrian footfall, the need for future adaptability of ground floor areas from residential to potential commercial uses in the future should be considered. Planning authorities may require ground floor apartment floor to ceiling heights to be a minimum of 3.5 - 4m metres generally, in such specific cases.</p>	
<p><b>1.6 ARCHITECTURE, ARCHAEOLOGY AND CULTURE</b></p>	
<p><b>1.6.8 Archaeological Conservation and Preservation (Urban &amp; Rural Areas)</b></p> <p>The National Monuments Acts 1930-2004 provide for the protection of archaeological heritage, including the establishment of a Record of Monuments and Places (RMP), which is a national inventory of archaeological sites and monuments. Some archaeological sites and monuments may also be of significant architectural heritage value and afforded dual protection as a Recorded/National Monument under the National Monuments Acts and as a protected structure under the Planning and Development Acts. The Department of Arts, Heritage and the Gaeltacht's full database of archaeological monuments can be accessed at <a href="http://www.archaeology.ie">www.archaeology.ie</a>.</p> <p>In considering proposals for development, applicants are advised to consult the Archaeological Constraints Maps (available for viewing in the Planning Department) to ascertain whether their development is in an area of archaeological potential. Developers are strongly advised to have pre-application discussions if their site is located in such an area. In general, development within a 20m radius of a recorded monument will not be permitted; and proposed development within a 75 metres radius discouraged (subject to other policies contained within this Plan).</p> <p>All planning applications for new development, redevelopment, any ground works, refurbishment and restoration, etc. within areas of archaeological potential or within close proximity to Recorded Monuments must take account of the archaeological heritage of the area and the need for archaeological mitigation. Any persons proposing to carry out works at or in relation to a recorded monument must give 2 months written.</p>	<p>✓ The development is consistent with this development management standard. The LRD application is accompanied by a 'Final Archaeological Testing Report' prepared by Laur Dunne.</p>

<b>1.14 INFRASTRUCTURE, UTILITIES</b>	
<p><b>1.14.2 LIGHTING AND ILLUMINATION</b></p> <p>Functioning public lighting that is well designed, energy efficient and suitably located is of critical importance to our urban communities.</p> <p>It is important that trees and other vegetation do not impede the functions of public lighting units. Trees planted in close proximity to public lighting can block the light, rendering the light useless. This can lead to road safety issues, security concerns for residents and to demands on the Council to prune or remove the problematic trees. It is the policy of the Council that all public lighting proposals shall be in accordance with the Council's Public Lighting policy. Limiting light pollution is important in the interests of nature conservation, residential amenity and energy efficiency. If it is proposed to provide external illumination for any proposal then it would be necessary to demonstrate that light or glare from any such illumination will not adversely affect pedestrian, vehicular traffic, protected species and adjacent property. Lighting proposals will also be required, where applicable, to demonstrate that they do not interfere with the integrity of the Kerry Dark Sky Reserve.</p> <p>The following good practice should be considered for development proposals:</p> <ul style="list-style-type: none"> <li>• Adequately light the area or object without using more light than necessary</li> <li>• Provide safety for all users, whether motorists, services, pedestrians or cyclists</li> <li>• Eliminate or minimise glare and excessive lighting</li> <li>• Prevent light trespass</li> <li>• Minimise sky glow</li> <li>• Choose light fixtures to allow for aesthetic considerations</li> <li>• Maximise energy efficiency</li> <li>• Take cognisance of protected species, where applicable</li> <li>• Have regard to Bat Conservation Trust 2018 Guideline Note 08/18</li> </ul>	<p>✓ The development is consistent with this development management standard. A public lighting plan is provided. A description of the public lighting plan and key considerations are outlined in the Civil Utilities Report.</p>
<p><b>1.20 TRANSPORT, MOVEMENT &amp; PARKING STANDARDS</b></p> <p>As part of the strategy of supporting the integration of land use and transportation and promoting a modal shift away from a dependence on the private car, new developments shall, as far as possible, include provision for sustainable modes of transport such as walking, cycling, and public transport.</p>	<p>✓ The development is consistent with this development management standard.</p>

<p>The potential impact of any development on the public road network is an important consideration of the Planning Authority when assessing a planning application for development.</p> <p>Proposals seeking access to public roads will be accessed in accordance with the relevant design standards; the Design Manual for Roads and Bridge (DMRB), 2011 in rural areas; the Design Manual for Urban Roads and Streets (DMURS) in urban locations and the Spatial Planning and National Roads - Guidance for Planning Authorities 2012, and TII guidance and publications.</p> <p>To protect the integrity of Kerry's Road network the following applies:</p> <ul style="list-style-type: none"> <li>• The creation of new access or the generation of increased traffic from existing accesses onto national roads will not be permitted, in the interest of safety, preserving the capacity and the efficiency of these roads (see the TII guidance and publications and also Chapter 14 Connectivity).</li> </ul> <p>All applications seeking access on the road network will be assessed in accordance with national standards and guidance. Considerations will include:</p> <ul style="list-style-type: none"> <li>• Classification of the road.</li> <li>• Speed limit.</li> <li>• Width, carrying capacity.</li> <li>• condition of the road.</li> <li>• Drainage.</li> <li>• Vertical and horizontal alignment of the road.</li> <li>• Junctions in the vicinity.</li> <li>• Nature, scale, type of activity seeking access to the road network.</li> <li>• Traffic likely to be generated, type of vehicles.</li> <li>• Technical design of access and sightline visibility and stopping distances and general safety. Sight distances and stopping sight distances should comply with current NTA road geometry standards and guidance documents listed above and any subsequent documents.</li> </ul> <p>Traffic and Transport Assessment (TTA) and Road Safety Audits (RSA) are required to accompany planning applications for developments with significant potential to generate traffic and or which could have a significant impact on a major road, such as the intensification of the use of an existing access due to the activities undertaken on the site. Refer to Traffic and Transport Assessment Guidelines PE-PDV-02045, TII 2014 (available on tiipublications.ie) and the Spatial Planning and National Road Guidelines, 2012. Refer to Section 3.4 of the 2012 Guidelines for further information on the methodology when preparing TTAs. The Council will also be guided by the Traffic Management Guidelines 2017 (available on gov.ie) and any subsequent national guidance</p>	<p>✓ The proposal is consistent with this Development Management Standard. The proposal seeks access onto the Completed Phase 1 Link Road. The application is supported by a DMURS Design Statement.</p> <p>✓ The proposal is consistent with this Development Management Standard. A new access onto a national road will not be created.</p> <p>✓ The proposal is consistent with this Development Management Standard. The proposal is supported by a TTA and an RSA. The design of the scheme has been informed by these assessments.</p>
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<p>documents. Guidance on the methodology of the road safety audit is available in the TII publications Road Safety Audit Guidelines GE-STY-01027, 2017.</p> <p>In addition to the above, developers may be required to submit a Road Safety Impact Assessment (RSIA). RSIA is a separate process to RSA. While RSA examines the safety aspects within a scheme, RSIA considers the safety impact of a scheme on the surrounding road network. RSIA and RSA both work to improve the safety performance of new roads and existing roads that require modifications due to projects or proposals. Both have consequences for the design and layout of any project.</p>	
<p><b>1.20.2 PARKING</b></p> <p>Whilst this Plan promotes a modal shift away from the private car to more sustainable modes of transport, the car will continue to be an important mode of transport, and therefore there will normally be a requirement to provide car parking as part of a development.</p> <p>Car parking should be provided in accordance with the standards set out in Table 3 below. Spaces may be provided on site or on street. Car parking should be located to the rear of building lines where possible.</p> <p>Appropriately designed on-street, car-parking will be encouraged to facilitate increases in residential densities at appropriate locations. This parking may be provided as a shared parking area or bay which may be integrated into the overall development or provided on street where road widths are developed to adequate standards. In general, no more than 10-15 spaces will be provided in a shared parking cluster, in the interest of visual amenity. Within group parking areas, consideration will be given to the visibility of residents' cars (from their homes if possible), convenience and the need to soften the impact of group parking by landscaping.</p> <p>In relation to infill sites and sites adjacent to public transport corridors or civic parking facility, a flexible application of standards will be considered. In addition to car parking, sufficient space will be required within a development site for all service vehicles necessary for the operation of the business or building, including drop-off areas, loading/unloading areas etc. Large areas of car parking should be accompanied by a landscaping plan to mitigate the visual impact of same.</p> <p>The following should be taken into account as part of all development proposed:</p> <ul style="list-style-type: none"> <li>• Age Friendly car parking spaces should generally be provided, where possible, in all developments.</li> </ul>	<p>✓ The proposal is consistent with this Development Management Standard.</p> <p>✓ The proposal is consistent with this Development Management Standard. On-street parking is provided.</p> <p>✓ The proposal is consistent with this Development Management Standard. The site is an infill site and close to public transport. The proposal is supported by a landscaping plan to mitigate visual impacts.</p>



<ul style="list-style-type: none"> <li>• Rapid EV charging points(s) should be provided, clearly marked and to the requirements of ESB networks at buildings that operate in accordance with the new EU (Energy Performance of Buildings) Regulations 2021 for Electric Vehicle recharging infrastructure.</li> <li>• In relation to Car Parking Design Standard Dimensions refer to Section 16 of the DoEHLG/DoT/DTO Traffic Management Guidelines and to the Metric Handbook Planning and Design Data (3rd Edition) and to the Design Manual of Roads and Streets DMURS (as amended).</li> </ul> <table border="1"> <thead> <tr> <th>Parking Space</th><th>Dimensions</th></tr> </thead> <tbody> <tr> <td>Perpendicular to kerb</td><td>5.0m x 2.5m</td></tr> <tr> <td>Adjacent to a wall or other obstruction</td><td>5.0m x 2.75m</td></tr> <tr> <td>Parallel to the kerb</td><td>6.0m x 2.5m</td></tr> <tr> <td>Accessible Parking Bay</td><td>5.0m x 2.5m plus 1.2m to side and rear of each space</td></tr> <tr> <td>Loading Bay</td><td>6.0m x 3.0m</td></tr> <tr> <td>Circulation areas</td><td>6.0m in width</td></tr> </tbody> </table> <p><i>Table 3: Parking Space Dimensions</i></p>	Parking Space	Dimensions	Perpendicular to kerb	5.0m x 2.5m	Adjacent to a wall or other obstruction	5.0m x 2.75m	Parallel to the kerb	6.0m x 2.5m	Accessible Parking Bay	5.0m x 2.5m plus 1.2m to side and rear of each space	Loading Bay	6.0m x 3.0m	Circulation areas	6.0m in width	
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Circulation areas	6.0m in width														
<p><b>1.20.6 PARKING IN RESIDENTIAL AREAS</b></p> <p>In general, residential layouts should not be dominated by car parking along access roads. New residential development should take account of the following criteria:</p> <ul style="list-style-type: none"> <li>• The design standards and guidance set out in the Design Manual of Roads and Streets DMURS (as amended).</li> <li>• Car parking for detached and semi-detached housing should generally be within the curtilage of the individual house site.</li> <li>• Car parking for apartments should generally be at basement level. Where this is not possible, parking should be in small scale informal groups overlooked by residential units</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposal is consistent with this Development Management Standard. The design has been informed by DMURS as set out in the DMURS Design Statement.</li> <li>✓ The development includes on street parking for all units.</li> </ul>														

### 1.20.7 CAR PARKING STANDARDS

Car parking requirement in the towns and villages in the County should be reflective of the anticipated parking demand.

Table 4 illustrates the car parking standards for different types of development. (It should be noted that a flexible approach to these standards may be applied where such a case is substantiated, there is no traffic safety issue, and it is clearly demonstrated to the Planning Authority in the interest of proper planning and development, that the standard should be adjusted to facilitate the site-specific context).

These planning areas are as follows:

Area 1 Retail core areas (Tralee, Killarney & Listowel)

Area 2 Lands Located within town centres (Areas zoned M2)

Area 3 All other areas (& other settlements)

(note: the retail core & town centres M2 lands are shown on the land use zoning maps in the relevant towns plan & LAPs)

Table 4: Parking Requirements

Land Use	Units	Parking Space (maximum)			Bike space
		Area 1	Area 2	Area 3	
<b>Dwelling House</b>					
Town/village	1 Dwelling	0	1	2	1
Housing Estate	1 Dwelling	0	0	2	1
	+ visitor space/per dwelling	0	0	0.5	0
<b>Apartment</b>	Per bedroom	0	1	1	1

- ✓ The proposal is consistent with this Development Management Standard. The site is located within Area 3. It is within walking distance of the town centre and public transport. It will not exceed the maximum parking requirements. The encourage cycling 330 Cycle Spaces are included and for the 147 residential units.

### 1.20.7.1 NUMBER OF EV CHARGE POINT REQUIREMENTS.

Development Category	EV Charging Point
Residential multi-unit developments both new buildings and buildings undergoing major renovations (with private car spaces including visitor car parking spaces).	A minimum of 1 EV charge point space per five car parking spaces (ducting for every parking space shall also be provided).

- The proposal is consistent with this Development Management Standard. EV charging points have been indicated on the planning drawings.

### 1.20.8 ACCESSIBLE CAR PARKING

Car parking provision shall be provided for the disabled and mobility impaired in all car-parking developments and should be located in the most convenient locations for ease of uses. The minimum criteria for such parking provisions are detailed in the National Disability Authority Guidelines Building for Everyone published in 2012 (including any updated/superseding document). Provision of four spaces in every 100, and one space for every 100 after for buildings not normally visited by the public. For

- The proposal is consistent with this Development Management Standard. 7 accessible car parking spaces are supplied for the 102 car parking spaces.

<p>buildings that the public are likely to visit the following standards should apply:</p> <ul style="list-style-type: none"> <li>• 1 space within 5 – 25 spaces</li> <li>• 3 spaces within 25 – 50 spaces</li> <li>• 4 spaces within 50- 75 spaces</li> <li>• 5 spaces within 75 – 100 spaces</li> <li>• 3 spaces per 100 thereafter</li> </ul> <p>Age Friendly car parking spaces should generally be provided, where possible, in all developments and in main towns, near strategic areas e.g. Post office, credit union, doctors’ surgery, civic buildings, etc.</p>	
<p><b>1.20.9 BICYCLE PARKING STANDARDS</b></p> <p>In compliance with Smarter Travel Policies, secure cycle parking facilities shall be provided in new office, residential, retail and employment generating development.</p> <p>All new development included in any of the land use classes should provide a bicycle parking bay/bike shelter.</p> <p>Larger developments should provide a broad range of facilities for cyclists to encourage increased cycle usage, including cycle parking facilities and associated facilities such as air pump to reflate flat tyres, lockers, changing rooms and shower facilities. Bicycle parking shall be located in a prominent position within 30m of the facility served. A bicycle parking bay shall be 0.8m wide and 1.8m long. The bicycle park should have a shelter and be signposted. Provision must be made in the development for bicycle parking spaces in accordance with the standards outlined within The National Cycle Manual, by the National Transport Authority. In particular Section 5.5.7 deals with the allocation of cycle parking for developments and includes the following:</p> <ul style="list-style-type: none"> <li>• Housing Developments: 1 private secure bicycle space per bed space (note - design should not require bicycle access via living area), minimum 2 spaces 1 visitor bicycle space per two housing units.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The proposal is consistent with this Development Management Standard. Secure cycles parking has been provided within the project for apartments. 330 Cycle Spaces are included and for the 147 residential units.</li> </ul>
<p><b>1.20.11 VISUAL IMPACT OF CAR PARKING.</b></p> <p>Large areas of extensive parking in public view should be avoided. Carparking should be located to the rear of buildings and services. The visual impact of large areas of parking should be reduced by the use of screen planting, low walls and the use of different textures or coloured paving for car parking bays.</p>	<ul style="list-style-type: none"> <li>▪ The proposal is consistent with this Development Management Standard. The visual impact of the Car parking will be reduced through the use of rain gardens and trees.</li> </ul>

## 8. Planning Assessment

### 8.1 Principle of Development

The principle of development is considered acceptable. The subject site is located within the Mitchel's and Boherbee Regeneration Area and is an area identified as being in need of major regeneration in order to deal with the underlying physical, economic and social problems that have affected the area.

The site is fully serviced and in an urban location. The proposal is for a residential development on land zoned R2 Existing Residential. The objective of this zone is to 'Provide for residential development and protect and improve residential amenity'. The description of the zone is references that it is, 'For existing predominately residential areas allowing for the protection of existing residential amenity balanced with new infill development'.

Under the Kerry County Development Plan, Volume 6, section 1.3.2 Development in Existing Residential/Built Up Areas (R2/M2/M4), it states:

*'Within predominantly built up areas, development proposals normally involve infill development, redevelopment or refurbishment or changes of use. It is important to recognise that this is part of the cycle of development or redevelopment in settlements that contributes to the character of towns. In many ways, this is more sustainable than continually encouraging growth to concentrate only towards undeveloped areas. Indeed, a mix of harmonious uses is often considered a desirable and attractive characteristic.'*

The proposal is considered to be an infill development having regard to the established settlement pattern. The proposal will contribute to the target of at least 30% of new housing being delivered within the existing built-up areas of settlements on infill and/or brownfield sites.

The demolition of the proposed dwellings to Boherbee is considered acceptable in principle, the dwellings are of no particular architectural merit and the loss of these dwelling to the streetfront is not unduly detrimental to the streetscape at this location.

The residential development is consistent with NPF NPO 33, Housing for All pathways on increasing new housing supply, RSES RPO 11, RPO 43 Regeneration, Brownfield, and Infill Development, the zoning objectives for the site as set out in the CDP and KCDP 4-27 of the CDP. Therefore, the proposal should be viewed positively subject to the detailed matters and otherwise site specifics.

### 8.2 Configuration of Site

Previous proposals for the site related to only two of the plots. The applicant has since purchased a further two plots to increase the site area and ensure that the development will comprise a lead to a cohesive form of development which responds positively to the sites location in a regeneration area. The new configuration of the site has been discussed at pre- application meetings and deemed appropriate. The site is of sufficient size to deliver a large scale residential development in a regeneration area.

### 8.3 Housing Mix

As set out in the Development Management guidelines in the County Development plan, planning applications for 15+ residential units will be required to incorporate a variety and choice of housing units by type and size to meet differing household needs and requirements, as informed by the HNDA.

The average household size in Kerry decreased from 2.65 in 2011 to 2.6 in 2016, which continues a decreasing trend. The pattern of family formation in Kerry is mostly characterised by two person households (29.2%) followed by single-persons households (27.5%). The share that most types of household have of the total has remained static between 2011 and 2016, with the number of 1 person households exhibiting the only increase.

The schedule of accommodation set out under table 1 of this Statement highlights that a mix of unit types and sizes will be provided as part of the project which includes townhouses and apartments. The proposed mix is considered to be appropriate to its location and the dwellings will provide an attractive housing in a central location. The unit sizes cater predominantly for 1-2 person households which is the majority of households in Kerry. This mix is considered to be consistent with CDP Policies KDCP 6-17 & KDCP 7-9 Housing Mix, and Local Area Plan Policy TR-R-03.

## 8.4 Density

The density of the scheme will be 97.7 units per hectare. This is considered to be consistent with planning policy. The CDP volume 6 section 1.5.2 identifies that in general density should be in accordance with various national and regional policy and guidelines. The Guidelines For Planning Authorities On Sustainable Residential development in Urban Areas (2009) note that subject to appropriate design and amenity standards, a minimum of net density of 50 dwellings per hectare should be applied near train stations / bus stations.

RSES Policy RPO11 identifies that the nature, scale and phasing of the growth will be determined by local authorities depending on a capacity analysis of each town. The proposed density is considered to be consistent with the proper planning and sustainable development of the area.

The appeal for the second proposal (ref: ABP 311007-21) had a design with a density of 103 units per hectare. The Planning Inspectorate stated in response to this level of density that,

*'In principle and whilst high, there is no impediment in terms of maximum densities on such a site. Notwithstanding, the acceptability or otherwise of the proposal is predicated on other planning considerations being met including the acceptability of the design solution, impact on amenities of adjoining property, the securing of adequate amenities for prospective occupants and access and traffic'*

Similarly, with this project the acceptability of the density is predicated on other planning considerations. The proposed density was supported at pre-planning stage with Kerry County Council.

## 8.5 Design & Layout

An Architectural & Urban Design Statement which sets out the key design principles that underline the proposal and describe the context of the site is submitted with this LRD Application, please refer to this document for a full assessment and overview of the design proposal.

In summary, the proposal aims to achieve a high-quality design and layout which has been informed by pre-application discussions and creates an excellent place to live. The proposal is considered to be consistent with Kerry County Development Plan policy KCDP 4-15 in relation to Urban Design and the Urban Design Manual – A Best Practice Guide.

Key features of the development include perimeter blocks overlooking public spaces, large open spaces and increased pedestrian permeability.

## 8.6 Affordable Housing

As part of a Part V proposal it is proposed to provide a sheltered apartment block (Block B on the submitted architectural drawings) with 66 no. units or 45% of units. This will exceed the 20% affordable housing requirement. The proposal is consistent with Kerry County Development Plan Policy KCDP 7-7, 'Ensure that arrangements for the provision of Social Housing are made having regard to the current Housing Strategy in accordance with Part V of the Planning & Development Act 2000 as amended.' The LRD application is supported by a Part V letter which sets out the Part V options for consideration as agreed with the Housing Department at Kerry County Council. This proposal represents a unique opportunity to deliver a significant amount of much needed social housing within Tralee.

## 8.7 Creche

Within the Kerry County Development Plan Policy KCDP 6-52 Childcare states:

*'Facilitate the provision of childcare facilities and new and refurbished schools on well-located sites within or close to existing built-up areas, that meet the diverse needs of local populations.'*

Details for the provision of childcare are set out under Volume 6 of the Plan under section 1.7.2 Childcare Facilities, this section states:

*'There shall be appropriate provision of at least one childcare facility to cater for 20 places in developments of 75 houses, including local authority and social housing schemes in accordance with DoEHLG Guidelines.'*

Within the 'Sustainable Urban Housing Design Standards for New Apartments (2022)', Section 4.7 states that:

*'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms'*

The proposal is for 147 units, including 66 sheltered units. The units comprise:

- 51 no. 1 bed apartments
- 78 no. 2 bed apartments
- 14 no. 2 bed townhouses
- 4 no. 3 bed townhouses

Accordingly, removing the 1 bed apartments reduces the number of childcare qualifying units to  $(147 - 51 =) 96$  dwellings. Discounting 30% of the 2 bed apartments reduces the total number childcare qualifying units to  $(96 - 23 =) 73$  dwellings. It is considered that the provision of a childcare facility is not required because the total number of qualifying dwellings is less than 75 dwellings.

It is also reasoned that the requirement for childcare generated by the scheme may be even lower because it is proposed to include 44% sheltered housing and the whole project is 86% apartments. Contextually, apartments comprise less than 5% of the housing market in the County and traditionally apartment forms have not been the preferred housing type for families with children. Across Ireland only 7% of children between 0-12 years of age live in apartments (census 2016). The remaining 93% live in a house form. It would not be reasonable to require a childcare facility from this project.

## **8.8 Highways and Access**

The proposed site benefits from a vehicular access road onto public road constructed to facilitate the new Gaelcholáiste Chiarraí building. Additionally pedestrian and cycle access will be provided onto Boherbee to create permeability.

A traffic and transport assessment, Road Safe Audit and DMURS Design Statement have been supplied with the planning application and highlight that the proposed development.

Parking is provided at a rate of 0.33 car spaces per sheltered apartment and 1 car space per residence elsewhere. The level of parking is considered acceptable for this centrally located site which is within walking distance so the town centre and public transport. It is consistent with National, Regional and Local Planning Policy which all seek to support a shift to more sustainable forms of transport.

With regards to parking levels it was noted stated by the Planning Inspector in the previous proposal identified that a provision of 0.80 spaces per residential unit is acceptable. On this basis it is considered that the level of parking proposed through this scheme is sufficient based on the tenures proposed and location of the site.

## **8.9 Residential Amenity**

A key design consideration was protection of the amenity of the adjoining residential properties. The proposed dwellings are positioned more than 22m from the rear wall of the existing dwellings. The design of the scheme ensures that existing residential properties will not be unacceptably impacted by noise, overlooking or overshadowing.

## **8.10 Landscaping**

Landscaping is a key aspect of this proposal and will ensure the development creates a high quality and attractive place to live. The initial landscape design strategy for the proposal has been developed by John Phelan Architects and take account of planning policy in the Kerry County Development Plan including: 1.3.2 Ecosystem Services Approach and Green Infrastructure, 1.5.4.3 Climate Resilience, 1.5.4.4 Public Open Space, and 1.5.4.5 Landscape Plans.

The proposed development includes 3,738sqm (21.4%) of public and communal open space and this is more than double the minimum requirement of 10% for brownfield sites. The proposals for landscaping are considered to be compliant with planning policy.



8.11 Heritage



Figure 10 Historic Environment Viewer

There are no know features of archaeological significance on the site or protected structures and the site is located outside of an Architectural Conservation Area as highlighted on the above extract from the Historic Environment Viewer. In accordance with RSES RPO 207 and Development Plan policy KCDP 8-22 & 8-23 Protection of Archaeological Sites, the LRD application is accompanied by a ‘Final Archaeological Testing Report’ prepared by Laur Dunne.

8.12 Flooding

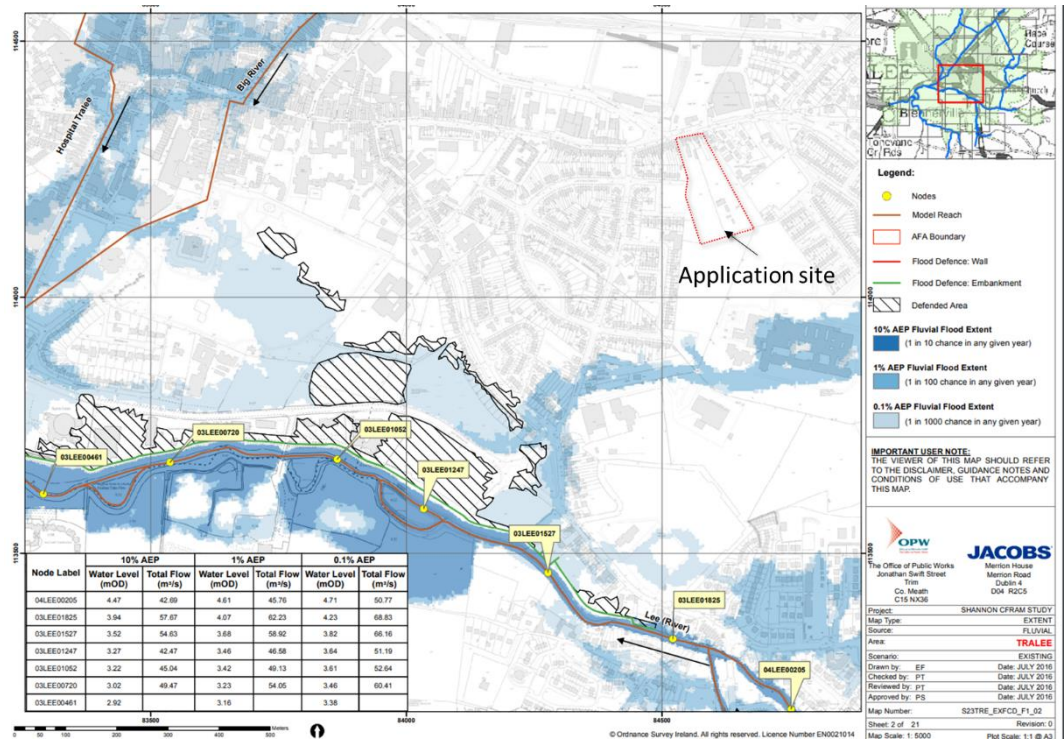


Figure 11 Floodinfo Map

As highlighted on the Floodinfo Map and in the Flood Risk Assessment the application site is located in flood zone C and residential development is acceptable in principle in this location. The proposal is designed to deliver greenfield run-off rates for surface water and will not increase the risk of flooding elsewhere.

### **8.13 EIAR**

An EIA screening is submitted in support of the LRD application. It concludes that having regard to the size, nature, location and characteristics of the proposal, it is considered that the proposed development would not have a significant effect on the environment or warrant an EIA.

### **8.14 Ecological**

An AA screening Report is submitted in support of the LRD application. The report concludes that, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on the Natura 2000 sites within the potential zone of impact influence of the proposed development, in view of the site's conservation objectives, and therefore Stage 2 Appropriate Assessment is not required in relation to the proposal described in this report.

The LRD application is also supported by an Ecological Impact Assessment. This assessment concludes that the residual impacts on biodiversity including impacts to designated sites, habitats, flora, fauna and water quality are not considered significant provided best practice methodologies and mitigation measures are employed during the construction and/or operational phases. The application of construction and operational phase mitigation and protection measures will ensure that no significant residual ecological impacts, either alone or cumulatively with other plans or projects, will arise from the project.

### **8.15 Glint and Glare**

Due to the sites location adjoining the Kerry University Hospital a Glint and Glare Assessment has been prepared to assess the potential impact of the proposed roof-mounted solar panels within the project. The report confirms that it is considered that there will not be any hazardous glint and glare effects upon the identified aviation receptors at University Hospital Kerry helicopter landing/take-off point, as a result of the proposed roof-mounted solar PV panels.

## **9. Conclusion**

The proposed development comprises of 147 no. residential units, and all associated ancillary development including parking, footpaths, foul and storm water drainage, landscaping and amenity areas at Cloon More, Tralee. The design of which has been developed through previous pre-planning discussions.

The subject site is within a regeneration area targeted for renewal and in a designated 'Key Town' which is targeted for growth. It is on land zoned R2 Existing Residential, contiguous with residential development, and sustainably located within a 10 minute walk of the town centre and public transport options.

The site is not at risk of flooding. The need for an EIA or NIS have been screened out. There are no cultural constraints or impediments. The amenity of existing residents will be protected.

The accompanying engineering report confirms that all services and utilities necessary to facilitate the development are available and achievable.

The design of the scheme has responded positively to the Road Safety Audit. The Traffic and Transport Assessment confirms that the development can be accommodated by the relevant road junctions.

The development will make a number of positive contributions to the area including:

- High quality residential development with mix of housing types and sizes, including a substantial Part V Housing provision,
- High quality pedestrian friendly public realm and opens spaces which provide for integrational needs, and
- A net gain in trees with 150 mixed trees and 200 shrubs and a wide range of Rain Garden Planting and only 38 trees to be removed through the development proposal.

Based on the above, the proposal represents a positive contribution to the regeneration area. It is considered that the proposed development is in accordance with the proper planning and sustainable development of the area and as such we request that planning permission is granted for this LRD application.

# **Appendix 1**

## **LRD Opinion Letter**



Thursday 15<sup>th</sup> June 2023

Mr John Phelan,  
John Phelan Architects,  
26 Castlecountess,  
Tralee,  
County Kerry

**Re: Large Residential Development Opinion**

Dear Mr Phelan,

I wish to refer to the above and to the pre-planning meeting held on the 25<sup>th</sup> May 2023.

Having regard to :

- (a) The 'Existing Residential' Zoning of the land,
- (b) The planning history on the site,
- (c) The proposed vehicular access to the site from the newly constructed Phase 1 of Ballymullen to Clash Link Road,
- (d) The feasibility of connection of the development to public water supply and public foul sewerage networks,
- (e) The draft layout of the proposed development,
- (f) The density and housing mix proposed,
- (g) The distance of the site from the nearest Natura 2000 Site,
- (h) The location in Flood Zone C,

The Planning Authority recommends the draft proposed development constitutes a reasonable basis on which to make an application for planning permission.

Kind Regards,

AO Planning







**Planning & Development (Amendment)**  
**(Large-Scale Residential Development) Act, 2021**

**Large Residential Development (LRD) Meeting**

Held on Wednesday 25<sup>th</sup> May 2023 at 10.00am

Council Chamber, Kerry County Council

<b>Reference Number:</b>	<b>PP23/132</b>
<b>Applicant Name:</b>	<b>Tulfarris CG Ltd</b>
<b>Site Location:</b>	<b>Cloonmore, Tralee, County Kerry</b>

**In attendance:**

Tim Cowhig, Tulfarris CG. – Applicant  
James Dowd, Tulfarris CG - Applicant  
Paul McPolin, MPA Associates  
John Phelan, John Phelan Architects - Project Architect  
Ian Brosnan, Malachy Walsh & Partners, Civil Engineering  
Eoin O'Connor, Malachy Walsh & Partners, Planning  
Caoimhe O' Connor, Malachy Walsh and Partners, Planning

**Kerry County Council:**

Michael Lynch, Senior Executive Engineer, Planning  
Anita Murphy, Tralee Area Planner  
Greg O'Connor, Area Engineer, Water Services  
Michael Connolly, County Archaeologist  
Gerry Riordan, Senior Engineer, Climate Action  
Michael O' Donoghue, Housing Capital  
Eoin Kelliher, Executive Planner and Ecologist  
Paul Byrne, Environment Dept  
Micheal Lyons, Senior Engineer, Special Projects  
Noel Kissane, Tralee Area Roads Engineer  
Sharon O'Keeffe, Assistant Staff Officer, Planning

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Michael Lynch welcomed everyone to the meeting and gave a background to the process prescribed by the Planning and Development (Amendment) (Large- Scale Residential Development) Act, 2021 for proposed residential developments comprising 100 units or more.

In this case, a formal request for LRD Meeting was received by Kerry County Council on 05/05/2023 from John Phelan Architects on behalf of Tulfarris CG Ltd in relation to a residential development of 147 units on their lands at Cloonmore, Tralee. Then, within 4 weeks of today's LRD Meeting, KCC will issue LRD Opinion to the applicant as to whether the proposal constitutes a reasonable basis on which to make an application for planning permission.

**Applicant's Presentation**

Eoin O'Connor, Malachy Walsh & Partners, Planning commenced the Applicant's Presentation with a description of the site and its context. The site is located in a predominately residential area near Tralee Town Centre and is within easy walking distance of services such as Tralee Bus and Train Station, the Horan Shopping Centre and University Hospital Kerry. The 1.55 hectare site is zoned R2 – Existing Residential in the current Tralee Town Development Plan. The recent planning history on the lands involving refusals of

permission for residential development owing to concerns regarding access and piecemeal development was referenced. The site is located in Flood Zone C and is outside Natura 2000 Sites. Mr O' Connor also noted pre-planning discussions with the Planning Dept had taken place earlier in the year under Section 247 of the Planning and Development Act, 2000 (as amended).

John Phelan, John Phelan Architects, gave a presentation describing the site and outlining the rationale for the draft layout and design of the proposed residential development. Vehicular access to the site will be from the newly constructed Phase 1 of the Ballymullen to Clash Link Road to the south. Pedestrian and cycle access is proposed from the Boherbee Road to the north.

The schedule of proposed residential units is summarised as follows:

- (a) 51 no. 1-bedroom apartments,
- (b) 78 no. 2-bedroom apartments,
- (c) 14 no. 2-bedroom terrace townhouses and
- (d) 4 no. courtyard townhouses.

The draft layout would achieve a housing density of 95 units per hectare.

The proposed development will also involve the demolition of existing buildings on the site and the provision of site development works including service roads, cycle and pedestrian facilities, car and bicycle parking, public lighting, drainage works, water supply, public open spaces and boundary treatments.

Ian Brosnan, Malachy Walsh and Partners (MWP) advised that his firm were engaged in design of the infrastructure to serve the development. The site is served by public water supply and foul sewerage and Pre-Connection Enquiry Review from Irish Water confirms that connections to public water and foul sewerage networks are feasible subject to no stormwater permitted to enter public foul sewer. MWP are designing nature-based solutions for dealing with surface water run-off including Infiltration Areas, Rain Gardens, swales and permeable paving.

MWP are also engaged in preparation of Road Safety Audit and Traffic Impact Assessment.

#### **Kerry County Council response to presentation**

Micheal Lyons, Special Projects.

- (a) Permeability of site for pedestrians and cyclists noted.
- (b) Consideration should be given to storage of refuse bins and provisions for bin collection.
- (c) Pedestrian Crossings – tactile paving should be provided.
- (d) Segregated cycle routes should be considered.

Gerry Riordan, Senior Engineer, Climate Action

- (a) Concerns raised regarding future maintenance of nature-based stormwater solutions.
- (b) Layout of proposed development should provide for Electric Vehicle Charging Points.
- (c) Proposals for solar panels should have regard to the proximity of the site to University Hospital Kerry.

Greg O' Connor, Area Engineer, Water Services

Capacity is available in the public water supply and foul sewerage networks to serve the proposed development. Discharge of stormwater not allowed into the public sewer. No structures will be allowed to be built over existing 750mm diameter sewer running through the site.

Noel Kissane, Tralee Area Roads Engineer

- (a) Concern raised in relation to future maintenance of permeable paving areas.
- (b) Concerns also raised regarding infiltration/attenuation basins in terms of Health and Safety and future maintenance.

Dr Michael Connolly, County Archaeologist

Having regard to the location and area of the site, pre-development archaeological testing of the site will need to be carried out and report submitted with the planning application. As 37 archaeological features



were uncovered in the course of the recent construction of the school to the south, the site has high potential for archaeological features.

Michael O' Donoghue, Housing Capital

As site is area zoned Existing Residential, developer must comply with Part V of the Planning and Development Act, 2000 (as amended) in relation to the provision of Social and Affordable Housing. High proportion of 1-bed and 2-bed units is welcomed as there is a need for such accommodation. Early engagement between the developer and KCC Housing Dept is encouraged.

Eoin Kelliher, Executive Planner and Ecologist

- (a) Planning application documents should include EIA Screening Report and Appropriate Assessment Screening Report.
- (b) An Ecological Impact Assessment Report should be submitted which should include consideration of possible presence of bats in buildings proposed to be demolished, possible presence of invasive species such as Japanese Knotweed, retention of hedgerows and opportunities for biodiversity enhancement.
- (c) Landscaping Plan for the site should include details of proposed tree planting.
- (d) The proposal to use nature-based solutions to deal with surface water run-off including swales and infiltrations areas is welcome.

Paul Byrne, Environment Dept

- (a) Waste Management Plan should be submitted with the planning application. Possible presence of asbestos in buildings for demolition.
- (b) Construction and Environmental Management Plan for the construction phase of the development should also be submitted.
- (c) Possible presence of contaminated soil on the site arising from historic uses.
- (d) Layout of development should be designed having regard to the Refuse Bin Collection Bye-Laws

Michael Lynch, SEE Planning thanked all present for attending the meeting. KCC will issue LRD Opinion to the applicant by 22<sup>nd</sup> June.

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