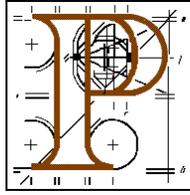


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2004

Kildare County

Planning Register Reference Number: 04/3137

An Bord Pleanála Reference Number: PL 09.213787

APPEAL by Geraldine MacCann care of McCutcheon Mulcahy of 2/3 Crawford Business Park, Proby's Quay, Cork and by Percy Podger on behalf of the Friends of The Curragh Environment Limited of French Furze House, Kildare, County Kildare against the decision made on the 17th day of August, 2005 by Kildare County Council to grant subject to conditions a permission to The Trustees of The Turf Club care of O'Connor Sutton Cronin and Associates of 9 Prussia Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The realignment of an approximate 1.1 kilometre length of the R413, generally to the north of the existing Curragh racecourse complex and to the south of the existing Stand Hotel; and realignment of approximately 170 metres of Stand House Road (LF7037) for the development of a new and realigned R413 of some 1.5 kilometres that will link the current R413 from the west of the existing West Stand and run in a loop to the north of the proposed new hotel and facilities (a separate concurrent planning application is being submitted by The Trustees of the Turf Club to Kildare County Council for the new hotel development), to the north of the Turf Club offices, and linking to a new approximately 50 metres diameter roundabout to the east of the existing racecourse complex. Development will also include the realignment of approximately 170 metres of the Stand House Road that will link into the new roundabout from which there will be an additional two accesses (four in total) linking the R413 Curragh to N7/M7 Roundabout Road; and an access into the internal area of the Racecourse all on a site of some 2.7 hectares at The Curragh Racecourse, The Curragh, County Kildare in the townlands of The Curragh and Loughbrown. The new realigned R413 road will include for a total of five new accesses along its length as well as a horse and rider underpass; four new accesses of which will be provided to the south of the new realignment providing access into the new hotel service area, the main new hotel entrance, new main racecourse entrance, and linking to the existing R413 alignment and racecourse complex to the east; and a single new access to the north of the realignment to provide access to the site of the proposed new Thoroughbred Remedies Manufacturing Limited building. (A separate planning application is being submitted by the Trustees of the Turf Club to Kildare County Council for this new development).

The proposed road development will provide tie in accesses into all existing roads/properties in the area. The development also consists of demolition of some 1,928 square metres of existing buildings overall, including an existing commercial building (approximately 376 square metres) currently used by Thoroughbred Remedies Manufacturing Limited to the west of the site and a stable block (approximately 1,552 square metres) to the east of the site. The development will also include the provision of ancillary works including footpaths, attenuation and petrol interceptors, public lighting and other infrastructure works all on a site of some 2.7 hectares at The Curragh Racecourse, The Curragh, County Kildare in the townlands of The Curragh and Loughbrown.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the substandard condition of the existing regional road, the severance caused by the alignment of this existing route, the proposed upgrade of this regional route and also to the planning authority policy to protect the Curragh from any development which would interfere with its amenity qualities while at the same time promoting the enhancement of facilities for racegoers, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area or have an adverse impact on the continued operation of adjacent stud farms and horse training operations and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the plans and particulars received by the planning authority on the 3rd day of June, 2005, the 27th day of June, 2005 and the 16th day of August, 2005 except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The remedial, reductive and mitigation measures as set out in the Environmental Impact Assessment received by the planning authority on the 3rd day of June, 2005 and the measures as set out in the particulars received by the planning authority on the 16th day of August, 2005 shall be fully implemented except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

3. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority detailed design proposals for the realignment of the road further west to maintain the existing right-of-way to the north-east of Loughbrown Lodge as proposed under 'Item 9' of the particulars received by the planning authority on the 16th day of August, 2005.

Reason: In the interest of the proper planning and sustainable development of the area.

4. Prior to commencement of development, the applicant shall submit to and agree in writing with the planning authority detailed design proposals to mitigate the affects of noise and light from the proposed road on existing stud farms and horse training operations located to the north-east, north and north-west of the proposed development, the design proposals shall include, inter alia, the following:-

- (a) the creation of a buffer zone, which shall include earthen berms between the proposed road and the stud farm to north and north-west,
- (b) fencing along the northern and western boundaries between the applicant's lands and the stud farm to the north and north-west,
- (c) proposals for screens/fencing adjacent the north-eastern boundary of the proposed road and the horse training facilities to the north-east of Loughbrown Lodge, and
- (d) design proposals for the public lighting to include deflectors to deflect light away from the stud farms and horse training operations to the north-east, north and north-west of the proposed road.

Reason: In the interest of proper planning and sustainable development of the area.

5. The proposed road realignment shall be in accordance with the detailed requirements of the planning authority for such works and, with reference to the requirements of conditions numbers 3 and 4 above, the developer shall submit to and agree in writing with the planning authority detailed design proposals for the road realignment which shall include, inter alia, the following:-

- (a) adequate lines of sight to be clearly indicated for all proposed junctions,
- (b) design details of right hand turning lanes,
- (c) design details for the proposed roundabout,
- (d) details of signage, road markings and lining,
- (e) public lighting layout and details,

- (f) safety audits for the new road and roundabout,
- (g) details to provide for future pedestrian crossing of the road to link a future re-opened rail halt at the Curragh with the racecourse, and
- (h) roadside drainage proposals.

Reason: In the interest of traffic safety.

6. The developer shall facilitate the planning authority in the archaeological appraisal of the site and in preserving and recording or otherwise protecting archaeological materials or features which may exist within the site. In this regard, the developer shall:-
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

Prior to the commencement of development, a report containing the results of the assessment shall be submitted to the planning authority. Arising from this assessment, the developer shall agree with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to the Board for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2006.